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**Introduction**

**1. Legislative Requirements**

Legislation is the act of preparing and imposing laws, it is the act or process of making a law or a lot of different laws. We need legislation so that employers and employees are kept safe in the workplace. The act ensures that employees and employers are kept safe and healthy whilst in the workplace. The legislation is imposed so that workplace accidents and injuries are reduced. It is important as it covers the legal responsibilities of the employer and the duties of the employees in regards to health and safety.

**1.1 Regulations**

All of the staff (managers, employers and employees) within a company have legal obligations to help maintain a safe workplace.

The obligations of the staff are outlined in the Occupational Health and Safety Regulations 1996. A link is shown below.

<http://www.slp.wa.gov.au/legislation/agency.nsf/docep_main_mrtitle_1853_homepage.html>

To display the health and safety regulations click on either the word document or the PDF file located underneath the Download (help) section.

Regulations are legally binding. They include details about the duties and procedures that should be followed to control risks of particular hazards. The regulations outline that employers are required to identify, assess and develop ways to reduce risks in the workplace.

**1.2 Codes of Practices**

Codes of Practice provide advice on how to meet regulatory requirements. Codes are not legally enforceable, but they can be used in courts as evidence that legal requirements have or have not been met.

A code of practice is defined in the Act as a document prepared for the purpose of providing:

* practical advice on preventative strategies; and
* a practical means of achieving any code, standard, rule, provision or specification relating to occupational safety and health in Western Australia.

The codes of practice are developed by the Commission for Occupational Safety and Health.

**1.3 Australian Standards**

Standards Australia is recognised by the Government as Australia’s peak Standards body. It coordinates standardisation activities, develops internationally aligned Australian Standards® that deliver Net Benefit to Australia, and facilitates the accreditation of other Standards Development Organisations. Through the Australian International Design Awards it promotes excellence in design and innovation.

**1.4 Duties**

##### **1.4.1 Duties of Employers**

1. **To provide and maintain a working environment that is safe and without risk to health.**
2. **The employer must:**
   1. Ensure that the use, handling, storage & transport of plant and substances (chemicals) is safe & without risks to health.
   2. Ensure that the workplace under employers’ control is safe and without risks to health.
   3. Provide adequate facilities (washrooms, toilets, lockers, dining areas, first aid, etc) .
   4. Provide as much information, instruction, training and supervision to the workers so that they can work safely.
   5. Monitor the health of the employees.
   6. Monitor the conditions at the workplace under their management and control (eg heat, cold, dust levels, fumes, and so on).
   7. Keep information and records on the health and safety of employees.

**1.4.2 Duties of Employees**

Employees’ must:

* take reasonable care for their own health and safety
* take reasonable care for the health and safety of others who may affected by their acts or omissions
* cooperate with anything the employer does to comply with OHS requirements
* not 'intentionally or recklessly interfere with or misuse' anything provided at the workplace for OHS.

# 2.Consultative Process

“Consultation is the process of sharing of relevant information about occupational health, safety and welfare with staff. It gives staff the opportunity to express their views and to contribute in a timely fashion to the resolution of health and safety issues at work, and ensures that the views of staff are valued and taken into account by the manager”.

* 1. **Benefits of consultation**

Through consultation, employers can become more aware of hazards and OHS issues

experienced by employees. Employees can provide suggestions about how to solve

health and safety problems. Employee participation enables the employee to contribute to determining how the work can be undertaken safely.

* Greater openness, respect and trust between management and employees through

developing an understanding of each other’s points of view.

* Higher employee morale and job satisfaction through the employer demonstrating

that employee views are valued and taken into account.

* Healthier working environments and increased productivity.
  1. **The employer’s rights and duties**
* To permit access to certain categories of information
* To consult with the representative on certain matters
* To provide such facilities and assistance as are necessary to enable the representative to carry out the relevant functions and duties

## OHS Responsibilities

### 2.3.1 Responsibilities as a Head Office:

* Providing the information, instructions, training and supervision necessary to ensure the health and safety of the employees to ensure procedures are follow at all times and any risk is minimized.
* Maintaining places of work under their control in a safe condition, and ensuring safe entrances and exits.
* Providing and maintaining systems of work, and working environments that are safe and without risks to health.
* Must ensure the health and safety of people visiting or working at their places of work, and who are not members of the employees, by not exposing them to risk.
* Developing and implementing local safe work instructions and operating procedure for employees, contractors and visitors.
* Consulting with employees and their health and safety representatives on all matters that may affect their health and safety

### 2.3.2 Responsibilities as an employer:

* Take care that the employees are following the OHS rules at their workplace.
* Provide OHS information, training and supervision and inform the employees of the safety policy.
* Provide some break to the employees to limit risks and hazards problems.
* Ensure the material used by the employees is in a good quality.
* Must ensure that the rules of the company are followed by the employees

### 2.3.3 Responsibilities of the Supervisor:

* Providing information instructions, training and supervision to all persons under their control, including contractors and visitors to ensure procedures are follow at all times and any risk is minimised.
* Ensuring the work environment (including facilities and equipments) is safe and healthy and that work tasks can be performed safely.
* Promptly notifying any incidents or occurrences in accordance with Company procedures.

|  |  |
| --- | --- |
| See Graphic. | **Points to remember** |
| 1. Occupational health and safety encompasses the social, mental and physical well-being of workers in all occupations. 2. Poor working conditions have the potential to affect a worker's health and safety. 3. Unhealthy or unsafe working conditions can be found anywhere, whether the workplace is indoors or outdoors. 4. Poor working conditions can affect the environment workers live in. This means those workers, their families, other people in the community, and the physical environment around the workplace, can all be at risk from exposure to workplace hazards. 5. Employers have a moral and often legal responsibility to protect workers. 6. Work-related accidents and diseases are common in all parts of the world and often have many direct and indirect negative consequences for workers and their families. A single accident or illness can mean enormous financial loss to both workers and employers. 7. Effective workplace health and safety programmes can help to save the lives of workers by reducing hazards and their consequences. Effective programmes can also have positive effects on both worker morale and productivity, and can save employers a great deal of money. | |

* 1. **Duty to Consult**

The OHS Act places a duty to consult on Simwen Consulting Group.

Under the duty, employer must consult with their employees to enable them to contribute to the making of decisions affecting their health, safety and welfare at work [Act: 13].

The purpose of the duty to consult is to ensure there is meaningful and effective consultation about matters that may affect employees’ health, safety and welfare so there is reduced injury and disease.

Relevant information about OHS and welfare should be shared with employees. The views of the employees are valued and taken into account.

Occupational Health and Safety items in Simwen Consulting Group would include the following:

* Ergonomic (material handling, posture, etc)
* Office environment
* Fire hazard
* First aid
* Slips and trips
* Lighting
  1. **When to Consult**

As required by the Occupational Health and Safety Act 2004, Simwen Consulting Group will consult with its employees when any of the following are undertaken:

* When making decisions about procedures for consultation.
* When risks to health and safety arise from work or when risks are assessed or reviewed
* When decisions made about how to control those risks.
* When introducing or altering procedures for monitoring those risks.
* When proposed changes to the premises, methods of work or substances used at work, will affect health, safety or welfare.
  1. **Who to Consult**

The OHS Act requires employers to adopt an OHS consultation arrangement to assist with meeting their duty to consult. The OHS Act provides three options:

1. An **OHS Committee** comprised of employer and employee representatives.

2. **OHS Representatives** elected by employees.

3. **Other Agreed Arrangements** agreed to between the employer and their employees.

* 1. **Establishing Consultative Structures**

The OHS Act provides choices on how consultation can occur. An OHS Committee,

OHS Representative or Other Agreed Arrangements may be established. The legislation

allows choice to enable the employer and their employees/ students to adopt the consultative arrangement which they believe will best ensure effective and meaningful consultation.

An OHS Committee is an option where there is a desire for a representative group to come

together in a co-operative way to improve the employer’s or student’s systems of managing health and safety. An OHS Representative is an option where there would be a benefit from having an individual employee representative for a designated group of workers. Under other agreed arrangements, the employer and their employees may agree on a consultative framework that is different to having an OHS Committee or OHS Representative structure.

* 1. **Health and Safety Representatives**

Health and safety representatives are employees elected or selected for the role, who represent the health and safety interests of employees within their designated work group in their organization or campus. Simwen views the role HSRs play in developing and maintaining a partnership between managers and students on occupational health and safety issues as a significant contribution and an integral component in maintaining one of Australia’s better known education departments.

Election to the position of health and safety representative is open to all members of staff. The names of the elected health and safety representatives and their deputies are to be displayed prominently on notice boards around the campus.

* 1. **What do they do?**

The steps that an OHS Representative should take to review the measures that are in place to ensure the health and safety of employees/ students include:

* Conducting inspections of their workgroup.
* The Representative and the employer should agree on how the inspection is carried out.
* The frequency of inspections will be determined by the frequency of consultation and or problem solving needs.
* Providing input into the ongoing development and improvement of the employer’s

systems for managing safety, including indicators for measuring OHS performance.

* Providing input and consultation about emergency procedures.
* Providing input and being consulted about the well being of employees.
* To assist in the development of arrangements for recording hazards and

accidents to promote improved health and safety.

* To make recommendations on their training needs as an OHS Representative.
* To make recommendations on the OHS training of employees.
  1. **How the Consultation Process Works**

When a health or safety issue is raised by a company, employee or the OHS Committee, health and safety representatives will meet with members of a workplace and discuss how to fix the problem. They will gather feedback from the affected parties and report their findings during meetings of the OHS Committee.

Employees should immediately inform their supervisor that the company is suffering from health and safety concerns and they would like the issue solved as soon as possible. If the supervisor is unavailable the issue should be referred to either the health and safety representative or an OHS Committee member.

* 1. **How to Ensure Effective Consultation**

To have effective consultation, management must listen to the views of employees and inform them of any changes that have been made in the workplace due to issues discussed during consultation. There are key areas thatshould be addressed in every OHS Committee meeting to ensure effective communication.

It is important to write down what is agreed upon at each OHS Committee meeting. The minutes shall reflect the Agenda

items, taking care to include:

* Date, time, persons attending meeting
* Issues raised
* Topics discussed
* Actions to be taken, by whom and by when
* Any workplace inspections (that have occurred or are to occur)
* Planned changes discussed
* OHS consultation feedback
* Information required to be obtained for next meeting
* Unresolved issues
* Actions previously taken

**3. OHS Training**

Training is a very important aspect in any workplace. It is essential that all staff members have up-to-date training, on all equipment they may use in the office. This is to prevent injuries such as sore eyes from glare on a computer screen to very serious injuries such as Spinal Strain.

**3.1 Types of OHS Training**

There are many types of training that are necessary. These include:

* Manual handling
* Seating positions and posture (ergonomics)
* First aid
* Fire emergency procedure
* Correct use of equipment – computers, printers, fax machines, photocopiers
* What to do if an accident occurs
  + How to report it
* How to identify a risk
  + **SAM** – **S**pot the hazard, **A**ssess the risk, **M**ake any changes

**3.2 How can OHS Training be delivered?**

Not all people can be taught the same way. Some like visual aids whereas others do not need visual aids, along with the verbal discussion.

* Visual – PowerPoint presentations, DVD’s, posters, pictures.
* Verbal – presentation, discussion, debate.
* Groups – make the training more enjoyable.
* Written work – manuals, tables.
* External training – attending a training course/workshop
* Internal training – by company, manager, OHS representative
* Online training

**3.3 What can happen if OHS Training is not followed**

If OHS training is not followed an employee could get seriously injured. This could result in not only medical issues for the employee, but also legal costs for the company (compensation claims). Loss of employees could occur, if the company does not provide the necessary training needed to prevent this from occurring.

**3.4 Benefits of OHS Training**

* All staff have up-to-date training and knowledge on equipment used
* Give a less chance of injuries occurring
* Employer feels comfortable letting employees use equipment

**3.5 Who benefits from OHS Training**

Every employee and member of management in the workplace benefits from OHS training.

**4. Hazard Identification**

The process of identifying and fixing potential hazards in the workplace is called hazards management – a simple procedure where you assess and control the risk of hazards to workers. A hazard is something that has the potential to harm the health and safety of people at work.

A hazard may include sources or situations with a potential for harm in terms of injury, ill health, damage to property, damage to the environment or a combination of all of these.

All hazards, incidents and accidents involving SimWen Consulting Group, property and activities must be reported, investigated and recorded in accordance with the SimWen Consulting Group policies and procedures.

Carrying out regular safety inspection can identify unsafe conditions. A safety inspection is a procedure carried out in all organisations, the purpose of a safety inspection is to:

* Determine the hazards in the workplace
* Identify any unsafe acts
* Determine the risk associated with the hazard
* Put in place control measure to eliminate the risk or at the very least, reduce it.

**4.1 How to Identify a Hazard**

* Review hazard identification techniques and tool in consultation with staff and students in the area, and OHS specialists if required, to ensure staff and students are suitably comprehensive.
* Check records of injuries and illnesses that have occurred in the workplace that could help identify less obvious hazards.
* Regularly conduct inspections in the workplace, looking for any potential hazards that could cause harm. These could include; cables and cords, scattered chairs, bags on the floor, incorrect ergonomic furniture, etc.
* Use a checklist as a guide for types of general hazards when conducting inspections.
* Talk to other staff or students if they have noticed anything that they feel is unsafe as it may not be obvious to you.
* If a hazard is found, they must then be reported the Safety and Health Representative using a Hazard Report Form.

A hazard is placed in one of three categories based on the likelihood of risk, these categories are;

1. Category “A” – type hazard is regarded as dangerous and requires **immediate** corrective action.
2. Category “B” – type hazard is less dangerous and corrective action must be taken within **three weeks.**
3. Category “C” – type hazard must be corrected within **eight weeks**.

**4.2 Risk Management: Assessing Risk**

Hazard identification, risk assessment and risk control are three principles used in workplaces to manage safety and health.

Risk means a combination of the severity and likelihood of harm arising from hazard.

Risk assessment is the process of evaluating the severity and likelihood of harm arising from a hazard.

Risk assessment is the determination of quantitative or qualitative value of risk related to a concrete situation and a recognized threat (also called hazard). Quantitative risk assessment requires calculations of two components of risk, the magnitude of the potential loss, and the probability that the loss will occur.

**4.3 Step 1: Identifying or Spotting the Hazard**

The hazards can be identified by observing, inspecting, investigating, communicating and consulting with staff / students in the workplace and making a record of the hazards identified. Knowledge of the workplace hazards will assist, and hence be alert at work. Watch out for hazards in workplace and should be reported to immediate supervisor.

**4.4 Step 2: Assess and priorities Risk**

Analysing the risk involves determination of the:

Consequences – outcome of an incident

Exposure – interaction with hazard

Probability – likelihood that consequences will occur once individual is exposed

Process - Use the Risk Score calculator for analysing and evaluating risk. The objective of analysing risk is to determine whether the risk is acceptable. It provides a qualitative tool that assists in prioritizing risk. The Risk Score Calculator determines the level of risk by defining consequences, exposure and Probability. The risk matrix is used to assess and priorities risks; then dealing with high priority risks first and then dealing with the least significant risks last.

**4.5 Step 3: Make the Changes**

Making changes means to work for fixing hazards to make the workplace safe.

**4.6 A procedure for controlling risks**

1st step – to eliminate and identify hazards

2nd step – to rank the risk associated with the hazards

3rd step – to use control strategies to remove hazards

Hazard identification is ongoing and progressive so it requires a multi-tiered approach. Hierarchy provides a comprehensive control measures with preferred order of control to eliminate and reduce the risk.

**4.7 Hierarch of Risk Controls**

**4.7.1 Elimination** – removing the hazard from the workplace.

* Modifying workstation design
* Modifying work organisation with task analysis and job redesign
* Modifying work shifts
* Replacing faulty equipment

**4.7.2 Substitution** – substituting or replacing a hazard with a less hazardous one

* Replacing equipment
* Replacing workstations with better designed

**4.7.3 Isolation** – Isolating or separating a hazard from people involved in the work

* Locating fax machines in specifically a way from employees
* Ensuring noisy work areas such as printer and photocopiers are located away from employees

**4.7.4 Engineering controls**- if the hazard cannot be eliminated, substituted or isolated, an engineering control is the most preferred measure.

* Repairing and maintaining equipment
* Promptly repairing network faults
* Installing a caustic shock prevention devices in telephone sets
* Reducing background noise levels
* Providing more space between operators groups or installing acoustic barriers
* Adjusting lighting to reduce glare

**4.7.5 Administrative controls** include introducing work practices that reduce the risk such as implementing measures to ensure procedures, instruction and training are provided.

* Implementing acoustic incident report and action plans
* Implementing or improving customer contact and dispute resolution procedures
* Implementing job rotation

**4.7.6 Personal protective equipment** provides personal safety devices.

In some instances, a combination of control measures may be appropriate.

**4.7.7 Monitoring and Review of Control Measures**

Deciding and implementing a risk control measure is not the end of the risk management process. It is important to monitor and review control measures to ensure preventing exposure to hazards. Level of risks should be prioritised. The high risk hazards need more frequent assessment.

**4.7.8 Every organisation should:**

* have a planned program of inspections and maintenance
* undertake a review of work environment changes
* have a regular review of the process for hazard identification
* review risk assessment and risk control measure to ensure it is effective
* review maintenance and repair program

**4.8 Diagram of Hierarchy Controls**

**Elimination**

**Substitution**

**Administrative**

**Personal protective equipment**

**Engineering**

**OHS Inspection Checklist**

**Referencing**