

# **Implement and monitor WHS policies, procedures and programs to meet legislative requirements**

This learner guide supports BSBWHS401A Implement and monitor WHS policies, procedures and programs to meet legislative requirements in the BSB07 Business Services Training Package.

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Teachers, trainers and trainees are directed to the relevant legislation, regulations, codes of practice and guidance notes for an authoritative understanding of WHS regulatory requirements. This learner guide should be read in conjunction with relevant legislation and is not a substitute for it.

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# BSBWHS401A Implement and monitor WHS policies, procedures and programs to meet legislative requirements

**Unit descriptor** This unit describes the performance outcomes, skills and knowledge required to implement and monitor the organisation’s work health and safety (WHS) policies, procedures and programs in the relevant work area in order to meet legislative requirements.

**Application of unit** This unit applies to workers with supervisory responsibilities for implementing and monitoring the organisation’s WHS policies, procedures and programs in a work area.

The unit applies to individuals with a broad knowledge of WHS policies who contribute well-developed skills in creating solutions to unpredictable problems through analysis and evaluation of information from a variety of sources. These workers provide supervision and guidance to others and have limited responsibility for output of others.

NOTE: The terms Occupational Health and Safety (OHS) and Work Health and Safety (WHS) are equivalent and generally either can be used in the workplace. In jurisdictions where the National Model WHS Legislation has not been implemented, RTOs are advised to contextualise the unit of competency by referring to the existing State/Territory OHS legislative requirements.

**Employability skills** This unit contains employability skills.

**Prerequisites** There are no prerequisites for this unit.

Element	Performance Criteria	Page Reference
1 Provide information to the work team about WHS policies and procedures	1.1 Accurately explain to the work team, relevant provisions of <b>WHS Acts, regulations and codes of practice</b>	28–44, 92, 118–124, 131–140, 164, 181–184, Section 4, Section 6
	1.2 Provide information about the <b>organisation’s WHS policies, procedures and programs</b> , and ensure it is readily accessible to and understandable by the work team	Throughout learner guide
	1.3 Regularly provide and clearly explain to the work team, <b>information</b> about identified hazards and the outcomes of risk assessment and control	29–31, 75, 77, 120, 166, 176–184, Section 3, Section 6

Element	Performance Criteria	Page Reference
2 Implement and monitor participation arrangements for managing WHS	2.1 Communicate to workplace parties the importance of effective consultation mechanisms in managing health and safety risks in the workplace	117–118
	2.2 Apply <b>consultation procedures</b> to facilitate participation of the work team in managing work area hazards	23, 119–126, 131–145, 153–157, 166
	2.3 Promptly deal with issues raised through consultation, according to organisational consultation procedures and WHS legislative and regulatory requirements	126–127
	2.4 Promptly record and communicate to the work team the outcomes of consultation over WHS issues	126–127
3 Implement and monitor organisational procedures for providing WHS training	3.1 Identify WHS training needs according to organisational requirements, and WHS legislative and regulatory requirements	147–149
	3.2 Make arrangements to meet WHS training needs of team members in consultation with relevant individuals	150
	3.3 Provide workplace learning opportunities, and coaching and mentoring assistance, to facilitate team and individual achievement of identified WHS training needs	153–157
	3.4 Identify and report to management the costs associated with providing training for work team, for inclusion in financial and management plans	158
4 Implement and monitor organisational procedures and legal requirements for identifying hazards and assessing and controlling risks	4.1 Identify and report on hazards in work area according to WHS policies and procedures, and WHS legislative and regulatory requirements	29–31 Section 3
	4.2 Promptly action team member hazard reports according to organisational procedures and WHS legislative and regulatory requirements	32
	4.3 Implement <b>procedures to control risks</b> using the hierarchy of control, according to organisational and WHS legislative requirements	33–38, 66, 118–124, 131–145
	4.4 Identify and report inadequacies in existing risk controls according to hierarchy of control and WHS legislative requirements	38–42

Element	Performance Criteria	Page Reference
	4.5 Monitor outcomes of reports on inadequacies, where appropriate, to ensure a prompt organisational response	43
5 Implement and monitor organisational procedures for maintaining WHS records for the team	5.1 Accurately complete and maintain <b>WHS records</b> of incidents of occupational injury and disease in work area, according to WHS policies, procedures and legislative requirements	51, 58, 90, 120, 135–136, 153–157, 164–176, Section 6
	5.2 Use aggregate information and data from work area records to identify hazards and monitor risk control procedures in work area	160–163

# WHS Management

The most effective approach to WHS management is an integrated systematic approach within the organisation. The components of a systematic approach for managing WHS include:

- 1 A WHS policy
- 2 Planning and target setting
- 3 Implementation and operational controls (including training, effective communication, coaching, disciplinary process, creating a WHS management file, monitoring and reporting)
- 4 Measurement, evaluation and correction
- 5 Audit and review.

It is useful to start with an overview of a systematic WHS approach as per the five components of the WHS management system listed above.

## A systematic approach to workplace safety

A formal WHS management system consists of documented plans, responsibilities, practices, actions, procedures and resources. These are focused on achieving the organisation's WHS strategy in accordance with its WHS policy through the systematic elimination or reduction of WHS risks. The goal is to eliminate the possibility of death, illness or injury from the workplace and to minimise associated costs to the organisation.

A formal system for WHS management is an organising framework providing strategic direction for WHS activities in response to changing internal and external factors. Systems may be simple or complex, highly or sparingly documented. The objective is continuous improvement in WHS performance.

A WHS management system:

- sets out the organisation's WHS policy and objectives
- establishes procedures to give effect to the WHS policy and objectives
- assesses and reviews the effectiveness of the procedures adopted
- achieves the organisation's WHS policy and objectives.

Implementation of a system for WHS management can:

- assist in identification of workplace hazards, assessment and risk control
- lead to a reduction in workplace illness and injury
- assist compliance with legal requirements
- assist with industrial relations
- improve financial and overall performance, and
- integrate with other management systems and core functions of the organisation.

# Controlling Risks

(Risk Management Step 3)

## Hierarchy of risk control

The accepted way to control workplace risks to safety is to consider each hazard in relation to three levels of controlling action, known as the *hierarchy of control*. The controls are ranged from the highest level of protection to the lowest, shown in Figure 1.

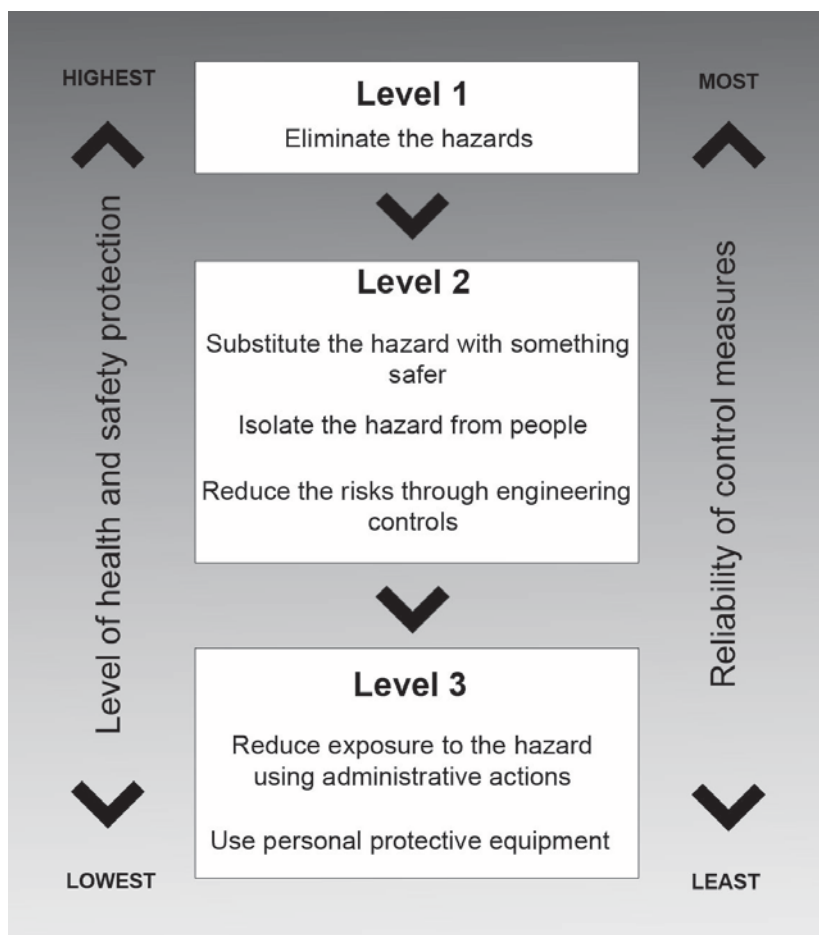


Figure 1: The hierarchy of risk control

Source: How To Manage Work Health and Safety Risks; Code of Practice, Safework Australia

The hierarchy of control guides an employer to take the most appropriate practicable action in relation to a hazard. Level 1 in the hierarchy is the most preferable option with level 3 the least preferable method for control. Effective control of a risk may involve more than one level.

## ***Arrangements for employee consultation***

Effective consultation on health and safety management involves providing employees with the information they need and giving them the opportunity to express their views. The choices of frameworks for employee consultation under the Model Act are described on page 120.

## ***Generating awareness of WHS procedures and safe work practices***

Employees have a right to be involved in health and safety matters and a part to play in protecting their own health and safety and that of others through discussion, contribution and cooperation with their employer.

## ***Role of the supervisor***

The supervisor has an important role to play in ensuring safe work procedures are respected in the work area and ensuring safe systems of work and standards are adhered to. Below is a checklist of typical supervisory duties.

- Be aware of WHS Regulations and Approved Codes of Practice.
- Consult and cooperate with the WHS representative or committee.
- Conduct regular workplace inspections along with the WHS representative or in conjunction with the WHS committee.
- Supervise preventive maintenance for plant and machinery.
- Maintain any hazardous substances in accordance with information contained in Safety Data Sheets and procedures set down by the employer.
- Ensure employees under supervision are fully informed about hazards or potential hazards in the workplace.
- Provide induction for new starters that includes work health and safety information.
- Conduct and/or arrange ongoing training for employees in safe work practices.
- Take all necessary follow-up actions when problems are identified.

Employees should raise any health or safety concerns regarding a particular work task in the first instance with their supervisor or the WHS representative. The employer must investigate any safety concern in consultation with employees, the supervisor and/or WHS representative, with a view to resolving the concern.

Supervisors play an ongoing role in initiating discussion and responding to issues, for instance, by introducing a work session, encouraging the raising of safety issues, reporting on actions taken, informing employees about proposed changes that might have health and safety implications or discussing new hazards and possible safety measures. The supervisor should explain the importance of effective consultation and the mechanisms to manage health and safety risks. Record the outcomes of WHS consultation for the work area and ensure everyone is kept informed.

## Consultation under the Model WHS Act

Under the model WHS Act, an employer **MUST** consult with workers who are (or are likely to be) directly affected by a health and safety matter. This includes consulting with contractors and volunteers about health and safety decisions that directly affect them.

The model WHS Act stipulates *when* an employer must consult with a worker and *what* is required by consultation.

### ***When must an employer consult?***

An employer must consult with workers when:

- identifying hazards and assessing risks arising from the work carried out or to be carried out
- making decisions about ways to eliminate or minimise risks
- making decisions about the adequacy of facilities
- proposing changes that may affect health or safety, and
- resolving health or safety issues, monitoring workplace health or conditions, providing information and training for workers.

### ***What is required by consultation?***

Consultation requires that:

- relevant work health and safety information is shared with workers
- workers are given opportunity to express their views and to raise health and safety issues
- workers are given opportunity to contribute to decision making on health and safety matters
- the views of workers are taken into account, and
- workers are advised of the outcome of any consultation in a timely manner.

### ***To what extent should an employer consult?***

They should consult as far as reasonably practicable. Consultation that is reasonably practicable is both possible and reasonable in the particular circumstances.

### ***Should consultation be documented?***

Consultation with workers and other duty holders does not have to be documented unless specifically required under the WHS Regulations. However, it is recommended you keep records to demonstrate compliance with consultation requirements.

The records can be simple and cover:

- who is involved
- what the safety matter is
- what decision has been made
- who is to take action and by when
- when the action is complete.



## What are the options for a consultation framework?

The Model WHS Act provides a flexible framework for consultation, providing a choice of alternative arrangements. Workers have the right to:

- establish a health and safety committee (if 5 or more workers or a health and safety representative request the committee, then the employer must establish it within two months of the request)
- elect one or more health and safety representative to represent them on WHS issues
- consultation in accordance with other arrangements agreed between employer and workers (e.g. using a trade union or face-to-face discussion between employer and workers).

Formal consultation (e.g. workplace inspections, workplace meetings) or informal consultation (e.g. encouraging workers to raise safety issues at any time) are both acceptable if agreed by employer and workers.

On setting up WHS representatives and/or committees, the employer will need to consult and coordinate with workers regarding electing WHS representatives, the makeup of work teams and the people who make up the WHS committee.

### ***Work health and safety committees***

A work health and safety (WHS) committee is a formal forum for resolving WHS issues and should comprise of workers (often WHS representatives on behalf of work teams) and management representatives. A WHS committee should explore broad WHS issues and develop policies, procedures and programs that contribute to health and safety.

The functions of a WHS committee typically include:

- keeping under review measures taken to ensure health, safety and welfare of persons at the workplace (including monitoring safety practices); awareness of specific work health and safety issues
- identifying workplace hazards and investigating any matter which may be a risk to health or safety at the workplace
- helping to devise safe job and reporting procedures (and monitoring their implementation and effectiveness)
- making recommendations regarding WHS training
- encouraging a cooperative approach to health and safety and
- providing a regular and formal means of communication between workers and management.

## Identify WHS Training Needs

Under the Model WHS Act, the person conducting a business or undertaking (or employer) is under a duty to ensure, so far as reasonably practicable, the provision of any information, training, instruction or supervision necessary to protect persons from risks to health and safety arising from work carried out as part of the conduct of the business or undertaking.

Information, training and experience are key to the development of WHS competency throughout the work team. Training is never a substitute for removing a hazard at source (see the hierarchy of control on page 36) but this is not always practicable. Consultation should take place between managers, supervisors, WHS committee and representatives and workers to identify relevant training needs for the work team.

### Training for work teams

Work team competency should be assessed against the skills developed through education, training or on-the-job experience. The organisation should ensure all persons (including contractors and visitors) have undertaken training appropriate to their identified needs, taking into account known hazards, risks and responsibilities. The supervisor is in a good position to assess the training needs of the work team.

### Training for HS Representatives

For WHS committees and/or representatives to be effective, personnel should be trained in WHS issues and their consultative role. Under the Model WHS Act, if requested, an employer must allow HSRs and deputy HSRs to attend a work health and safety course or training approved by the regulator.

## WHS training and awareness programs

A WHS training and awareness program can be used to equip the work team with the knowledge necessary to support WHS procedures. Training may be led by internal or external persons. Training sessions are also a useful forum for generating ideas for new operational controls, identifying hazards and risks and assigning tasks and responsibilities.

The following training and awareness needs may need to be assessed and addressed.

- Competency, including safety aspects, of performing work activities, tasks or individual roles.
- Importance of WHS responsibilities and compliance with WHS policies, procedures and work practices (WHS management plans, SOPs, legal, licensing and permit requirements and contingency procedures).
- Individual awareness of hazards and risks arising from work activities.
- The personal and organisational benefits of improved WHS performance.
- Awareness of the consequences of departure from specified operating procedures, including legal and personal liabilities and individual disciplinary consequences.

The specialist personnel in your organisation such as the human resources manager, WHS committee or work health and safety officer should be able to advise about WHS training.

# WHS Information, Recording and Reporting

## Legal requirements

Employers must monitor and keep information and records relating to the health and safety of workers and the workplace. Records provide evidence of compliance with WHS. Records are also required for monitoring and review purposes.

## Register of accidents and 'near misses'

An incident register should contain the following information:

- impacted worker's name
- job title
- time and date of the incident or injury
- location of the incident
- how the incident occurred
- nature of the incident or injury
- names of any witnesses
- date of entry in the register
- name of the person completing the register, if not the affected worker.

Accident and incident recording is part of a systematic approach to control hazards in a workplace. While it is a legal requirement to record accidents it is not a legal requirement to record non-notifiable incidents. However, there may be a number of 'near misses' before an injury actually occurs. Any hazard identified from an accident or incident record should undergo risk assessment and risk control using the hierarchy of control (see page 36 of this learner guide).

Serious accidents and high risk incidents need to be notified to the state regulator. For more information on notifiable accidents, illnesses and incidents see page 167 of this learner guide.

## Records of health surveillance

The health of workers exposed to significant hazards which cannot otherwise be eliminated or isolated should be monitored. The worker should give his/her informed consent to both the exposure and the monitoring, in terms of how health is monitored, what records are kept, and under what circumstances personal health information may be released and to whom.

## Provide WHS Information to Work Teams

This section assists supervisors to introduce work teams to basic information about WHS legislation, policies, procedures and information about hazard identification and control.

### Ways of presenting information to work teams

A range of strategies can be used to generate awareness of workplace health and safety including:

- publicise the WHS policy and WHS audit reports
- specific WHS training
- introduce WHS issues during induction presentations
- meetings, briefings and presentations
- written guidance to staff and suppliers including SOPs
- internal seminars, workshops, talks and lectures
- external conferences
- WHS journals (electronic or paper), newsletters and circulars
- email, intranet and internet, including quizzes and tests
- noticeboards and posters
- encourage work team suggestions.

### *Effective communication*

- Ensure reporting channels are open and two-way.
- Communicate at every level of the organisation.
- Present information simply so it can be easily understood.
- Cater to the different learning styles of workers. Explain and demonstrate practices, as well as provide written information.
- Be consistent by using similar units of measurement and methodologies for comparative purposes over time.
- Check to make sure workers fully understand and follow procedures.

# Assessment

## Continuous Assessment against Unit Competencies

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Element	Performance Criteria	Assessment task	✓
1 Provide information to the work team about WHS policies and procedures	1.1 Accurately explain to the work team, relevant provisions of WHS Acts, regulations and codes of practice	Section 6 revision task	
	1.2 Provide information about the organisation's WHS policies, procedures and programs, and ensure it is readily accessible to and understandable by the work team	Task 44	
	1.3 Regularly provide and clearly explain to the work team, information about identified hazards and the outcomes of risk assessment and control	Task 4 Task 17 Task 45	
2 Implement and monitor participation arrangements for managing WHS	2.1 Communicate to workplace parties the importance of effective consultation mechanisms in managing health and safety risks in the workplace	Task 27	
	2.2 Apply consultation procedures to facilitate participation of the work team in managing work area hazards	Task 27	
	2.3 Promptly deal with issues raised through consultation, according to organisational consultation procedures and WHS legislative and regulatory requirements	Task 30	
	2.5 Promptly record and communicate to the work team the outcomes of consultation over WHS issues	Task 30	

Element	Performance Criteria	Assessment task	✓
3 Implement and monitor organisational procedures for providing WHS training	3.1 Identify WHS training needs according to organisational requirements, and WHS legislative and regulatory requirements	Task 34	
	3.2 Make arrangements to meet WHS training needs of team members in consultation with relevant individuals	Task 35 Task 36	
	3.3 Provide workplace learning opportunities, and coaching and mentoring assistance, to facilitate team and individual achievement of identified WHS training needs	Task 36 Task 37	
	3.4 Identify and report to management the costs associated with providing training for work team, for inclusion in financial and management plans	Task 36	
4 Implement and monitor organisational procedures and legal requirements for identifying hazards and assessing and controlling risks	4.1 Identify and report on hazards in work area according to WHS policies and procedures, and WHS legislative and regulatory requirements	Task 2 Task 4 Task 17	
	4.2 Promptly action team member hazard reports according to organisational procedure and WHS legislative and regulatory requirements	Task 17 Task 30	
	4.3 Implement procedures to control risks using the hierarchy of control, according to organisational and WHS legislative requirements	Task 3 Task 4 Task 17 Section 2 Revision	
	4.4 Identify and report inadequacies in existing risk controls according to hierarchy of controls and WHS legislative requirements	Task 5 Section 2 Revision	
	4.5 Monitor outcomes of reports on inadequacies, where appropriate, to ensure a prompt organisational response	Task 5	

Element	Performance Criteria	Assessment task	✓
5 Implement and monitor organisational procedures for maintaining WHS records for the team	5.1 Accurately complete and maintain WHS records of incidents of occupational injury and disease in work area according to WHS policies, procedures and legislative requirements	Task 40	
	5.2 Use aggregate information and data from work area records to identify hazards and monitor risk control procedures in work area	Task 39	

### ***Critical aspects for assessment***

Evidence of the following is essential:	Assessment task	✓
<ul style="list-style-type: none"> <li>applying organisational WHS management systems and procedures in the work team area</li> </ul>	Task 30 Task 39 Task 40 Task 45	
<ul style="list-style-type: none"> <li>applying procedures for assessing and controlling risks to health and safety associated with those hazards, according to the hierarchy of control and as specified in commonwealth and state or territory WHS Acts, regulations and codes of practice</li> </ul>	Task 2 Task 4 Task 17 Task 39 Task 45	
<ul style="list-style-type: none"> <li>providing specific, clear and accurate information and advice on workplace hazards to work team</li> </ul>	Task 30 Task 44 Task 45	
<ul style="list-style-type: none"> <li>knowledge of legal responsibilities of managers, supervisors, PCBUs or their officers and workers in the workplace</li> </ul>	Section 6 revision task	