

Regional Safety Summits

Understanding SafeWork NSW's approach

SafeWork NSW representative



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OFFICIAL



Department of Customer Service

Understanding SafeWork NSW's Approach

The role of the NSW WHS Regulator

Agenda

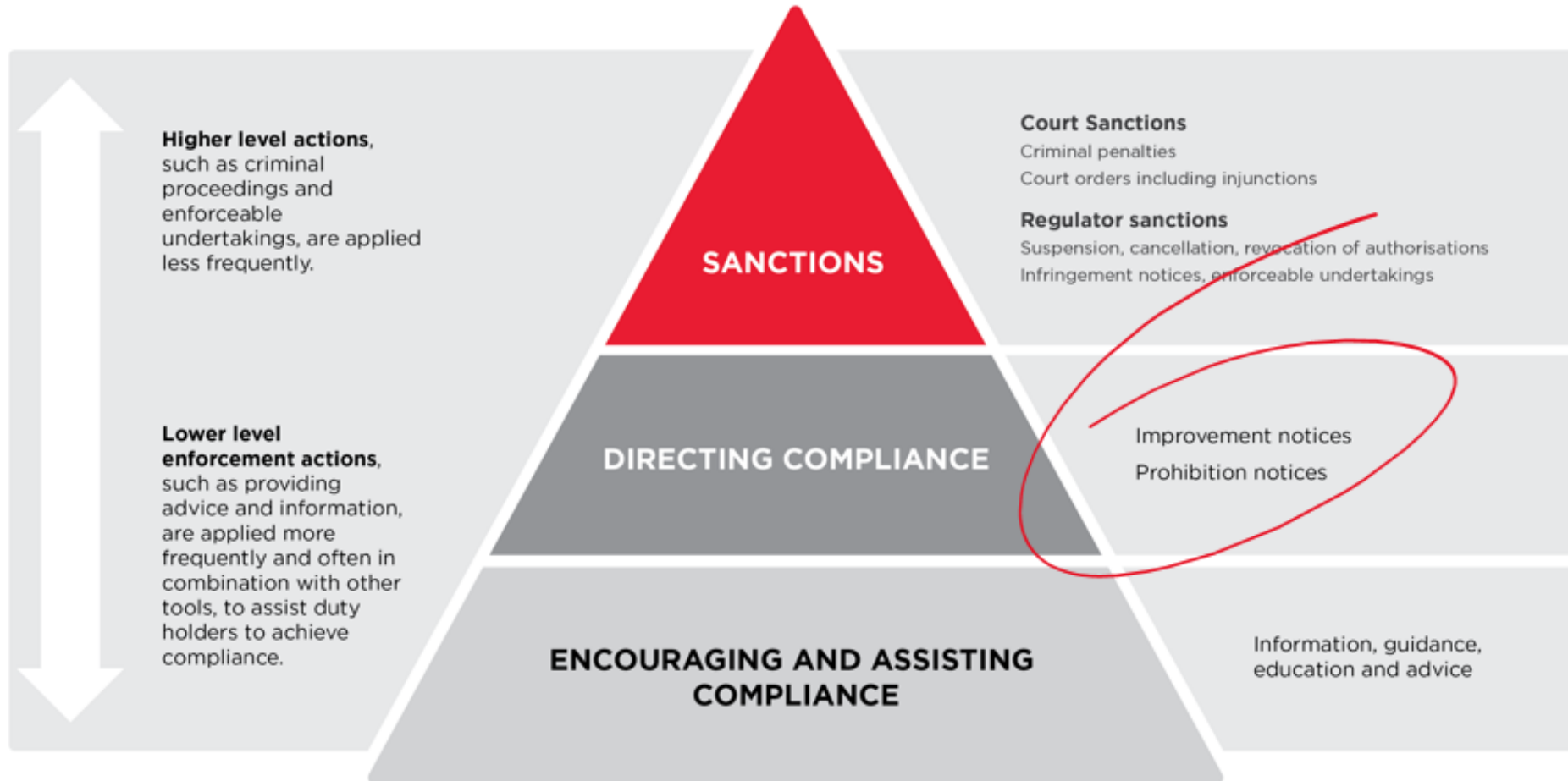
- 1 Our role
- 2 Why transport
- 3 What we see and hear about
- 4 What is your role
- 5 What does compliance look like

About SafeWork NSW

Role of the Regulator

- Provide advice and information on work health and safety
- Monitor and enforce compliance
- Conduct investigations into workplace incidents
- Proactively engage with industries to enable work health and safety laws in NSW to be followed
- Issue licences and registrations for high risk work activities

Our approach to regulation



Non-disturbance Notice

A non-disturbance notice requires the person to preserve (not disturb) the site (including any plant, substance, structure or thing associated with the site).



Prohibition Notice

Prohibition notices are issued for activities that involve or will involve a **serious risk from an immediate or imminent exposure to a hazard.**

A Prohibition Notice may include **directions to stop the work activity** or to change the way the activity is done, to prevent illness or injury.

For example, if worker(s) are in immediate risk of falling from **one level to another and sustaining serious or fatal injuries**, a Prohibition Notice to stop the work activity until the issue is fixed.

Improvement Notice

Improvement Notices may be issued when there is a **safety issue that needs to be fixed** or if workers compensation requirements are not being met.

The workplace can continue operating while the Improvement **Notice** is being actioned, however the Notice will require the issue to be fixed **within a specified time**. In appropriate circumstances, Improvement **Notices** will correct unsafe work practices very quickly.


For example, an Improvement **Notice** may require a business to fix a slip hazard or to train workers in the safe use of plant and equipment, while continuing day-to-day business.

Powers to obtain information (s155 or s171)

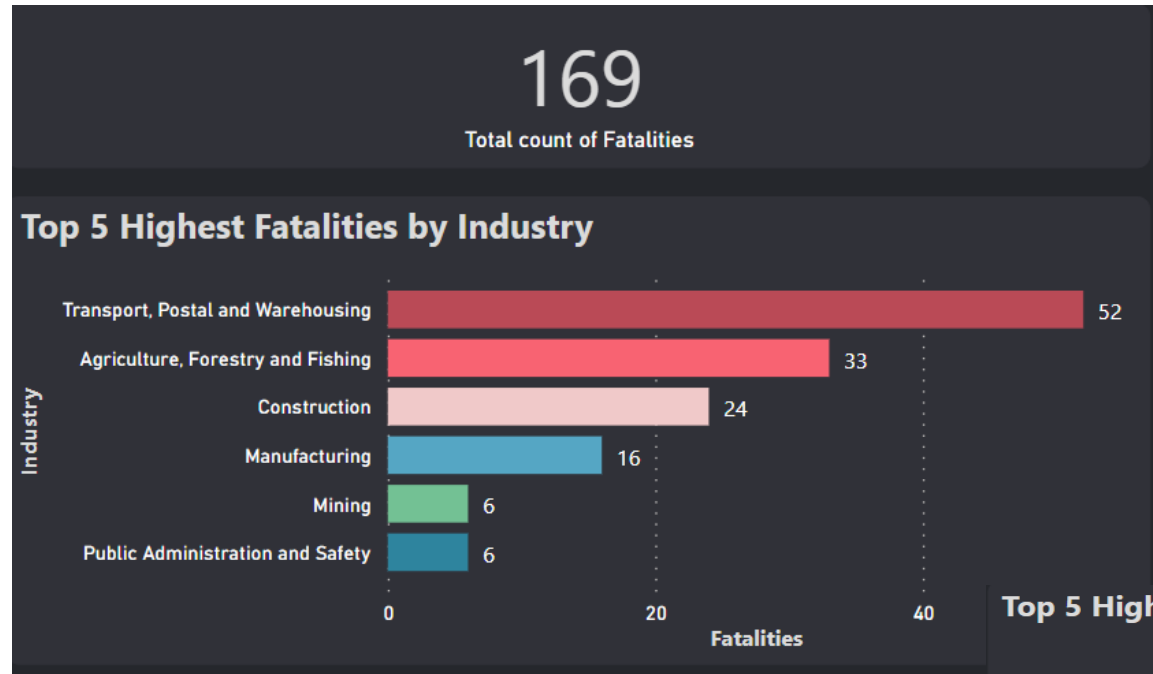
The WHS regulator and a SafeWork Inspector has powers to request information, documents, request answers and request persons to attend interviews amongst other things.



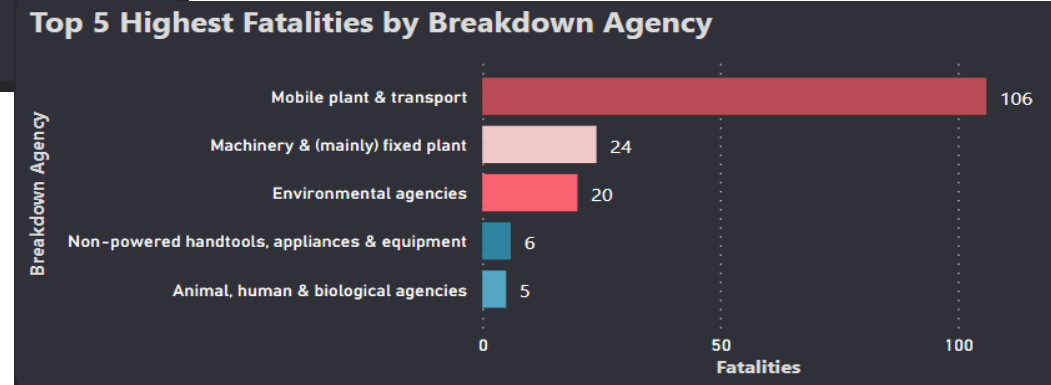
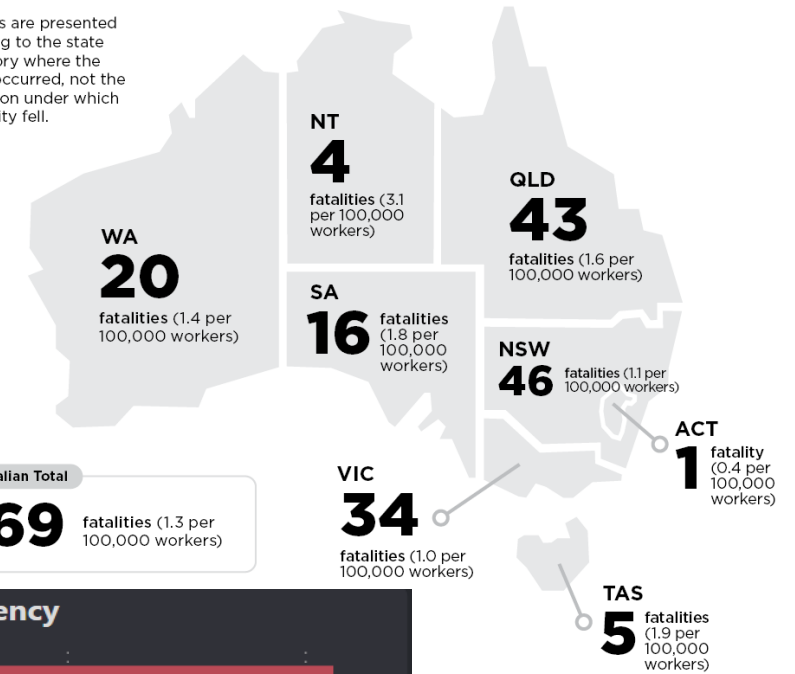
Our Regulatory Priorities for 2023

| | |
|---|--|
|  Gig economy | Increase safety and work health and safety compliance in the gig economy sector, particularly food delivery riders and health care. |
|  Safety around moving plant | Reduce workplace safety incidents related to moving plant, particularly forklifts. |
|  Seasonal | Increase work health and safety compliance to support itinerant workers, particularly in the agricultural sector and those working with amusement devices. |
|  Psychological safety | Reduce the prevalence of psychological injury at workplaces, with a focus on mental health and wellbeing. |
|  Respect at work | Reduce the incidence of bullying, sexual harassment, and customer aggression in the workplace, particularly in male dominated sectors and healthcare. |
|  Exposure to harmful substances | Reduce the incidence of worker exposure to dangerous substances in the workplace, particularly silica and dangerous chemicals. |
|  Falls | Reduce the incidence of falls from heights with a particular focus on construction. |

Workplace Fatalities (2021)



*fatalities are presented according to the state or territory where the fatality occurred, not the jurisdiction under which the fatality fell.



Incidents



Incident Information Release

SAFework NSW

28/02/2023

Worker injured by projectile

7 January 2023

A 32-year-old worker sustained a serious leg injury after being struck by a projectile in a rail corridor in Sydney. At the time of the incident the worker was in the vicinity of an excavator that was using a mulching attachment to carry out de-vegetation work.



Safety information

Consider 'reasonably practicable' control measures to manage the risks associated with mobile plant.

Ensure:

- exclusions zones are established in line with manufacturer's recommendations
- the parameter for exclusions zones recommended by the manufacturer is incorporated into safe work method statements
- pre-starts include thorough checks of plant including attachments by a competent person
- plant and attachments are maintained in a safe condition and operated in accordance with manufacturer's recommendations

The information contained in this publication is based on knowledge and understanding at the time of writing and the findings are not yet confirmed. SafeWork NSW has commenced an investigation in response to the incident to determine its cause and circumstances. No conclusions should be drawn from the information in this publication about the cause of the incident or the culpability of any party.



Incident Information Release

SAFework NSW

13/02/2023

Worker fatally injured unloading delivery truck

16 January 2023

A 57-year-old delivery driver sustained fatal injuries when two rolls of electrical conduit he was delivering fell from the truck as he was unloading it. Two of the conduit rolls, weighing approximately 250-300kg each, landed on top of the worker.



The delivery truck loaded with rolls of electrical conduit at the incident scene.

Safety information

Consider 'reasonably practicable' control measures to manage the risks associated with loading and unloading trucks.

Ensure:

- the vehicle selected to transport loads is suitable for the task
- fasteners and load restraint systems are used as intended to prevent loads from moving or falling
- fasteners and load restraint systems are inspected before use and regularly maintained by a competent person
- hazards in the work environment where the loading/unloading of materials will take place, such as overhead electric wires or unstable ground, are identified and eliminated, or risks to health and safety are controlled

The information contained in this publication is based on knowledge and understanding at the time of writing and the findings are not yet confirmed. SafeWork NSW has commenced an investigation in response to the incident to determine its cause and circumstances. No conclusions should be drawn from the information in this publication about the cause of the incident or the culpability of any party.



Incident Information Release

SAFework NSW

9/03/2023

Traffic controller struck by vehicle

8 February 2023

A 64-year-old worker was undertaking traffic control on a public road near Newcastle when he was struck by a moving vehicle sustaining serious injuries.



The incident site

Safety information

Consider 'reasonably practicable' control measures to manage the risks associated with traffic in the workplace.

Control measures

- To eliminate traffic risks consider closing the road and not allowing traffic through the worksite.
- To direct traffic in and around the workplace, you may be able to use electronic traffic control devices or traffic lights instead of traffic controllers.
- Install delineation devices such as traffic cones, temporary bollards and barrier boards to define the traffic path through, past or around the workplace.

The information contained in this publication is based on knowledge and understanding at the time of writing and the findings are not yet confirmed. SafeWork NSW has commenced an investigation in response to the incident to determine its cause and circumstances. No conclusions should be drawn from the information in this publication about the cause of the incident or the culpability of any party.

11m Fall from Elevated Work Platform (EWP)

A 42-year old worker was undertaking embankment remediation work from a boom-type elevating work platform (EWP) when he was hit by a tree, causing him to be **catapulted from the platform**. The worker **fell approximately 11 metres** to the ground.

The worker was wearing a fall arrest harness but the lanyard was not connected to the anchor point on the work platform.



Notifiable Incidents

***notifiable incident* means —**

(a) the death of a person,

or

(b) a serious injury or illness of a person,

or

(c) a dangerous incident.



Revised version – November 2015

INFORMATION SHEET— INCIDENT NOTIFICATION

This information sheet provides general guidance on mandatory reporting requirements for 'notifiable incidents' under Work Health and Safety (WHS) legislation.

Businesses and undertakings must notify their work health and safety regulator of certain 'notifiable incidents' at work. This information sheet will help you decide when you need to notify the regulator of a work-related death, injury, illness or dangerous incident.

Work health and safety regulators are committed to preventing work-related deaths and injuries. Notifying the regulator of 'notifiable incidents' can help identify causes of incidents and prevent similar incidents at your workplace and other workplaces.

The WHS law requires:

- a 'notifiable incident' to be reported to the regulator immediately after becoming aware it has happened
- if the regulator asks—written notification within 48 hours of the request, and
- the incident site to be preserved until an inspector arrives or directs otherwise (subject to some exceptions).

Failing to report a 'notifiable incident' is an offence and penalties apply.

What is a 'notifiable incident'

A 'notifiable incident' is:

- the death of a person
- a 'serious injury or illness', or
- a 'dangerous incident'

arising out of the conduct of a business or undertaking at a workplace.

'Notifiable incidents' may relate to any person—whether an employee, contractor or member of the public.

Serious injury or illness

Only the most serious health or safety incidents are notifiable, and only if they are work-related. They trigger requirements to preserve the incident site pending further direction from the [regulator](#).

[Serious injury or illness must be notified if the person requires any of the types of treatment in the following table:](#)



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What is your role



"The standard you walk by is the standard you accept"

What does compliance look like

Taking steps to ensure that everybody who works or enters your workplace is as safe as it possibly can be.

- Provide a safe work environment (maintenance of plant and structures, adequate facilities)
 - Know your duties and responsibilities
 - Talk with your workers, your health and safety reps and your leaders (consult cooperate and communicate)
 - Provide adequate information, training and instruction
 - Identify hazards and eliminate the risk or, if not possible, minimise.
 - Provide safe systems of work (selecting the right tool/right equipment for the task/work activity)
 - Reporting
-

Traffic control

Consider 'reasonably practicable' control measures to manage the risks associated with traffic in the workplace.

- To eliminate traffic risks, consider closing the road and not allowing traffic through the worksite.
- To direct traffic in and around the workplace you may be able to use electronic traffic control devices or traffic lights instead of traffic controllers.
- Install delineation devices such as traffic cones, temporary bollards and barrier boards to define the traffic path through, past or around the workplace.

Traffic control (cont.)

- Use directional signage such as workers ahead and speed reduction signs.
- Implement a traffic control plan.
- Prepare a safe work method statement (SWMS) in consultation with workers and put in place arrangements to ensure the work is carried out in accordance with the SWMS.
- Provide any information, training, instruction, and supervision that is necessary to protect workers from risks to their health and safety.

Traffic control (cont.)

- High visibility vests should be worn when working in the vicinity of moving traffic or plant.
- Traffic control training.



A sample of a Traffic Control Work Training Card

What can go wrong



Safe Work Month



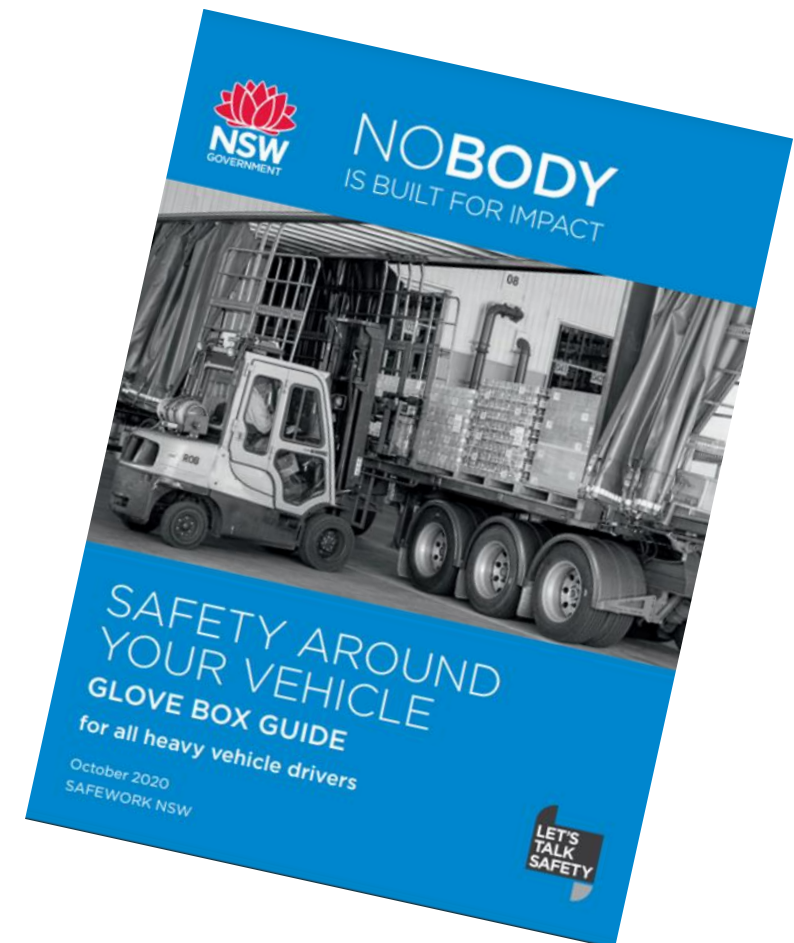
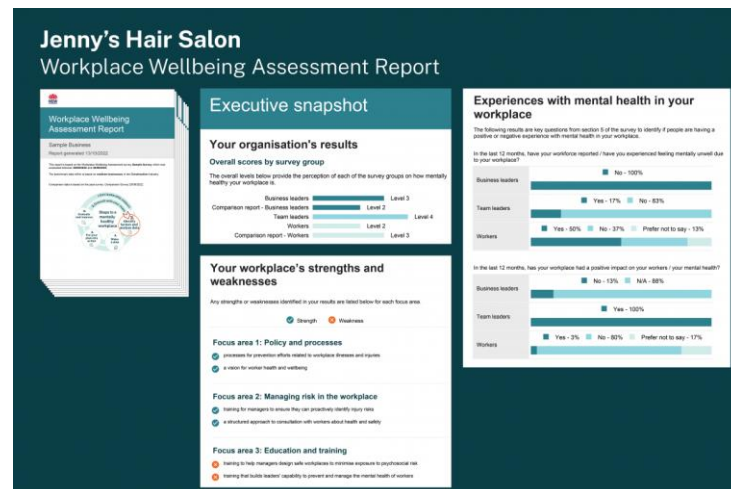
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For everyone's safety,
work safely

October is National Safe Work Month

 national safe work month |  safe work australia

Resources



How to get in touch with SafeWork NSW



Call 13 10 50



Speak Up Saves Lives

If you see something unsafe in your workplace, then our Speak Up Save Lives app lets you report an unsafe work situation, while giving you the choice to remain anonymous.



<https://www.safework.nsw.gov.au>



Questions



13 10 50

www.safework.nsw.gov.au