



WHS Trends Survey

October 2022

In this safety snapshot we explore current Work Health and Safety (WHS) / Occupational Health and Safety (OHS) issues and trends amongst the ACCI employer network.

Section 1: Compliance and Costs

The last year has seen a significant number of new regulations and amendments at both national and state levels. This is being felt by businesses of all sizes and across various industries who report challenges with:

"Awareness of obligations

"Keeping up to date with latest laws/regs plus retaining in-house resources to administer

"...a genuine lack of quality assistance for businesses on core topics such as risk assessment, ongoing compliance and a lack of affordable and easy computer systems for monitoring and reporting. There is a focus on having paperwork rather than having safe practice.

"There is a great need for competent health and safety consultants especially in remote and regional areas. We have to use consultants based over 2000km away to get competent assistance at affordable prices.

"Constant legislative changes and big changes at once."

Businesses are seeking more support to meet compliance requirements

Regardless of industry size, respondents collectively indicated a desire for more expert assistance, training opportunities and provision of resources such as guides, toolkits and checklists to support compliance.

Larger businesses also emphasised the need for simplification of regulations and requested clearer definitions and examples.

66%

of business survey respondents reported interaction with an inspector in the last five years.

Around 60% were large businesses with a focus on industries such as Construction (39%), Mining (17%), Wholesale trade (8%).

52%

More than of survey respondents operate businesses in more than one jurisdiction

More than 52% of survey respondents operate businesses in more than one jurisdiction, making it critical that WHS legislation is as 'harmonised' as possible. Jurisdictional divergences from model legislation are making it increasingly difficult and time-consuming for businesses to keep up with compliance requirements across the jurisdictions in which their business operates.

When asked what would assist with compliance, businesses repeatedly pointed to the need for standard practices across jurisdictions:

"One policy...not state by state" - Micro-business, Professional services.

"Differences make it difficult to stay across legislation and keeping policies current" - Large business, Healthcare and social services



What WHS issues keep you awake at night?

In fitting with previous research which has identified that smaller businesses operate more like a 'family' environment, smaller businesses were concerned with the possibility of their employees getting injured and the impact on their family.

Whereas for larger businesses, the association was less direct with the concerns more on the possibility of serious injuries or fatalities, the overall systems and failures in reporting mechanisms.

Another strong theme coming through was responsibility and justice:

- *Sole-trader: "People not being held accountable. The regulator needs to get serious and put those with OHS obligations that don't comply in jail."*
- *Micro: "External risks from non-compliant employers we work alongside at times."*
- *Medium/Large: "The perception that the employer is always at fault. The high penalties that employers face when they have worked diligently on safety but a worker breaks protocol, ignores their training and the SWMS and does something stupid."*

"Workers taking risks without any consultation with their employer/pc or the knowledge of others"

Other challenges top of mind included:

- Keeping standards high in a stretched workforce
- Balancing WHS laws with servicing our customers
- Working from home and mental health
- Managing Paperwork and regulations
- Complexity as a small biz

Utility of Codes of Practice

The number, length and complexity of Codes of Practice continue to be a concern for industry.

Whilst large businesses (50+ workers) indicated a high use of Codes, the over complicated and one-size-fits-all nature of Codes of Practice do little to assist SMEs to meet their work health and safety duties.

SMEs (1-49)

"Not particularly useful"

"Over complicated- try to raise the standard but COP dumbs it down to the lowest level"

"Some of these need to be industry specific."

"If read they are very comprehensive but you have to be able to read and understand them and dedicate the time required to read them"



Large (50+)

"very important and informative"

"COP are useful and contain some useful templates."

"Useful to identify requirements for specific tasks - cranes, trenching & excavation etc."

"Yes we use them and they can be valuable but they tend to be repetitive and generic. They also don't clearly identify what info changed in different versions and sometimes they seem substantially the same."



Since the Australian Human Rights Commission released the Respect@Work Report in March 2020 there have been significantly increased efforts to prevent sexual harassment at the policy, regulator and workplace levels.

Respondents were asked about what systems the business has in place to identify and manage the risk of sexual harassment and bullying in the workplace?

The use of policies, procedures and training was generally consistent across all business sizes.

Respondents were asked about what reporting mechanisms are in place for any incidents relating to sexual harassment or bullying?

Large businesses in particular emphasised that reporting of sexual harassment and bullying was predominantly linked to HR functions over WHS, whereas smaller businesses indicated that managers or owners were the main point of contact for reporting.



SME responses:

Policy and procedures documents. Q&A. Self-reporting profiles.

Training on what bullying and harassment is, staff work in small groups that change daily, ongoing awareness by managers of staff interactions, specific work protocols for most tasks to maintain daily structure and minimise staff resentment and opportunity to harass

Have WHS committee, online reporting, internal policies, induction training

In a small business where we work closely together, we watch for any harassment and bullying. We have no formal or anonymous systems as we work too closely and anonymity is difficult.

With 32 employees and active engagement with our employees, we are on-the-ground with what may be occurring. We have workshopped 2-3 times over the past 3 years with all employees on harassment and bullying, and, actively address any behaviours.

Large business responses:

Workplace Behaviour training which covers; policies, procedures, & expectations, code of conduct, EEO policy and grievance procedure; Risk management procedures outlining sexual harassment and controls; Event reporting & Investigation procedures, looking at implementing an employee survey and consultation groups.

Policies, regular WHS meetings, Reporting forms, First Aid officers

Internal SOP for reporting and managing the investigation process through HR. This can be reported online through the employee portal or directly with management teams.

Code of Conduct, complaints, incident reporting, and investigation. Training of staff.

Workplace behaviour policies, trained contact officers.



SME Responses:

Policy and procedure documents outline the processes.

Staff encouraged to recognise and report bullying and harassment towards themselves and others to manager.

Whilst we have Incident Reporting process, for harassment or bullying this would be verbal to one of the 3 key senior managers. The owner/director would always be involved.

Risk register on line reporting EAP

Large business responses:

All reports of harassment are investigated independently via the People and Culture, Industrial Relations and/or Zero Harm Teams. The formalised process of reporting incidents is embedded into all levels of the business and all personnel are trained on how to report harassment/ bullying incidents. Further to the mentioned we also have a whistle blower policy where it can be reported.

Depending on the person and situation, reporting would be directed to site supervisors or internally to HR department.

Incident Reporting system - confidential through HR

Risk registers, INX reporting system - direct to HR, grievance procedure



Since 2022, there was increasing activity around 'psychosocial risk' with the publication of new model psychosocial regulations and several model and jurisdictional Codes of Practice.

To substantiate our concerns that there was ongoing confusion within the business community around the distinction between supporting general mental health and wellbeing and the newer concept of 'psychosocial risk', we asked our business leader network to describe in their own words, how they would describe the difference between managing "mental health issues" versus managing "psychosocial risk" ?

Overwhelmingly, our members report that understanding of the term 'psychosocial risk' remains low and significant effort is needed in increasing businesses understanding of this term and emerging area.

Q: What would help you better understand psychosocial risks and how to comply with WHS duties?

Businesses of all sizes wanted more information and regular updates with targeted training and toolkits appropriate to their business the most requested (specific) resources.

Business leader responses to the difference between managing "mental health issues" versus managing "psychosocial risk":

- Psychosocial risk is an unnecessary term
- Ouch
- I'm stressed out by this question.
- Psychosocial risks can be identified and assessed and considered. Mental health issues may be harder to identify.
- Managing psychological risk is proactive while managing mental health issues is reactive. The first applies to everyone. The second only to people experiencing the issue.
- No idea
- Very confusing - regulations should use plain english
- Mental health issues are associated with the individual employee, psychosocial risk is the risks presented by the job/workplace that can impact any employee.
- There is no difference. Work-related psychological safety and health" is just a Thesaurus version of mental health

Q: What systems does your business have in place, if any, to identify and manage psychosocial risks?

The responses below reinforce that generally, businesses are still unclear on the differences between managing psychosocial risks and more general mental health and wellbeing management.



SME responses:

Our company directors record any OHS & Risks identified. As we are a very small group in a small town, most issues are dealt with by our manager, directors, and staff all know each other.

Defined written protocols and expectations for each role in the clinic. Regular verbal feedback (often daily/ weekly) to recognise work well done but also when change is needed.

Regular staff meetings that include discussion of work issues that are raised by staff. Staff reviews are held at least annually but sometimes monthly for a new role. Occasional social gatherings to share time away from work. Occasional monetary bonus in recognition of the extra hard period of work (e.g. busy week)

internal discussions

Whilst we have a Wellbeing Policy + Procedure and are active in implementing this, we haven't specifically looked at psychosocial.

Large business responses:

Risk Assessments, Procedures, Training

Employee well-being survey

No systems as such rather rely on managers to report workload etc, having said that there is a clear understanding of contracted hours to be worked, and those working additional hours are remunerated.

Bullying and harassment policy

No systemic approach to this.

Currently reviewing our policy /procedures and researching tools/platforms

Mental Health First Aid qualified staff

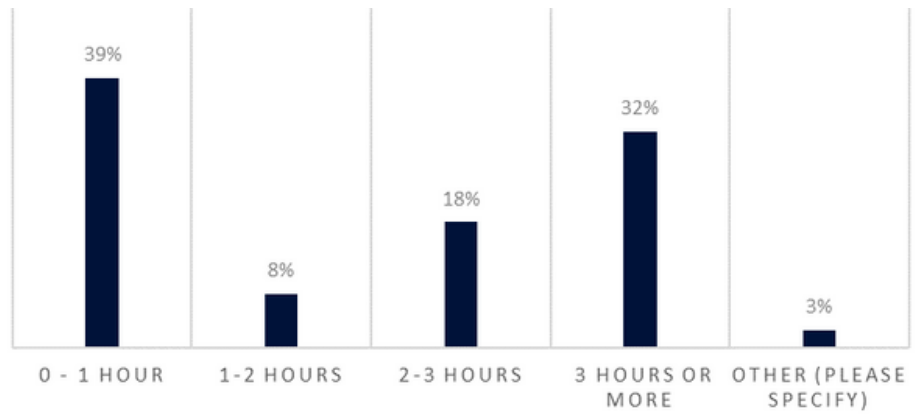
Health Policy Health and Wellbeing Standard Risk register

Initiatives my company has put in place include; 3 well-being days and a person who is in charge of health and well-being. They have developed programs to assist with stress, eating and a range of topics



Section 3: General WHS Risk Management

With increasing regulatory complexity and the emergence of new priority risks such as: silica, COVID, sexual harassment and psychosocial, industry associations are concerned that there has not been enough attention and effort put into ensuring businesses, particularly small businesses, have general risk management capabilities and awareness.



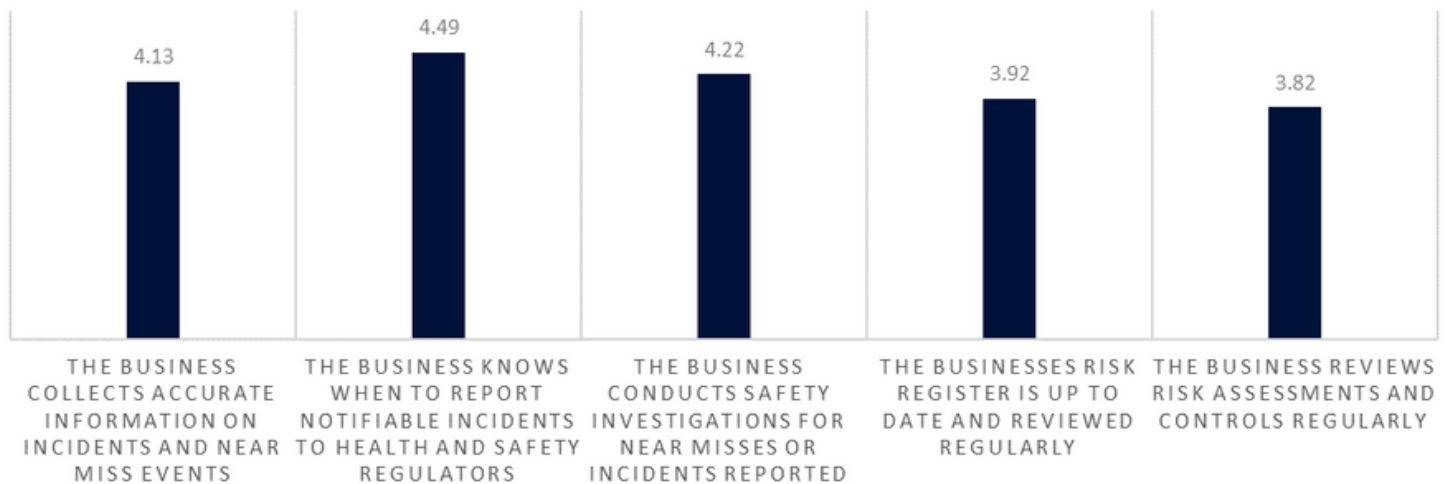
Q: In an average week, how much time is spent conducting risk management tasks

Q: Rate the degree from 1- 5 (5 being strongly agree) to which you agree with the following statements.

The majority of businesses generally agreed or strongly agreed to knowing when to report notifiable incidents to health and safety regulators, collecting accurate information on incidents and near misses and conducting safety investigations for incidents. Responses drifted more towards neutral however for keeping up to date risk registers and reviewing risk assessments and controls regularly.

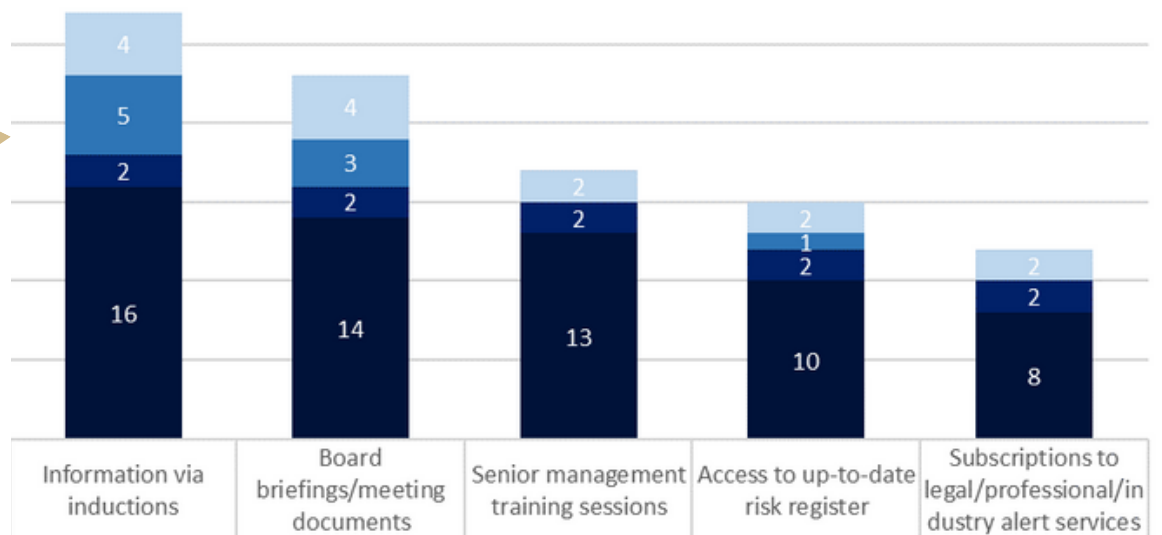
50% of SMEs spent less than one hour conducting risk management tasks.

In contrast, more than 50% of large businesses conducted 3 or more hours of risk assessment per week (predominantly within the construction sector).



Q: How do you ensure 'officers' in your business improve their knowledge of WHS matters and your businesses risks?

- Large (50+)
- Medium (20-49)
- Micro (1-4)
- Small (5-19)



Safety Culture Maturity

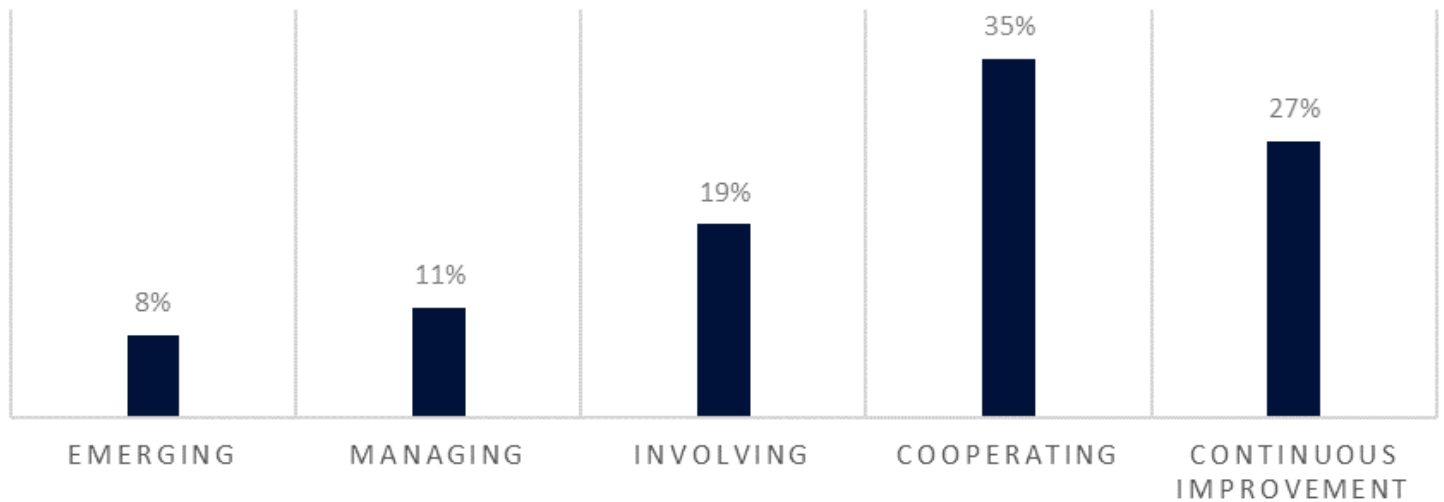
Improving safety culture and leadership is often cited in WHS strategies and reports. The UK HSE noted that it is important to be able to assess the level of safety maturity for individual businesses as it is likely that businesses in the early stages of developing their safety culture will require different improvement techniques from those with strong safety cultures.



What would help most with compliance is changing people's perspective on WHS from a hindrance to a safety culture where everyone benefits.



Q: How would you rate your safety culture?



The five stages of safety culture maturity

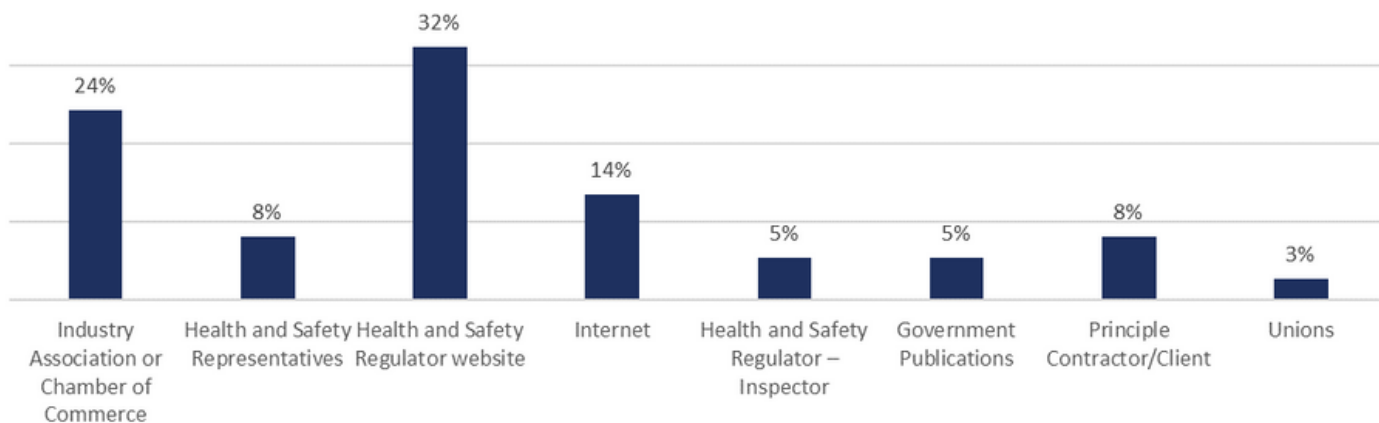
1. **Emerging:** Safety is defined in terms of technical and procedural solutions and compliance with regulations. Safety is not seen as a key business risk.
2. **Managing:** you have an average incident rate for your sector you compare to. Safety is a business risk and some effort is put into accident prevention. Safety is adherence to rules and regulation.
3. **Involving:** your incident rates are relatively low. The business understands that frontline employees are critical to good health and safety, if future improvements are going to be achieved. Safety is actively monitored.
4. **Cooperating:** majority of staff in the organisation are convinced that health and safety is important. Significant effort made in proactive measures to prevent incidents. Safety is a shared responsibility. Healthy lifestyles are promoted.
5. **Continuous Improvement:** prevention of injuries or harm to employees is a core company value. Sustained period (years) without a recordable incident but no feeling of complacency. Actively monitors performance and all workers share belief that health and safety is critical to their job and a priority for the business. Healthy lifestyles are promoted.

The majority of large businesses self-reported being at either the cooperating or continuous improvement stage, whereas small businesses were more likely to self-report at the managing or involving stage.

Interestingly there was a clear distinction made between micro and small businesses with micro-businesses self-reporting more consistently at the continuous improvement stage.



Source of Work Health & Safety information



Businesses seek information on WHS predominately from Regulator websites (32%) and Industry Association/Chambers of Commerce (24%). This reinforces the research that indicates industry associations and chambers are trusted sources of information and good intermediaries.

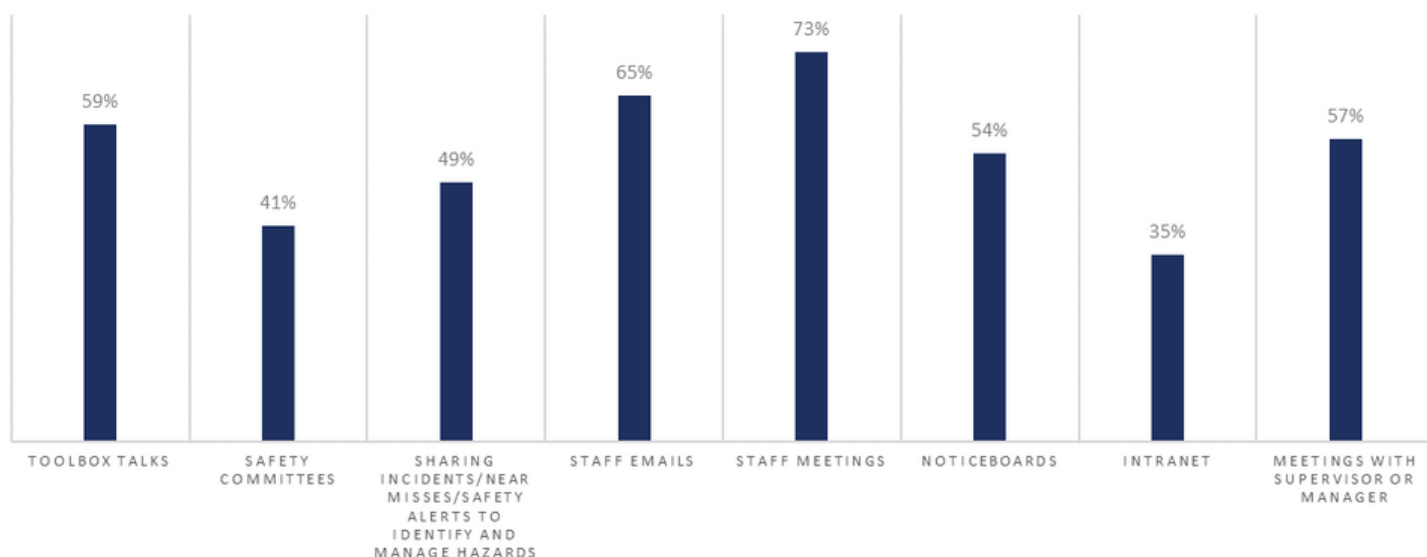
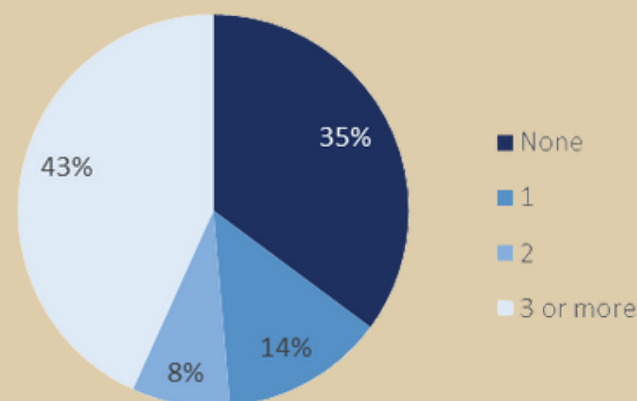
There appears to still be some misunderstanding within businesses as to the role of health and safety representatives (HSR) with 8% of businesses relying on HSRs for WHS information.

Q: How do you ensure safety and health information or changes to information is communicated to workers?

Businesses use a variety of tools to relay safety and health information to workers with the most preferred method being more personable meetings and emails.

Q: How many elected Health and Safety Representative(s) do you have in your workplace?

35% of businesses surveyed indicated they do not have a HSR in their workplace with mainly large businesses in construction, electricity etc services, healthcare and social assistance and mining have 3 or more HSRs.



Methodology



ACCI circulated the survey through our member network and on social media inviting feedback from representatives of small, medium, and large businesses. 86 respondents completed the survey over the two-week period of the 6th – 23rd of September 2022.

Metro-city based	76.74%
Regional-country	11.63%
Remote	11.63%

NSW	17.44%
ACT	6.98%
NT	11.63%
QLD	9.30%
SA	4.65%
TAS	4.65%
VIC	6.98%
WA	22.09%
National	16.28%

