Recent OHS prosecution and implications for our risk assessment system

Purpose
The purpose of this safety note is to draw to your attention to the essential requirement to manage the implementation and monitoring of UQ’s OHS risk assessment system.

Background
A transport company was recently fined a record amount for contravening its OHS duties under the Victorian occupational health and safety legislation. The case involved a stevedore in Victoria who was fatally injured at work. The employer was fined $1 million in December 2016. The resulting judgement and commentary around the case confirms the high level of attention that is owed to ensuring our risk assessment system at UQ is soundly implemented, sustained and monitored. Some details of the case can be found here. This case reinforces the fact that safety and legal compliance requires competent risk assessments, timely response to their outcomes and the monitoring of their quality.

Implications for UQ
Some of the implications, or take-aways, from this case are:

1. Competent risk assessments and timely action are critical to safety and legal compliance, and the protection of our staff and students from health and safety risks;

2. Managers and supervisors must be confident that appropriate risk assessments are being performed, the outcomes of risk assessments are acted upon, and a monitoring process put in place to ensure the quality of risk assessments are suitable.

UQ’s risk management arrangements
Establishing an occupational health and safety risk management system that is proportionate and evidence informed, where resources and effort are determined by the nature and scale of the University’s workplace activities is critical to our OHS management system at UQ [refer UQ OHS Policy].

When to conduct a formal risk assessment
We assess risk daily (and almost automatically) as we carry out our daily activities. However, at UQ we are involved in a huge array of work, learning and research activities that require the conscious assessment of risk to our health and safety, and the consideration of how to either eliminate where possible, or reduce the risk we are exposed to. Protecting the health and safety of ourselves, our workers and students are a key value of UQ. It is also a legal obligation that is owed to staff and students. See here for advice on when to carry out a formal risk assessment.

How to conduct a risk assessment
Guidance and assistance is available from OHS managers, Work Health and Safety Coordinators and the OHS Division. Information is also provided in the UQ General workplace induction on-line training as well as the face to face training – OHS for Managers and Supervisors (UQ Staff Development Program).

During 2017 and 2018 UQ will be transitioning to the new corporate on-line risk assessment database UQSafe-Risk. Written guidance and video clip assistance to assist in conducting these on-line assessments are available.
Monitoring the UQ risk assessment system
Any system requires monitoring to ensure that it is being maintained and implemented as intended. To date an auditing process undertaken by local OHS managers and Work Health and Safety Co-ordinators has occurred. A performance measure of “20% of risk assessments to be audited” is currently in place. Performance of this measure is monitored by the OHS Division and the current UQ performance achieves the measure, at 34%. This is also monitored during internal OHS management system audits undertaken by the OHS Division. Regular reporting to the Vice Chancellor’s Risk and Compliance Committee and the University Senior Management Group occurs.

In late 2016 the OHS Division implemented a new performance measure to ensure that a more targeted and proportionate approach is undertaken. The new performance measure is:

| 95-100% of active risk assessments with the initial assessment of “high” or “very high/extreme1” are formally reviewed². |

The rationale for this is that attention should be directed to activities of higher risk to ensure that those activities are being undertaken with appropriate considerations to the health and safety of those affected by the activity. The current result regarding this performance measure requires attention – 13% of risk assessments with the initial assessment of “high” or “very high/extreme” have been formally reviewed.

Auditing/Formal review³ of risk assessments
Monitoring completed risk assessments is an essential part of the OHS management system. Advice on auditing/formal reviews of risk assessments is available here.

Who is responsible
The current PPL 2.10.04 Staff responsibilities for occupational health and safety clearly outlines the responsibilities/governance arrangements of various UQ staff with respect to the UQ risk management system. It is summarized below (greater detail can be found in the PPL).

(i) Executive Deans and Senior Managers
Ensure implementation of the risk management program within Schools or Organisational Units (including their documentation on the on-line database and that audits of risk assessments are conducted).

(ii) Heads of Schools and Organisational Units
Implement the Risk Management Program.

(iii) Supervisors
Undertake Risk Assessments (or assist in their compilation) and ensure the application of appropriate risk control measures. Approve risk assessments.

(iv) Individual staff / RHD students
Undertake risk assessments. Before commencing work or research, conduct a risk assessment to identify, assess and control the hazards associated with the work or research. This must be conducted in conjunction with other relevant staff, researchers and the supervisor.

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¹ Note that the original risk assessment database uses the term “very high”. The new database UQSsafe-Risk uses the term “extreme”.
² The new UQSsafe-Risk database uses different terminology to the old UQ Risk database. The UQSsafe-Risk database uses “Formal review” instead of the term “audit” when referring to auditing the quality of risk assessments.
³ As per footnote 2.
(v) **OHS Manager and Work Health and Safety Co-ordinators**
Advise the head of organisational unit or manager on the risk assessment process and report on risk management performance to the Head.
Audit the quality of risk assessments (meet the performance measures).

(vi) **OHS Division**
Provide specialist advice and support to OHS Managers/WHSCs regarding the management of Workplace Hazards and Risks.
Develop the UQ risk management arrangements and monitor at an organisational level.

**Action required**

- Managers need to be sure that their local processes for implementing risk assessments are in place.
- OHS Managers and WHSCs are to ensure that the system is monitored at the local level, which includes ensuring that appropriate auditing of risk assessments occurs.
- OHS Managers and WHSC’s to implement a program where 95-100% of the targeted risk assessments are audited.
  **Please note** that 95-100% of active risk assessments with the initial assessment of “high” or “very high/extreme” need to be audited/formally reviewed in **BOTH** the old UQ risk database **AND** the new UQSafe-Risk database.

**Contact for Additional Information**

For further information, contact your local Work Health and Safety Manager/Coordinator, or the UQ OHS Division:

OHS Division Phone: 07 336 52365
Email: ohs@uq.edu.au