

# Safety Update for Regional Businesses: December 2021

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## **Industrial Manslaughter legislation update.**

Worksafe WA recently conducted a number of webinars regarding these changes. To watch the recorded sessions, visit the following links:

[WHS and the WorkSafe Commissioner: Webinar recording](#)

[New Work Health and Safety laws implemented in Western Australia](#)

**The WA Government has just announced this legislation is going to be delayed until March 2022.** Refer to Worksafe WA for more information.

## **Safety Tip**

### **Contractor Safety Document Confusion?**

Do you know the difference between a JSA (Job Safety Analysis) and SWMS (Safe Work Method Statement)? Are clients such as Local Governments asking for these documents? We are keen to establish just how much confusion there is around these documents.

A JSA is a written procedure developed to review steps and their associated hazards, allowing for solutions to eliminate or minimize them. Section 19 of the OSH Act states an employer has a duty to prevent workplace injuries and illness. A JSA is a great tool to help demonstrate this commitment.

A SWMS, whilst mainly used in construction tasks, is also a great planning document to help eliminate or minimize incidents. It also helps employees understand the associated risks at each individual site. Section 3.143 of the OSH Regulations requires that all high-risk construction work done, be covered by a SWMS. High risk activities include working at heights, confined spaces, excavation, around gas or high voltage electricity, or near moving vehicle traffic (a more comprehensive list can be found at the WA Department of Mines, Industry Regulation and Safety website, in an article titled OSHE Subbypack). As an example, a plumber digging a hole near a road/footpath to fix a gas pipe on behalf of a local government may need to complete a SWMS due to pressurized gas, working in an excavation below 1.5m or working near moving vehicle traffic.

We can help you with these forms! Even a self-employed contractor with no other staff would greatly benefit from undertaking our safety appraisal, but we can also help you document the risks and the associated controls you can implement to help reduce or eliminate them.

## **Farm Safety**

75% of our clients are farmers and we take great pride in reducing the stress around this often confusing subject. In fact, most of our clients wonder why they put it off for so long. The Industrial Manslaughter Legislation is coming and negligence in safety may send you or a family member to prison. It's time to do away with the excuses such as "I'm too busy"... "I don't hire staff"...and "It will never happen!".

You simply just cannot ignore this anymore and if you want to be able to pass on your farm to future family members you must act now. The worst case scenario could actually be that a husband or wife goes to prison in the event of a tragedy on the farm and then the family loses the farm due to the fines they have to pay. Your mum and dad (or the in-laws) may say that they never needed

this before but they never had to contend with this new legislation.

We are putting together our travel itinerary after Christmas so please make contact with us and get on our visit list. Make this your New Years Resolution and get it done after harvest.

### **Record you safety efforts.**

We are finding that most businesses are doing the right thing in terms of OSH (safety) compliance, but they don't have any record of the effort they put into this very important area. It doesn't need to be complex or difficult in most cases, and we can help you put systems in place to achieve it. Staff inductions, training, and risk assessments are just three important areas.

It is irrelevant the size of your business: you need to have these records (even sole traders). If an incident occurs, or a government body audits your business, you need to be able to demonstrate you are complying with the legislation. If you can't produce these records you will go through unnecessary stress trying to prove it. This is particularly important with the new Industrial Manslaughter legislation coming soon. We will reduce the stress in this often misunderstood area of running a business.

### **Top 5 safety issues**

The Top 5 Safety issues we have encountered this month continue to be the same ones:

1. No OSH inductions being conducted (the foundations needed for safety).
2. No safety policy in place (sets the culture of safety in your organisation).
3. No record of hands-on training conducted (making it difficult to prove if an incident occurs).
4. No Hazardous Substance Register in place.

5. No fire extinguishers or first aid kits in work vehicles (it is the employee's office for the time they are in the vehicle and as such should have these accessible).

### **What We Offer:**

- Onsite safety appraisal covering over 150 areas;
- A comprehensive report detailing what you do well, actions required, and interactive options;
- Safety Policy;
- Risk Register;
- Personalised Hazardous Substance Register;
- 12-month Members-only website access with interactive Employee Induction Form, which can be completed online and automatically emailed to you;
- Monthly e-newsletters and safety updates.

**All for \$800.00\*** (inc GST).

Optional extras: get your electrical items tested and tagged for \$5.00 per item.

**Don't put it off any longer!** Please don't wait until an incident occurs before you seek assistance. We have over 25 years of experience in keeping organisations safe and have designed an easy-to-follow process that focuses on what you actually need to do to be compliant with OSH legislation. Don't spend thousands of dollars on glossy magazines and systems that just sit on a shelf! We will empower you to understand, implement and take control of safety in your business.

### **Merry Christmas**

On behalf of our team and our families we would like to wish all of you a happy and safe Christmas. We hope you get that well earned break and PLEASE drive safety on those country roads.

Thank you

Darren Slyn and team.

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