



Government of **Western Australia**  
Department of **Commerce**



# WorkSafe WA

## Business Plan 2011-12



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## WorkSafe WA - Business Plan 2011-12

### Introduction

WorkSafe WA is a division of the Department of Commerce and its role is the regulation of workplace safety in accordance with the *Occupational Safety and Health Act 1984*. In a practical sense this translates to the provision of assistance to the Western Australian workplace community in its endeavours to deliver improvement in workplace safety and health.

This Business Plan provides an overview of the way WorkSafe will apply the resources available to it for 2011-12 to carry out the roles required under legislation and to deliver on the priorities and expectations set for the agency by government.

This business plan maintains Western Australia's commitment to national Occupational Health and Safety (OHS) targets which aim for at least a 20% reduction in fatalities and a 40% reduction in injuries between 2002 and 2012.

The coming year will be principally focussed on the implementation in January 2012 of new model work health and safety provisions. These standards and processes have been developed as part of a reform agenda aimed at harmonising OHS legislation across Australia.

### Approach and Business Strategy

WorkSafe's collaborative approach with industry, employers and the workforce is focussed on:

- reducing high incidence/severity risks;
- improving the capacity of business operators and workers to manage occupational safety and health effectively;
- preventing occupational disease more effectively;
- eliminating hazards at the design stage; and
- strengthening the capacity of government to influence occupational safety and health outcomes.

A key platform for ensuring compliance with the law is to ensure that businesses, employers and organisations are fully aware of their occupational health and safety obligations and how they can meet them. Consequently WorkSafe WA's strategy is to provide information to industry and workers, in a variety of formats, to assist them to make their workplaces as safe as possible. This is reinforced through a range of compliance activities designed to assist in the delivery of workplace safety.



We work from the assumption that the majority of people want to get things right – this is the foundation of our compliance strategy. The starting point for all our operations is educational and it is through this approach that we aim to influence the behaviour of industry and workers toward the delivery of safer workplaces. We also know that it is not appropriate to respond to all compliance issues in the same way and consequently we tailor our approach depending on the circumstances we encounter. Traditional enforcement techniques are applied to deal with non-compliance where serious breaches of the law occur.

When inspectors visit a workplace they have a number of enforcement approaches they can choose to use - dependent on the particular circumstances of the workplace and the presenting occupational safety and health issue.

	Enforcement Action
<b>Verbal Direction</b>	This is an instruction given to the employer, safety and health representatives, safety and health committee or any other relevant party about the need to fix something so that a safety issues is corrected. The required changes must be made while the inspector is at the workplace and will be inspected prior to the inspector leaving the workplace.
<b>Improvement Notice</b>	This notice is a written direction issued by a WorkSafe inspector requiring a person to fix something which is believed to not be in compliance with the occupational safety and health law requirements. An improvement notice states the reasons for the inspector issuing the notice and will include a reference to a specific regulation or provision of the Act which applies.
<b>Prohibition Notice</b>	Where the Inspector is of the view that there is a risk of imminent and serious injury or harm to the health of a person then a Prohibition Notice can be issued. This is a written direction that prohibits the relevant activity from continuing. When a Prohibition Notice is issued the inspector remains at the workplace until the employer is advised of the notice and the prohibited activity has ceased.
<b>Prosecution</b>	Prosecutions are only commenced where the most serious breaches of occupational safety and health laws are identified.

More information about the Compliance Strategy is available on the Department of Commerce website ([www.commerce.wa.gov.au](http://www.commerce.wa.gov.au)).

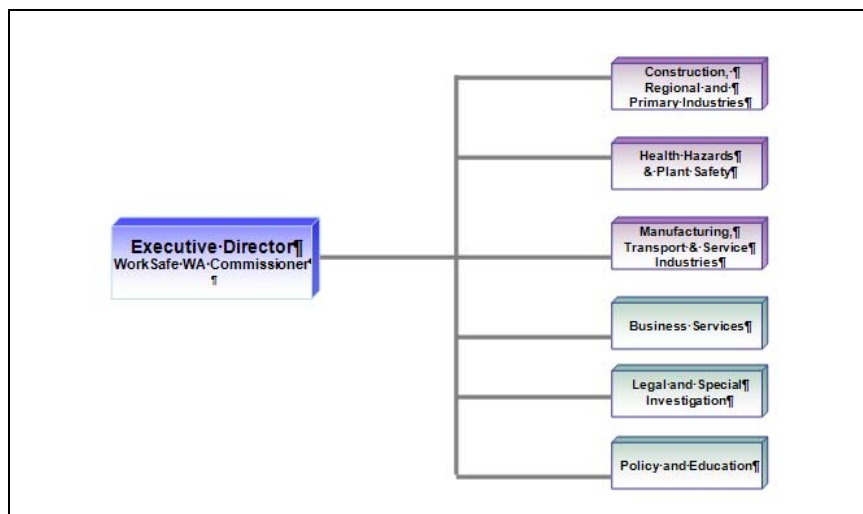
All these activities are designed to achieve our aim of making Western Australia's workplaces as safe and healthy as possible.

## Structure

### Operational Directorates

WorkSafe has aligned its structure to three operational clusters:

- The Construction Regional and Primary Industries directorate which directs its attention to the Construction industry and the Agriculture, Forestry and Fishing industry.
- The Health Hazards and Plant Safety directorate, which includes scientific officers, engineers and medical staff, focuses its attention to the topics of the Health and Community Services industry and the specific safety topics of health-related hazards and plant and machinery.
- The Manufacturing Transport and Service Industries directorate which directs its attention to the Manufacturing industry; Transport industry; Wholesale and Retail; and Service industry.



The primary focus of each of these directorates is ensuring that the workplace participants comply with the requirements of the OSH law. Activities include:

- Proactive intervention strategies initiated by WorkSafe based on workplace experience in Western Australia and best practice insights from other jurisdictions.
- Investigations triggered by complaints or specific events of which WorkSafe becomes aware.

WorkSafe's field operations are supported by other three other directorates:

- Legal and Special Investigations directorate
- Policy and Education directorate
- Business Services directorate

### **Legal and Special Investigations Directorate**

The Legal and Special Investigations directorate is made up of three teams: the Legal and Reviews Team; the Freedom of Information Team; and the Audit and Special Investigation Team. The Directorate's key functions are to provide WorkSafe with legal, investigative and related advisory and administrative services

The Legal and Special Investigations directorate plays a critical role in WorkSafe's administration of the occupational safety and health laws through the process of undertaking prosecution action for those cases where serious breaches of the occupational safety and health laws warrant that action.

The directorate plays an important role in ensuring integrity in the compliance and inspection system through audit, special investigation processes and by technical and legal input to the training and development of the inspector workforce.

### **Policy and Education Directorate**

The Policy and Education directorate is focussed on the WorkSafe's requirements for strategic planning, policy development, evaluation and education. A number of interagency and inter jurisdictional roles are also supported from the directorate.

The directorate plays a leadership role in respect of the national harmonisation of occupational health and safety laws. These activities involve participation in the development of model laws and codes along with the development of community education processes and initiatives to ensure successful take up of the new framework.

The directorate is also involved in ensuring all WorkSafe WA staff have appropriate information on new model work health and safety laws and codes.

The directorate also continues to focus on and build on strategies that empower business and communities to understand their role in workplace safety and health and to take charge of delivering that outcome. WorkSafe assists business to meet their compliance obligations with targeted educational activities such as those delivered through the community education programs and the ThinkSafe Small Business program.

## Business Services Directorate

The directorate is made up of four customer teams: the WorkSafe Customer Help Centre (an inbound contact centre); Licensing; Plant Registration; and Inspector Development and Training.

<b>WorkSafe Customer Help Centre</b>	A critical role is providing services which empower the community to understand and meet their obligations. The Business Services directorate has a front line role in delivering this service to the community through its Customer Help Centre. The contact centre receives over 400 contacts a day via phone, email, face to face and other written correspondence
<b>Licensing and Assessor Registration services</b>	The Licensing and Registration Centre contributes to WorkSafe's enforcement approach through its High Risk Work licensing and its Plant registration processes. These regulatory mechanisms provide a platform for ensuring that workers undertaking specific high risk activities are competent to undertake those tasks and/or the equipment they are using meets the required standards to deliver a safe and healthy workplace.
<b>Plant Registration</b>	
<b>Inspector Development and Training</b>	ID&T plays an important role in relation to the preparation of agency for the implementation of harmonised occupational safety and health laws. Throughout the year, the directorate will also continue to provide professional development and training for newly recruited and current Inspectors through its Inspector Development and Training (ID&T) program.

Additional information about WorkSafe WA's activities can be found on our website at ([www.WorkSafe.wa.gov.au](http://www.WorkSafe.wa.gov.au)).

## Schedule 1 – WorkSafe Priorities for 2011-12

WorkSafe has identified six initiatives for 2011-12 as whole of business priorities – items 2, 3 and 4 are important, short term initiatives to support the roll out of new model health and safety provisions.

Items 5-6 are more strategic in nature and will inform WorkSafe's contribution to Department of Commerce's Strategic Planning processes beyond the current 2007-2012 planning cycle.

	Initiative
1	Implement new model work health and safety provisions by January 2012.
2	Develop an agency resource model to address future capacity, resourcing and capability to meet the requirements of new legislation and the demands of population growth and a rapidly growing state economy.
3	Resolve recruitment and retention challenges facing the organisation to ensure that optimal use is made of currently funded positions.
4	Develop a stakeholder engagement strategy to support WorkSafe's key relationships across the community in respect of: <ul style="list-style-type: none"> <li>• Inspection</li> <li>• Education</li> <li>• Promotion</li> </ul>
5	Commence a strategic review of national and international compliance and OHS best practice experience to better inform planning for WorkSafe's role across the next 5-10 years including the: <ul style="list-style-type: none"> <li>• appropriate balance between audit, inspection, compliance and education roles</li> <li>• assessment of the nature of the future work of the agency – new industries, new technologies in audit and monitoring, use of risk assessment and capability requirements</li> <li>• role of partners and providers in ensuring best OHS outcomes</li> <li>• development of measures and data to assess effectiveness, and</li> <li>• options for structure and governance.</li> </ul>
6	Commence a strategic review of the technology requirements of the organisation to: <ul style="list-style-type: none"> <li>• improve the availability of on line services for industry and community stakeholders for lodgement, registration and related purposes</li> <li>• enable greater use of online capability for education, information and related services</li> <li>• assess greater use of mobile computing, telemetric and related technologies to support on-site inspection and compliance processes, and to</li> <li>• rejuvenate internal support applications and systems.</li> </ul>

## Schedule 2 - Directorate Priorities for 2011-12

This schedule provides a précis of specific initiatives within each WorkSafe directorate for 2011-12.

### Operational Directorates

#### Construction, Regional and Primary Industries Directorate

The team plan for this year is primarily focused on the introduction of new legislation which is planned to come into effect on 1 January 2012. The directorate will also be actively assisting Western Australian workplaces and workers to meet the requirements of our OSH law through its continued involvement in the delivery of educational sessions.

Subject to available inspectorate resources the following project work will be carried out across 2011-12.

- **Multi storey construction sites** – a state based project focussed on both residential and commercial multi storey construction addressing the priority area of working at heights.
- **Metropolitan Enforcement** – a project based on small geographic locations within the metropolitan area where the team has identified a large number of construction sites which are in close proximity; with the aim of enforcing compliance and creating a highly visible presence of inspectors.
- **Regional Enforcement** - the team plans to carry out targeted enforcement drives in regional areas to ensure compliance in the construction industry is consistent with metropolitan standards. The priorities will be:
  - South West/Great Southern Regional Blitz (November) - Construction
  - Mid West Region Blitz (April) – Construction.

In addition the team will carry out further regional visits in accordance with our regional visit planner.

- **Safety in Agriculture and Fishing** - WorkSafe will engage assistance from the Department of Agriculture & Food and Department of Fisheries for a compliance campaign to improve safety in agriculture and commercial fishing – conducted out of Geraldton. The project will commence by providing information and an awareness phase which includes the promotion of Thinksafe and the Agriculture Safety and Health Workbook and Checklist to obtain voluntary compliance. All regional based inspectors will participate in the campaign scheduled for May 2012.

WorkSafe will also conduct random inspections in the fishing industry to promote awareness and usage and assess the level of compliance of the Man Overboard Prevention and Response and Code of Practice. Inspections will be conducted in Wyndham, Broome, Port Samson, Carnarvon, Geraldton, Fremantle Bunbury and Albany. A fishing boat checklist developed for the purpose will be used and the WorkSafe officers will also promote Thinksafe to encourage voluntary compliance. Activities will be scheduled for the lobster industry between July and November 2011 and for trawlers from October 2011 to March 2012, to accommodate seasonal activity within these industry segments.

- **Response to Critical Incidents** - all fatalities and serious injuries will be investigated following notification.
- **Prioritisation of Request to Attend** - occupational safety and health requests to attend (RTA's) will be categorised into according to the Department's event priorities and an investigation will be carried out within the prescribed timeframes for metropolitan and country areas. Resolution of issues will be acted upon within two hours in the metropolitan area and 24 hours in country regions, where practicable.

The Team have planned and allocated resources to conduct inspections on Christmas and Cocos (Keeling) Islands in accordance with the Commonwealth service delivery arrangement, on a fee for service basis.

- **Consultation** - The directorate will continue to participate in forums such as the Construction Industry Safety Advisory Committee and the Agricultural Industry Safety Group. These networks provide the directorate with the opportunity to influence and shape the approaches taken by industry as well as to undertake responsive intervention where appropriate; they also ensure that WorkSafe operates in a manner which is relevant to industry.

## Health Hazards and Plant Safety Directorate

The Health Hazards and Plant Safety identified a number of specific industries and activities for attention during 2011-12 including:

- **Guarding of machinery in the health, education and community services sectors** - investigations of workplaces in these sectors, to address the priority hazard of safeguarding machinery and plant. Many workplaces in the team's ANZSICs contain machinery and plant, but this type of equipment does not form part of the workplace's primary business.
- **Auditing of high risk plant** such as cranes, boilers and lifts – this type of plant must be registered with WorkSafe, and specialist inspectors will follow up after registration, to ensure all safety requirements have been met by the owner.
- **Reported psychosocial hazards** - injuries and enquiries related to stress and bullying in the health, education and community services sectors will be investigated using a standard process. Compliance in the risk management process and adequacy of incident investigations will be evaluated during the investigations.
- **Musculoskeletal Disorders** - the directorate plans to develop partnerships with the Health Department and Workcover, to improve the way musculoskeletal disorders are managed in WA. Body stressing comprises more than one third of all occupational injuries, and the rate of this type of injury has not decreased in line with other injury types over the last five years.

This directorate will continue to provide support to both the Construction, Regional and Primary Industries directorate, and the Manufacturing Transport and Service Industries directorate as they undertake their inspection work during the coming year. One significant issue is the transfer of information from specialist inspectors to non-specialist inspectors, to improve the agency's capacity to deal with health-related issues such as hazardous chemicals, musculoskeletal disorders, stress and bullying.

The directorate will also be actively assisting Western Australian workplaces and workers to meet the requirements of our OSH law through its continued involvement in the delivery of educational sessions. Some of these sessions will consist of industry feedback forums, where representatives from selected industry sectors are invited to participate in forums covering significant occupational safety and health issues relevant to their workplace.

## Manufacturing Transport and Service Industries Directorate

The Manufacturing, Transport and Service Industries Directorate will be responding to reactive work within set customer service goals and delivering a reduced number of industry intervention programs while implementation of new workplace health and safety laws takes place.

The Manufacturing Team will conduct intervention programs in the following industries:

- **Switchboards and Switchroom Manufacturing** - Pro-active investigations incorporating WorkSafe's Priority Areas. This is a relatively new manufacturing development in WA and the Team will monitor industry safety as soon after business start-up as possible.
- **Wrought Iron Manufacturing** - Pro-active investigations incorporating WorkSafe's Priority Areas. The workplaces associated with this ANZSIC have not been actively monitored by WorkSafe for some time.
- **Polishing and using Emery Cloth on Lathes** - Pro-active investigations incorporating WorkSafe's Regulation 6.2. This project targets primarily young workers in metal fabrication workshops.
- **Regional Areas Enforcement Project, (Bunbury)** - This project will include pro-active investigations incorporating WorkSafe's Priority Areas in the Bunbury regional area, conducted by 5 inspectors for a period of one week.
- **Metro Industrial Area Enforcement Project, (MIAP Armadale/Kelmscott)** - Pro-active investigations of WorkSafe's Priority Areas in the Armadale/Kelmscott industrial areas are planned for manufacturing workplaces. This specifically targeted industrial area will be the subject of a concentrated safety inspection effort by all Team members, for a limited time period of two weeks.
- **Metro Industrial Area Enforcement Project, (MIAP Mandurah/Pinjarra)** - Pro-active investigations incorporating WorkSafe's Priority Areas in the Mandurah/Pinjarra industrial areas are planned for manufacturing workplaces. This specifically targeted industrial area will be the subject of a concentrated safety inspection effort by all Team members, for a limited time period of two weeks.

The Service Industries Team will conduct intervention programs in the following industries:

- **Royal Show** – Proactive investigations incorporating WorkSafe's priority areas and industry specific hazards focusing on the Royal Show. This intervention program will be carried out in conjunction with the Plant Team.
- **Textile Manufacturing** – Proactive inspections, incorporating relevant priority areas and industry specific hazards, such as manual handling, slips trips and falls, machine guarding, hazardous substances and electricity.

The Transport, Wholesale and Retail Team will conduct intervention programs in the following industries:

- **Machinery & Equipment Wholesaling** - The focus will be on eliminating or reducing hazards in relation to manual handling activities, slips trips and falls and the safe use of mobile plant, while procedures for reporting of injuries will also be investigated.
- **Road Transport – Commercial Driver Fatigue.** The team will continue with its commitment to fatigue management and in order to be effective WorkSafe needs to look at this project from a different perspective. There will be a number of small but significantly targeted operations, aimed at recalcitrant offenders, rather than the large number of roadblock operations that have been conducted in recent years.

## Support Directorates

### Policy and Education Directorate

The Policy and Education Directorate will continue in its key role of delivering a quality legal framework for workplace safety in Western Australia and providing relevant information and education to the community about how they can meet their obligations.

More specifically, during the 2011-12 year the Policy and Education Directorate will continue to provide input into the national process of the harmonisation of occupational health and safety laws; our role will be to influence the content of the model laws to deliver a world class regulatory environment. This activity includes a detailed analysis of our current laws in comparison to the proposed nationally harmonised laws to ensure that Western Australia maintains its current high standard of workplace safety regulation.

The harmonisation process extends beyond the development of nationally uniform laws to the development of nationally consistent administration and enforcement approaches. The Policy and Education Directorate will continue to actively participate in that process to ensure that WorkSafe is in a position to be as consistent as possible in its approach to enforcing the harmonised laws.

Beyond the development of the harmonised laws and enforcement guidelines, the Policy and Education Directorate has a key role in the implementation process. This will be occurring with a focus on both internal and external stakeholders-

- **Internally** – the directorate will be working across all divisions of WorkSafe to ensure that a clear view of the meaning and intent of the model laws is understood. The directorate has already been in close liaison with some central figures, such as the Inspector Development and Training officers, in this respect and will continue to provide guidance and support to those officers during the skilling of all WorkSafe staff.

The directorate will also be working with other internal stakeholders to assist in the development of various support tools for staff including reference materials and the delivery of information technology system changes.

- **Externally** - the directorate will be working closely with the Commission for Occupational Safety and Health (the Commission) and other industry and community partners to ensure that workplaces and workers in Western Australia are prepared for the move to the harmonised regime. A co-ordinated approach to the delivery of information and training across the metropolitan and regional areas is a key activity in supporting the WA community to meet its obligations and improve workplace safety in the environment of the harmonised laws.

The Policy and Education Directorate will maintain other core services including: the ThinkSafe Small Business program; lunchtime 4Thought sessions; workplace information sessions; and the WorkSafe Forum and the Work Safety Awards WA. The directorate will also be exploring opportunities to enhance and/or expand these programs going forward.

The Policy and Education Directorate will also be working closely with, and providing support to, the Commission in the delivery of a number of other local initiatives during the 2011-12 period.

While this planned workload will leave the Policy and Education Directorate with limited capacity to take on new initiatives it will continue to seek to identify opportunities for future improvement in the manner that WorkSafe assist those in Western Australian workplaces to deliver improved safety outcomes.

### Legal and Special Investigations Directorate

During 2011-12 the Legal and Special Investigations Directorate will focus on:

- **Examination of the Model Act** to understand its provisions to allow prosecutions and advice.

The Legal Services & Special Investigations directorate will be reviewing the provisions in the Model Act in detail to determine what new and amended duties and obligations have been created by the Model Act, in order to determine the parameters of future prosecutions under the Model Act. This review will also reveal the nature of advice the directorate needs to provide to the inspectorate for investigating matters for which a potential prosecution exists. The review will be conducted with a close liaison with the Policy and Education Directorate, which has had significant input into the drafting of the Model Act, and representatives from other jurisdictions in Australia to ensure there is a consistent interpretation of the provisions contained in the Model Act.

- **Development of Model Act Precedents and Guides** for investigation and prosecution

Following a review of the Model Act, the directorate will need to share the acquired knowledge with each other directorate affected by the changes. In particular, those directorates that are part of the inspectorate will need to be informed of each new and amended duty and obligation so that they can be enforced at the inspectorate level and investigated for potential prosecutions. This directorate will be producing sets of precedents and guides detailing the factual matters which need to be considered by the investigating inspectors when considering a potential prosecution. It is highly likely that there will also need to be guides, or other training, detailing new issues of law or interpretation issues.

- **Training regarding the Model Act**

Lawyers from the directorate will be conducting training sessions for the inspectorate to discuss the new and amended duties and obligations. Sessions will also serve as a forum for investigating inspectors to discuss the practical implementation of the Model Act. It is expected that there will be other discrete areas of the Model Act, other than duties and obligations, such as powers of inspectors which will also be the subject of training

### Business Services Directorate

The directorate is planning for increasing work volumes or transaction levels for 2011-2012 and will seek to streamline processes to gain efficiencies while addressing anticipated increases in workloads.

Task	Predicted Volumes 2011-12
New Classes of High Risk Work	43,500
Demolition License	26
Unrestricted Asbestos Removal License	2
Assessor Accreditations	125
Restricted Asbestos Removal Licence	250
Plant Registration	3400
Inbound Phone Calls	105,000
Inbound Emails	5500
Injury Notifications	1650
Accredited Inspector Training Programs	7
Non Accredited Inspector Training Sessions	230

- **Harmonisation** - restructure of the business model within Business Services to better service the needs of internal and external customers operating under a nationally uniform Occupational Health and Safety Act.
- The **migration of all WorkSafe licenses and registrations** to the Complaints and Licensing System database.
- **Transaction migration** – providing a better channel of choice for our customers including more on line services.
- Maintain **continuous improvement** initiatives at workgroup level – using customer and employee insights to improve service experience.

### **Schedule 3 – Resource Allocation for WorkSafe – 2011-12**

WorkSafe in 2011-12 will operate within a total budget of \$22.125M and within a staffing profile of 163.2 FTE.

The allocation represents an increase of \$3.464 million on the 2010-12 financial year with the increase being predominantly made up of funding for Western Australia's contribution to Safe Work Australia. Other changes attach to an increase in approved revenue retention and adjustments to fees and charges.

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