

## OH&S COMPLIANCE – SELF ASSESSMENT

### SELF ASSESSMENT - HOW WELL DO YOU PERFORM AGAINST REGULATORY COMPLIANCE?

Within every state of Australia, the OH&S Act requires a comprehensive approach to safety management, the responsibility for which rests with the employer.

The objective of every OH&S Act is to create a safe work place free from risk of illness or injury.

Good management practices are fundamental to business. OH&S is part of this.

The challenge for the employer is to identify the many and varying OH&S regulatory responsibilities and draw together the areas of engineering, safety, quality and risk management with sufficient resources, both personnel and plant, to successfully integrate and manage business, safety and the environment.

The objective of this document is to provide an assessment tool for managers to evaluate workplace safety to determine how well they perform against current regulatory compliance.

This checklist is applicable to Acts and regulations throughout Australia and provides a broad outline for determining current safety performance and identifying gaps.

It will assist the employer in identifying current safety standards and develop an action plan for effective compliance and workplace safety management.

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#### **Self Assessment – What do you need to do?**

1. *Go through each of the ten sections, evaluating your system and self assessing with a yes/no answer to the 100 questions.*
  2. *A 'yes' answer to 100 questions is the perfect score.*
  3. *A 'no' answer identifies areas for improvement.*
  4. *Use the Action Plan at the end of the assessment to identify system gaps and plan for improvement.*
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## Section 1 Legal Obligations

Employers have a 'duty of care' to provide a safe workplace and systems of work, to consult with workers, to identify and manage workplace hazards and to keep them informed about health and safety matters.

REQUIREMENTS	HOW DO YOU PERFORM?	YES / NO
<b>Safety Management Systems</b>		
⇒ Safety management can be best described as a set of policies, procedures and actions relating to health and safety in the workplace that ensure an employer is meeting their 'duty of care'.	⇒ Is health and safety an agenda item in company meetings?	
	⇒ Is there a documented Health and Safety system [manual or safety plan]?	
	⇒ Is health and safety part of your company induction?	
	⇒ Have you ever accessed the state health and safety [Workcover] website?	
	⇒ Do you know where to find a copy of the OH&S Act and Regulations?	
	⇒ Do you have a Health and Safety Policy?	
	⇒ Would workers know where to find a copy of the Health and Safety policies and procedures?	
	⇒ Is health and safety a consideration when purchasing goods or services?	
	⇒ Is there an annual financial investment in health and safety training?	
	⇒ Have Managers had formal training in health and safety regulatory requirements?	

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## Section 2 Responsibilities and Accountabilities

An employer has ultimate responsibility to ensure a safe workplace is maintained. Safety responsibilities should be part of the daily functions of everyone in the workplace.

REQUIREMENTS	HOW DO YOU PERFORM?	YES / NO
<b>Responsibilities and Accountabilities</b>		
⇒ To meet this requirement, employers must ensure that safety management systems are in place and that responsibility and accountability has been allocated to managers, supervisors and workers in the organisation.	⇒ Have you assigned health and safety responsibilities to every person in the organisation?	
	⇒ Are company Directors or Management Boards aware of their OH&S accountabilities and been trained in how to meet their obligations?	
	⇒ Are health and safety accountabilities recorded on the company organisation chart?	
	⇒ Are health and safety responsibilities and accountabilities incorporated into job/position descriptions?	
	⇒ Do managers and supervisors have their health and safety performance assessed as part of their overall performance assessment?	
	⇒ Do you ensure contractors and subcontractors understand their duty of care and meet regulatory compliance?	
	⇒ Do you have managers or supervisors assigned responsibilities for supervising contractors working on site?	
	⇒ When a manager or supervisor is absent from the workplace are health and safety delegation of responsibilities re-assigned?	
	⇒ Do you have a system that checks whether managers, supervisors and employees fully understand their health and safety responsibilities?	
	⇒ Are their nominated and trained health and safety personnel in place to ensure safety at work is being enacted?	

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## Section 3 Consultation

Consultation is the process of informing everyone of safety matters by giving them sufficient information to consider safety issues, seeking their feedback and taking that feedback into consideration when making decisions in relation to safety at work .

REQUIREMENTS	HOW DO YOU PERFORM?	YES / NO
<b>Consultation</b>		
Effective consultation can be achieved in many ways and the system needs to suit the environment. The key factors are informing the workforce, allowing sufficient time to consider safety matters, seeking their feedback and taking that into consideration. There is no short cut to this process. Keep records of all consultation.	⇒ Is there a formal documented and advertised method for raising health and safety issues?	
	⇒ Do workers know what the forum is for raising health and safety issues?	
	⇒ Does management raise health and safety issues with workers?	
	⇒ Are issues raised by workers recorded and passed on to management for review?	
	⇒ Are workers informed of regulatory changes affecting health and safety?	
	⇒ Are workers informed of changes to the workplace, e.g. new equipment, renovations etc and consulted in relation to workplace safety?	
	⇒ When a safety hazard is identified by a worker, are other workers informed of this and asked for input prior to decisions regarding actions and resolutions made?	
	⇒ Are workers from different shifts considered when consulting the workforce or distributing information?	
	⇒ Do managers and workers understand the significant difference between communication and consultation in relation to workplace safety management?	
	⇒ Is there a documented process [and records] incorporating hazard identification, risk assessment and risk control showing that workplace consultation has occurred?	

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## Section 4 Risk Management

An employer must ensure that appropriate measures are taken to identify the hazards and assess the risks to health and safety of every person in the workplace. When an unacceptable risk to health and safety has been identified, controls must be introduced to either eliminate or reduce the risk to an acceptable level. This must take into consideration the method known as the 'hierarchy of controls'.

REQUIREMENTS	HOW DO YOU PERFORM?	YES / NO
<b>Risk Management – Hazard Identification</b>		
⇒ The key to hazard identification is finding the hazards before they find you. A hazard is something with the potential to cause harm. Some examples include trip hazards in a corridor, glare from visual display units [VDUs], using chemicals incorrectly and operating plant without training or competency to do so.	⇒ Is there a documented hazard identification process in place?	
	⇒ Do workers know how and when to report a hazard?	
	⇒ Do workers actually report hazards?	
	⇒ Are all areas in the business aware of and actively involved in hazard reporting?	
	⇒ Is there a periodic safety inspection or audit that seeks to identify workplace hazards?	

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<b>RISK MANAGEMENT – RISK ASSESSMENT</b>		
⇒ The process of risk assessment is about determining the likelihood of a hazard actually causing harm. Risks associated with an identified hazard need to be assessed to determine how severe or hazardous they are. To determine the level of severity you need to take into account: ⇒ Likelihood of the hazard causing injury ⇒ Severity of the consequences of the injury ⇒ The exposure/frequency of the activity involving the hazard	⇒ Are risks assessed following a formal risk assessment process as per AS 4360 Risk Management?	
	⇒ Are workers involved in the risk assessment process?	
	⇒ Are records kept of the assessment process – 30 yrs?	
	⇒ Are subcontractors or subcontracted work subject to the risk assessment process?	
	⇒ Are risk assessments available to workers?	

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## Section 4 Risk Management (continued)

REQUIREMENTS	HOW DO YOU PERFORM?	YES / NO
<b>Risk Management – Risk Control</b>		
<ul style="list-style-type: none"> <li>⇒ Risk controls follow on from the risk assessment process where a risk has been assessed as unacceptable and requiring some improvements or controls initiated.</li> <li>⇒ The risk controls shall follow a hierarchy of controls such as the following:</li> <li>⇒ Eliminate the hazard – e.g. remove trip hazard, get rid of unwanted chemicals</li> <li>⇒ Substitute with something of a lesser risk – e.g. use less toxic chemicals, supply goods in smaller packages with less weight</li> <li>⇒ Isolate the hazard – e.g. store chemicals in a locked enclosure, use anti-glare screens on VDUs</li> <li>⇒ Use an administrative control – e.g. develop procedures and train staff, provide supervision or staff rotation</li> <li>⇒ Personal Protective Equipment – e.g. hearing or eye protection, hard hats etc</li> </ul>	<ul style="list-style-type: none"> <li>⇒ Has a hierarchy of controls been used when determining controls?</li> </ul>	
	<ul style="list-style-type: none"> <li>⇒ Are workers involved in the risk control process?</li> </ul>	
	<ul style="list-style-type: none"> <li>⇒ Are risk control implemented and checked to ensure they are effective?</li> </ul>	
	<ul style="list-style-type: none"> <li>⇒ Are risk controls periodically reviewed to ensure they are still effective?</li> </ul>	
	<ul style="list-style-type: none"> <li>⇒ Are new employees informed of workplace hazards and the controls in place?</li> </ul>	

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## Section 5 Information, Instruction and Training

Employees must be given adequate information on the hazards they encounter, the tasks they are required to undertake and emergency processes in place. Instruction and training is required to ensure safe systems of work are effectively achieved and maintained.

Where changes to the workplace occur, re-training may be required.

REQUIREMENTS	HOW DO YOU PERFORM?	YES / NO
<b>Information, Instruction and Training</b>		
<ul style="list-style-type: none"> <li>⇒ Information that should be communicated to workers and subcontractors includes:</li> <li>⇒ The nature of workplace hazards and levels of risk</li> <li>⇒ Emergency preparedness</li> <li>⇒ Safe working procedures</li> <li>⇒ Training includes as a minimum:</li> <li>⇒ Induction of workers and subcontractors</li> <li>⇒ Appropriate operational standards including licences and permits to work</li> <li>⇒ Operational procedures</li> </ul>	<ul style="list-style-type: none"> <li>⇒ Are there documented procedures for operational tasks where employees or subcontractors are required to follow company systems?</li> </ul>	
	<ul style="list-style-type: none"> <li>⇒ Is there a notice board or equivalent area where safety information can be displayed and viewed by workers throughout the course of their day?</li> </ul>	
	<ul style="list-style-type: none"> <li>⇒ Are material safety data sheets [MSDS] available for all chemicals?</li> </ul>	
	<ul style="list-style-type: none"> <li>⇒ Is there a training plan in place and actioned to deliver training and assess competency of workers?</li> </ul>	
	<ul style="list-style-type: none"> <li>⇒ Is there an induction system for employees and subcontractors?</li> </ul>	
	<ul style="list-style-type: none"> <li>⇒ Are licences, permits to work and operator competencies identified and incorporated in a training plan?</li> </ul>	
	<ul style="list-style-type: none"> <li>⇒ Are workers supervised as part of their daily work activity?</li> </ul>	
	<ul style="list-style-type: none"> <li>⇒ Is there a clear criteria that identifies the degree of supervision required according to levels of knowledge and competence and experience?</li> </ul>	
	<ul style="list-style-type: none"> <li>⇒ Is training provided by persons with adequate skills and in a manner that suits the working environment – such as in a language that can be understood?</li> </ul>	
	<ul style="list-style-type: none"> <li>⇒ Are induction and training records kept of employees and subcontractors to provide evidence of workplace competencies?</li> </ul>	

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## Section 6 Managing Injuries

Managing injuries requires workers to have access to first aid and be informed about and have access to workers compensation and rehabilitation programs.

REQUIREMENTS	HOW DO YOU PERFORM?	YES / NO
<b>Managing Injuries</b>		
⇒ First aid facilities and First Aiders appropriate to workplace risk must be in place and available to workers in a timely manner when needed. Injury management must show workers that they will be cared for both financially through compensation and physically through rehabilitation and meaningful return to work.	⇒ Has an assessment of first aid needs been made at the workplace in consultation with workers or a worker representative?	
	⇒ Is there a procedure for replenishing first aid kits and keeping trained First Aiders skilled and competent?	
	⇒ Is information readily available to inform workers of rehabilitation and workers compensation regulatory entitlements?	
	⇒ Is there a rehabilitation policy on display or accessible to all staff?	
	⇒ Does an identified and trained staff member process claims within the regulatory time limits?	
	⇒ Does the organisation maintain regular contact with injured workers?	
	⇒ Does a senior staff member liaise with the injured worker, insurer and doctor, following a workplace injury and coordinate a documented return to work plan?	
	⇒ Are records of workers compensation claims kept in a locked cabinet [or equivalent] and information held as confidential?	
	⇒ Is there a dispute resolution procedure in place and known to employees in the case of a grievance or concern by an injured employee?	
	⇒ Is there a periodic review of claims to seek opportunities for safety improvement to avoid injury repetition?	

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## Section 7 Record Keeping

An employer must keep records to prove compliance to legislation. Documenting what has occurred also assists future planning and direction setting. Record keeping must also comply with Privacy Regulations.

REQUIREMENTS	HOW DO YOU PERFORM?	YES / NO
<b>Record Keeping</b>		
⇒ Record keeping is a mandatory requirement of OH&S as it is with most facets of business. It need not be a complicated task and can be as simple as keeping emails or diary entries.	⇒ Do you maintain records relating to health and safety?	
	⇒ Do you keep training records and health monitoring records of staff e.g. staff exposed to asbestos etc?	
	⇒ Do you have records of plant and equipment operation including hours of operation and maintenance and repair records?	
	⇒ Do you have records of accident investigation as well as an accident report and a register of injuries?	
	⇒ Do you keep a Register of hazardous substances and dangerous goods?	
	⇒ Are records kept in a manner where they are not likely to be lost in case of flood, fire etc.?	
	⇒ Is archiving a well managed process and records kept for the appropriate time e.g. 30 yrs for asbestos exposure?	
	⇒ Is electronic record keeping managed through appropriate back ups and protection from viruses?	
	⇒ Are there delegated responsibilities on job descriptions for record keeping and archiving?	
	⇒ Are electronic data backups periodically tested to ensure they can be accessed?	

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## Section 8 Monitoring, Review and Improvement

Monitoring and review of safety systems in place and workplace safety in general must be undertaken to see how effective systems are and act on any significant changes required as a result of legislative changes and/or additional hazards identified.

REQUIREMENTS	HOW DO YOU PERFORM?	YES / NO
<b>Monitoring, Review and Improvement</b>		
⇒ This requires processes to be assessed to ensure they are effective, risk controls reviewed to ensure appropriate actions have occurred and are effective, workplace inspections to occur and be reviewed to ensure all likely hazards are managed and finally, legislative review to occur to ensure changes are considered.	⇒ Is a risk register in place that clearly documents risks, prioritises the risks, identifies and monitors the control of risk and is periodically reviewed for effectiveness and completeness?	
	⇒ Is a person delegated to periodically ensure workplace legislative change is being managed? Has this been reviewed in the past 12 months?	
	⇒ Are plant and equipment inspections, service records and maintenance programs periodically reviewed to ensure they are being maintained and are effective?	
	⇒ Is the Training Plan periodically reviewed along with job descriptions and training records to ensure all licences, permits and employee competencies meet the needs of their job role?	
	⇒ Are work processes periodically assessed in consultation with employees to ensure they are effectively managing the process and associated risks?	
	⇒ Are buildings and general workplaces periodically reviewed to ensure they meet current building and emergency regulations?	
	⇒ Are consultation mechanisms tested for their effectiveness? Do staff know how to report hazards and have they been consulted?	
	⇒ Is safety information and general signage available in appropriate languages?	
	⇒ Are workstations periodically reviewed for fitness for purpose?	
	⇒ Are safety audits and inspections undertaken regularly and according to a planned schedule?	

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## Section 9 Resources Management

The best systems cannot make a workplace safe unless there are sufficient and appropriate resources in place to do the job. Resource planning, management and review are the responsibility of senior management. Workplace consultation is an important factor in planning and reviewing resources.

REQUIREMENTS	HOW DO YOU PERFORM?	YES / NO
<b>Resources Management</b>		
⇒ Resources include plant, equipment and people. ⇒ Resources management includes planning, reviewing and ongoing sustainability of the resources available to ensure fitness for purpose.	⇒ Is there a planning process where both plant [physical] and people resources are reviewed in line with planned business and safety objectives?	
	⇒ Are plant and equipment resources periodically reviewed for fitness for purpose for the task and sufficient to allow appropriate and timely maintenance and repair?	
	⇒ Is there a plan in place for sourcing additional or critical plant and equipment in an emergency?	
	⇒ Are there sufficient licenced plant operators for increased production or in an emergency?	
	⇒ Are there defined delegations of responsibility for times of staff absence, and are these delegated persons trained and competent to take on the added responsibilities?	
	⇒ Are there sufficient people resources to allow persons to do their job safely – how is this managed?	
	⇒ Does the training plan allow for delegated persons to be brought up to date with their delegated roles and necessary skills – refresher training in delegated roles?	
	⇒ Is there a plan in place that provides additional staff in an emergency?	
	⇒ Are records of people’s capability kept up to date and easily accessed at short notice?	
	⇒ When planning for the future, are people resources recruited with the appropriate skills to do their job and act as delegated persons when required?	

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## Section 10 Corporate Risk

Corporate risk falls under the umbrella of safety management in the context of risk mitigation to ensure the company is taking the most secure path in minimizing workplace and company 'duty of care' risk.

REQUIREMENTS	HOW DO YOU PERFORM?	YES / NO
<b>Corporate Risk</b>		
<ul style="list-style-type: none"> <li>⇒ The key to corporate risk management is to:</li> <li>⇒ be aware of the relevant regulatory requirements in relation to safety and ensure compliance is effectively managed,</li> <li>⇒ ensure mitigation of risk is shared between the company and contractors where practical, and</li> <li>⇒ ensure that insurances in place best meet the company business risk portfolio.</li> </ul>	<ul style="list-style-type: none"> <li>⇒ Is there a person delegated to manage legislative compliance by keeping senior management informed and also updating systems in consultation with employees to ensure they are maintained to current legislative requirements?</li> </ul>	
	<ul style="list-style-type: none"> <li>⇒ Is there a Register kept of current Legislative and Regulatory requirements relative to the company - and referenced to where the requirements are managed?</li> </ul>	
	<ul style="list-style-type: none"> <li>⇒ Is safety risk considered when appointing subcontractors and managed through ensuring contractors have current, sufficient and appropriate public liability, product/professional indemnity insurance and current Workcover premium as required?</li> </ul>	
	<ul style="list-style-type: none"> <li>⇒ Is there an annual review of the business against the company insurances [public liability, professional indemnity] to ensure they are both sufficient in value and appropriate to cover current business activities?</li> </ul>	
	<ul style="list-style-type: none"> <li>⇒ Are injury statistics reviewed annually against the Workcover premium to determine where the risks lay for worker injury and in premium increase - is the premium above or below industry rate?</li> </ul>	

Section 1 \_\_\_\_/10

Section 2 \_\_\_\_/10

Section 3 \_\_\_\_/10

Section 4 \_\_\_\_/15

Section 5 \_\_\_\_/10

Section 6 \_\_\_\_/10

Section 7 \_\_\_\_/10

Section 8 \_\_\_\_/10

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**TOTAL SCORE** / 100

## HEALTH AND SAFETY ACTION PLAN

Company Name:

Responsibility:

Date:

Criteria	Where are the gaps?	What needs to be done?	Who is allocated responsibility?	Timelines for completion
<b>1. Legal Obligations</b>				
<b>2. Responsibilities and Accountabilities</b>				
<b>3. Consultation</b>				
<b>4. Risk Management</b>				
<b>5. Information, Instruction and Training</b>				

Criteria	Where are the gaps?	What needs to be done?	Who is allocated responsibility?	Timelines for completion
<b>6. Managing Injuries</b>				
<b>7. Record Keeping</b>				
<b>8. Monitoring, Review and Improvement</b>				
<b>9. Resources Management</b>				
<b>10. Corporate Risk</b>				