

Compliance program report

Childcare centre compliance program

Brisbane North region
2006-07

Executive summary

The Childcare Centre Compliance program was carried out by Workplace Health and Safety Queensland's (WHSQ) Brisbane North region between September and December 2006. This report summarises the main findings of this compliance program.

The Childcare Centre Compliance program targeted businesses that provide childcare services. Representatives from the industry sector were consulted prior to commencement of the audits, to identify what hazards were to be included in the audit component of the campaign.

The overall program goal was to reduce the high incidence of musculoskeletal injuries (body stressing) for childcare workers in childcare centres, and to prevent vaccine preventable infectious diseases more effectively, in particular:

- hepatitis A
- measles
- mumps
- rubella
- pertussis.

Over the period 2003/04 – 2004/05, childcare centres reported 116 injuries, with an average 23 days absent from work.

A total of 80 businesses were audited within the Brisbane North region to determine compliance with relevant workplace health and safety legislation and industry codes of practice, including the:

- *Workplace Health and Safety Act 1995*
- *Workplace Health and Safety Regulation 1997*
- *Manual Tasks Code of Practice*
- *Hazardous Substances Code of Practice.*

Comprehensive workplace audits were conducted, including a desk top audit and worksite verification with each business.

Of the 80 workplace assessments, 255 notices were issued and 47 verbal directions were provided. Notices were issued to rectify non-compliance with the requirements of the *Workplace Health and Safety Act 1995*: These notices were issued in relation to:

- biological hazards
- electrical safety
- falls from heights
- hazardous substances
- manual handling
- plant
- slips, trips and falls.

Introduction

Between September and December 2006 a childcare centre compliance program was undertaken by WHSQ.

The program was in response to previous interventions by WHSQ, conducted in 1999 by Brisbane South and South West regions, 2004 by Central Queensland region and 2005 by North Queensland. Non-compliance was identified in:

- biological hazards (e.g. infection control and immune status of workers to vaccine preventable diseases)
- hazardous substances
- manual tasks
- plant and equipment.

Conclusions and recommendations made are included in this report.

Goal

The overall project goal was to reduce the high incidence of musculoskeletal injuries (body stressing) for workers in childcare centres, and to prevent vaccine preventable infectious diseases more effectively, in particular:

- hepatitis A
- measles
- mumps
- rubella
- pertussis.

Objectives

1. Employer aware of the:
 - high incidence of body stressing injuries (lifting/handling/carrying)
 - vaccine preventable infectious diseases
 - hit and being hit injuries
 - exposure to hazardous substances.
2. Obligation holders control workplace health and safety risks associated with:
 - body stressing injuries (from lifting/handling/carrying)
 - vaccine preventable infectious diseases
 - hit and being hit injuries
 - exposure to hazardous substances.
3. Skilled and knowledgeable inspectorate.

Purpose

The purpose of this report is to:

- explain the methodology employed to conduct the compliance program
- present and discuss its results and make recommendations for future initiatives
- control risks in the childcare centre industry.

Background

The number of childcare centres is rapidly increasing throughout the Brisbane North region. There is a high demand for childcare services, due to population growth (migration). Consequently, centres are always at maximum capacity.

Childcare centres are largely characterised by a young workforce, with a high turnover of staff, including management. This constant change presents challenges for the implementation, development and management of workplace health and safety into the culture of the centre.

Analysis of workers' compensation data was used to identify workplace injuries and disease in the childcare sector (*ANZSIC 8710*) of the health and community services industry (HCSI).

Over the period of 2003/04 – 2004/05, the HCSI, in the Brisbane North region, reported 7679 workers' compensation injuries, costing businesses in the region in excess of \$51 million dollars. This is an average cost of \$6,700 per injury (including medical costs) and 32 days absence from work.

During 2003/04 – 2004/05, childcare centres reported 116 injuries (1.5 per cent of all health and community services injuries), costing Brisbane North regional businesses in excess of \$414,000 dollars, an average cost of \$3,500 per injury (including medical costs), and 23 days absence from work.

Out of the 116 injuries, sprains and strains of joints and adjacent muscles accounted for approximately 65 per cent (76 injuries), followed by fractures with 9.4 per cent (11 injuries).

Body stressing accounted for 33 per cent of injuries (39 injuries), making it the most common form of injury. Body stressing includes:

- muscular stress while lifting, carrying, or putting down objects
- muscular stress with no objects being handled
- muscular stress while handling objects other than lifting, carrying or putting down.

These forms of body stressing injuries account for 26 per cent (31 injuries) by childcare workers, primarily causing sprains and strains of joints and adjacent muscles.

The second most common mechanism of injury is associated with slip, trips and falls, constituting 30 per cent of all childcare worker injuries (a total of 35 injuries). Slips, trips and falls (falls on the same level) account for 26 per cent of injuries (31 people injured). These primarily cause sprains and strains of joints and adjacent muscles.

Links to action plans

The compliance program actively supported a number of action areas within the Health and Community Services Industry Action Plan 2004-2007.

- Data - 1.1 continue to improve data sources to enhance decision-making.
- Research - 2.5 analyse findings from inspection and compliance activities to inform the development of effective intervention strategies.
- Compliance support - 4.2 provide regular updates through industry publications on outcomes of industry compliance/audit campaigns.
- Strategic enforcement:
 - 6.4 conduct evidence-based audit programs on manual handling in the HCSI
 - 6.5 WHSQ to promote and publicise enforcement policies (e.g. enforcement framework) to the HCSI
 - 6.7 enforcement strategies to focus on implementing control measures and educating workers on systems to improve health and safety
 - 6.8 produce, circulate and publish report on the outcomes of audits.

Strategy

Audit criteria

The workplaces selected for the compliance program were selected from the Department of Communities childcare information service database for long day care childcare centres and kindergartens. 326 of these centres were within the Brisbane North region.

Workplaces were eliminated from an assessment if they had been assessed within the previous two years, or currently under prosecution or recently prosecuted.

80 workplaces were randomly selected for assessment, representing 24.5 per cent of the long-day care childcare centres (60 sites) and kindergartens (20 sites) in the Brisbane North region.

Audit tools

An audit tool was developed to identify:

- high risk manual tasks
- hazardous substances
- biological hazards
- plant.

The checklist addressed compliance with the abovementioned issues, as well as:

- electrical safety
- security and occupational violence
- workplace harassment
- stress.

The checklist also sought feedback on the self-assessment checklist, as well as inspectors' post visit reflections.

Inspector involvement

Nine inspectors were involved in the compliance program, primarily from the industrial inspectorate.

Inspectors were selected based on experience and knowledge of:

- manual tasks
- hazardous substances
- biological hazards
- plant.

Additionally, inspectors were chosen for the mentoring opportunity the compliance program provided.

Before conducting audits, inspectors and two small business advisors received immunisation, in accordance with the workplace health and safety operational policy – immunisation, against:

- chickenpox
- pertussis
- measles
- mumps
- rubella.

Professional training and support was provided by the principal advisor (occupational health), principal inspector (ergonomics) and senior inspector (industrial). The following subjects were discussed:

- biological hazards (vaccine preventable diseases)
- manual tasks
- hazardous substances
- plant
- maintaining consistency of approach
- appropriate enforcement tools
- campaign reporting systems
- campaign audit tools
- compilation of the file.

Industry consultation and support

Letters and a self-assessment checklist were sent to all workplaces in August 2006, advising all participants of the impending compliance program and industry forum. Businesses were invited to attend information sessions held at the Brisbane North regional office, prior to commencement of the audits. Two information sessions were delivered over two days by inspectors involved in the program, with a total of 116 people from 68 businesses in the industry attending. The presentations included:

- information on the compliance program
- biological hazards
- hazardous substances
- manual tasks
- plant
- small business consultations.

As a result of this information session, the 68 businesses involved welcomed and actively supported the proposed compliance program. This is reinforced by the fact that very few complaints were received by the participants during the compliance program..

A working relationship was also established with Department of Communities to enable WHSQ to conduct the compliance program efficiently. Prior to the compliance program, an information session was delivered at Department of Communities' network meeting to highlight the upcoming program, with approximately 30 directors and workers representing approximately 20 centres, in attendance.

At the request of the Crèche and Kindergarten Association, the pre-audit information session was delivered to a group of their clients after the compliance program was completed.

Reporting and technical support

The compliance program was scheduled for ten weeks, commencing on 18 September 2006.

Audits were entered into the CIS database, and files were compiled, including photographs and copies of notices.

At the end of each two-week period, a summary was noted in the regional key dates document, to keep all regional staff up-to-date on the program's progress.

In addition, each month regional operation managers and coordinators met to discuss the project. Audit team meetings were held fortnightly to discuss enforcement interventions and continue a consistent approach to the audits.

During the compliance program, continuous technical and procedural support was provided to inspectors by principal inspectors (ergonomics and plant) and principal advisor (occupational health unit).

Results

WHSQ inspectors audited 80 workplaces during the assessment compliance program, with small business advisors conducting 48 consultations.

A checklist was used to gather information on workplace expectations, with self-assessment checklists and information sessions. These were used to determine the benefits of assisting childcare centres and kindergartens address workplace health and safety compliance.

Of the workplaces audited, 95 per cent of these were small businesses, with less than 20 workers.

Out of all workplaces audited, 24 per cent found out about the audit via the WHSQ letter mail out, the majority of these being small businesses. Industry associations were also a useful way of informing childcare centres/kindergarten (14 per cent) of the impending audit and industry seminar (11 centres).

A self-assessment checklist was included in the WHSQ letter mail out. Fifty-three per cent of all workplaces used the self-assessment checklist.

Smaller workplaces that used the self-assessment checklist did not appear to have problems in using it.

Of the workplaces audited, Thirty-eight per cent of workplaces found the session helpful. Thirty-one per cent of these were small businesses. Three per cent of the businesses had 20-30 workers.

Enforcement activity

Identified issues of non-compliance with legislation and failure to meet minimum requirements attracted the appropriate level of enforcement action, in accordance with WHSQ's enforcement framework guidelines.

Inspectors identified a total of 302 instances of non-compliance, requiring the issuing of notices, including:

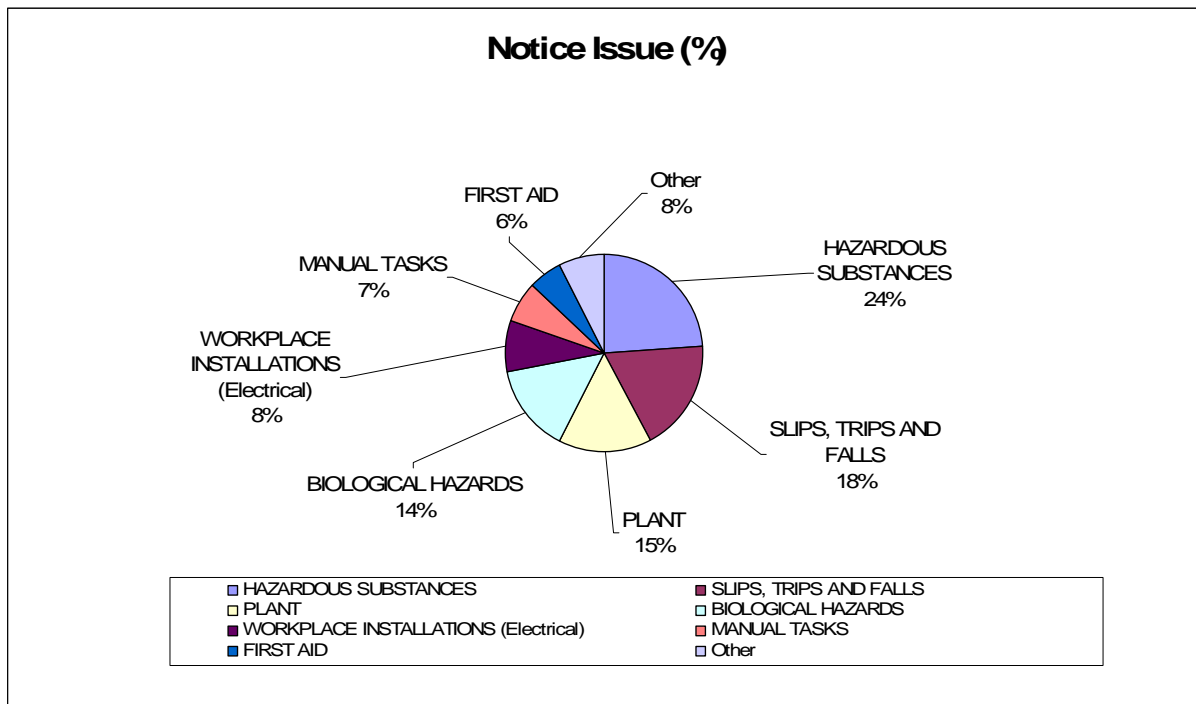
- 246 improvement notices
- 9 prohibition notices
- 47 verbal directions.

Notices by type issued for childcare compliance program (2006)

Category	Notice issue	Improvement notice	Prohibition notice	Verbal direction	Total
Hazardous substances	Register	14		4	18
	Induction	17			17
	Records	14			14
	Record keeping	9			9
	Risk management	6		1	7
	MSDS	5		1	6
	Labelling	2			2
Hazardous substances Total		67		6	73
Slips, trips and falls	Safe work environment	26	2	15	43
	Safe plant	8		3	11
	Provision of information, instruction, training and supervision	1			1
	Safe system of work	1			1
Slips, trips and falls Total		36	2	18	56
Plant	Safe plant	24	4	1	29
	Safe work environment	16		2	18
Plant Total		40	4	3	47
Biological hazards	Other communicable diseases	15		2	17
	Vaccine preventable diseases	14			14
	Latex allergy	8		1	9
	Blood-borne diseases (HIV, hepatitis B and C)	4			4
Biological hazards Total		40		3	43
Workplace installations	Service or office work	26			26
Workplace installations (electrical) Total		26			26
Manual tasks	Working postures	8		1	9
	Work design	5			5
	Forceful exertions	4			4
	Load handling	1			1
	Work organisation	1			1
Manual tasks Total		19		1	20
First aid	Maintain first aid	3		13	16
	Adequate provision of first aid equipment			1	1
First aid Total		3		14	17
Obligation	General obligation	5		2	7
Obligation Total		5		2	7

Category	Notice issue	Improvement notice	Prohibition notice	Verbal direction	Total
Access	Person in control obligation access	4			4
Access Total		3			3
Injury/event notification	Notification	3			3
Injury/event notification Total		3			3
Workplace amenities	Washing facilities	1			1
	Availability	1			1
Workplace amenities Total		2			2
Falls from heights	Safe plant		2		2
Falls from heights Total			2		2
Owner of plant	Plant maintained in safe condition	2			2
Owner of plant Total		2			2
Dangerous goods regulation	Fire protection system			1	1
Dangerous goods regulation Total				1	1
Person in control	Safety of workers	1			1
Person in control Total		1			1
Workplace health and safety officer (WHSO)	Employer to appoint WHSO	1			1
WHSO Total		1			1
Grand Total		250	8	48	306

The graph below shows the percentage of notices for each hazard issued (by percentage). The most common area of non-compliance addressed by inspectors was plant and hazardous substances.



In addition to the notices issued, inspectors gave advice on:

- notification of incidents
- documenting risk assessments for manual tasks
- managing accidental skin penetrating injuries (sharps)
- record keeping
- general management of workplace health and safety
- training
- plant maintenance
- consultative processes.

Discussion

The childcare centre compliance program had three objectives, as outlined on page 2.

WHSQ Brisbane North believes progress has been made towards the outlined objectives. Workplaces that participated in the compliance program were assisted in finding ways to reduce workplace exposures to the key risk factors associated with:

- body stressing injuries
- vaccine preventable diseases
- hit and being hit injuries
- exposure to hazardous substances.

The findings from this compliance program can provide the industry with feedback on the areas in which they are doing well, and guidance for further improvement in relation to risk control for:

- biological hazards
- manual tasks
- hazardous substances
- plant issues.

As a result of the industry forum, 48 workplaces requested free small business consultations.

Of the 80 workplaces audited, 16 had received a consultation before being visited during the compliance program. It was identified that these workplaces understood what was expected and had already eliminated hazards before the inspectors' visits.

The feedback from these workplaces was that the service from WHSQ's small business advisors was excellent. Most had attended the industry forum and appeared relaxed and confident during the audit.

Awareness of risk factors

Feedback obtained from attendees of the industry forum indicated that overall the child care industry did have a general awareness of the risks and incidences of musculoskeletal injuries in the industry. Awareness and understanding of the risks associated with the main mechanisms of injury (e.g. body stressing) was variable. The forum also brought awareness to a range of hazards in the workplace. This was verified during the audits, as the workplaces had, or were, in the process of putting policies and procedures into place.

Kindergartens had less manual task risks, as there is no lifting of children to nappy change tables and children are generally toilet-trained before attending a kindergarten. The issues that kindergartens face include:

- community-based – problems with funding for maintenance
- committees to attend to workplace health and safety matters changes bi-yearly – keeping up with legislative changes.

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During the audits WHSQ identified:

- most workplaces had health and safety policies

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- a general awareness of the problems associated with manual tasks and risk assessments had been conducted; however these assessments were not documented
 - adult chairs were usually supplied to workers, but they would choose to sit on child chairs and tables to do their paperwork in dimly lit rooms during rest time
 - incorrect gloves, such as food handling plastic gloves and powdered latex gloves, were being used for tasks such as nappy changing, mainly due to costing issues
 - awareness and implementation of immunisation, but not always fully understood
 - different standards as to what was required in first aid kits (e.g. different policies on what first aid is administered to the children)
 - the priority of the kindergartens and childcare centres is the health and safety of the children, and the workers to a lesser degree
 - all workplaces had very good sun protection policies and procedures
 - equipment checking was insufficient in some workplaces, resulting in enforcement action from the inspectors, although every workplace had daily checklists to observe play equipment
 - sandpits had covers, but were not always covered completely.

The childcare centre compliance program provided an opportunity for establishing effective working relationships with industry associations and key employer stakeholders. These relationships were built as a result of the information sessions run prior to the audits, and through maintained contact with key business representatives during the audit process.

Controlling workplace health and safety risks relating to manual tasks, biological hazards, hazardous substances and plant issues

- Many businesses had realised the benefits of adopting a systematic, risk management approach to control the risks, to ensure the health and safety of workers, associated with:
 - manual tasks
 - vaccine preventable infectious diseases
 - hazardous substances
 - hit and being hit (plant)
 - other workplace health and safety issues..
- The compliance program identified the important elements of a systematic, risk management approach for:
 - manual tasks
 - vaccine preventable
 - infectious diseases
 - hazardous substances
 - hit and being hit (plant).
- The compliance program also identified the need for further skill development in small businesses in to risk management.

Common issues identified

Manual tasks

Common issues identified:

- Overreaching and forceful exertions in storage of sleep mattresses and play equipment, and handling children.

Positives identified:

- Most workplaces had identified manual task risks, and implemented control measures, such as:
 - replacing heavy wooden play equipment with light weight equipment
 - redesigning storage areas, by adjusting height of shelving and hooks to reduce overreaching
 - incorporating fold-out steps in nappy changing area to allow children to step up to the table, reducing lifting
 - height adjustable high chairs to reduce lifting.

Biological hazards

Common issues identified:

- incorrect gloves, such as food handling plastic gloves and powdered latex gloves, were being used for nappy changes
- lack of policies in place to ensure pregnant workers are free from the risk of acquiring infectious diseases that may cause foetal infection, namely cytomegalovirus.
- some immunisation records were not adequate.

Positives identified:

- most workplaces were using powder free latex gloves
- every workplace had policies and procedures for nappy changing and cleaning.

Hazardous substances

Common issues identified:

- not keeping a register and risk assessments of hazardous substances, there was no induction or training in use of hazardous substances or any records kept.

Positives identified:

- MSDSs were supplied and displayed for workers
- when enforcement action taken, most workplaces implemented hierarchy of control, by either eliminating or substituting the hazardous substance.

Plant

Common issues identified:

- wear and tear of wooden play equipment and posts around sandpits
- deterioration of plastic play equipment (e.g. cubby houses cracked and broken).

Positives identified:

- most workplaces had a maintenance program and checking procedures.

Electrical safety

Common issues identified:

- safety switches not being tested by a competent person, in accordance with, and at the intervals stated in, *AS/NZS 3760*.

Positives identified

- most workplaces had a system in place, where safety switches were tested by either the director or a worker, on a regular basis.

The compliance program raised awareness to obligation holders regarding:

- safe work practices
- electrical safety
- hazardous substances
- manual tasks
- other health and safety issues.

Most of the obligation holders were aware of risk management processes and the reasons for having training records and inspection and maintenance programs in place. These

systems assist in the management of workplace health and safety, and when effectively implemented, lead to a decrease in work-related incidents and illnesses.

The enforcement results indicate a number of areas of non compliance were fairly consistent but, once the workplaces were made aware of the issues, they complied within the timeframes.

Inspectorate up-skilling in this area

This compliance program improved inspectorate understanding of the services provided by the child care industry, and the workplace health and safety issues faced by workers/employers in the area of:

- manual tasks
- vaccine preventable infectious diseases
- hazardous substances
- hit and being hit (plant).

Feedback from the audit team was the training covered all aspects of the audit, and the resources provided were excellent.

Inspector ratings

As part of the evaluation processes, each inspector gave an overall rating of each business, based on their existing systems for managing workplace health and safety risks in the workplace.

Inspectors looked to identify if workplaces were systematically managing workplace health and safety including,

- policies and procedures
- risk identification and assessment
- training and consultation.

The findings revealed that inspectors identified:

- 35 per cent of workplaces changed their outlooks, perspectives, or viewpoints about safety since the seminar
- 62 per cent of workplaces changed their outlooks, perspectives, or viewpoints about safety as a consequence of the audit
- 53 per cent of workplaces changed practices associated with targeted hazards
- 76 per cent of workplaces appeared to have a systematic approach to safety. 72 per cent of the 76 per cent were small businesses with fewer than 20 workers
- 68 per cent of workplaces had enthusiastic and competent management
- 76 per cent of workplaces had identified the main risks
- 71 per cent of workplaces had controls in place
- 65 per cent of workplaces had checked controls were in place
- 53 per cent of workplaces had evidence of effective self-regulation
- 89 per cent of workplaces had policies in place
- 84 per cent of workplaces had work procedures in place
- 77 per cent of workplaces had training in place
- 77 per cent of workplaces had consultation mechanisms in place.

Most workplaces were rated average or above average in regards to their compliance of workplace health and safety legislation.

Recommendations

Upon completion of the audits, the inspectors overall recommended:

- building upon relationships established through the program
- identifying new opportunities to raise awareness of workplace health and safety issues in childcare centres and kindergartens (e.g. Schooling and Childcare Advisory Group [S&CCAG])

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- disseminating a copy of the final report to industry through identified channels (e.g. S&CCAG) and through opportunities identified through Brisbane North region engagement plan
 - conducting post-audit evaluation/surveys of businesses involved in the compliance program during the 2008/09 financial year.

For further information visit www.worksafe.qld.gov.au or call the Workplace Health and Safety Infoline on 1300 369 915.

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Workplace Health and Safety Queensland, Department of Justice and Attorney-General

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