

Geared for Safety

100%
SHEQ

How we Manage SHEQ in our Group &
Our SHEQ Management System – MS10

MS10

*Safety, Health,
Environment and Quality
Management Systems for
SPW Group & Flexihire
MS10-1.2.27*



GEARED FOR SAFETY

Management System MS10 Safety, Health, Environment and Quality Management for SPW Group & Flexihire



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SAFETY, HEALTH, ENVIRONMENT AND QUALITY (SHEQ) POLICY

The SPW Group and Flexihire will avoid harm to people, society and the environment while providing quality products and services to our customers.

OUR PRINCIPLES:

- Safety, health, quality and care for the environment are foundational principles of our businesses.
- The safety and health of our colleagues, customers, business partners and communities in which we do business is our number one priority.
- Visible leadership and personal accountability for SHEQ, at all levels.
- SHEQ principles shall be reflected in 100% of our behaviour, 100% of the time.

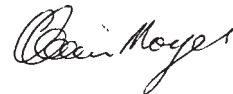
OUR VISION:

- Zero incidents.
- Safe, secure and healthy working conditions for all who work with and for us.
- High quality, safe and environmentally responsible products and services that meet or exceed customer expectations.
- Responsible use of natural resources.
- Economic and environmental sustainability in everything we do.

OUR COMMITMENT:

- Comply with applicable legal, regulatory, industry and corporate requirements.
- Design, construct and operate our facilities in a safe, secure, efficient and environmentally responsible way.
- Accountability and performance tracking against our SHEQ goals and targets.
- Work with our business partners and industry to actively promote and enforce compliance with this policy.
- Promote open communication with all stakeholders and sharing of SHEQ knowledge.
- Continuously improve our performance and actively manage risk in our business.
- Provide resources, training, equipment and other support to enable fulfilment of this policy.

This policy is integral to SPW and Flexihire's strategy and is periodically reviewed by the Safety Review Board.



Chris Moyes
General Manager
SPW Group & Flexihire

HOW WE WILL DO THIS – OUR COMMITMENT

To achieve our vision and to live by our policy we will manage and maintain an Occupational Health, Safety, Environment and Quality Management System called MS10 and aim to achieve the requirements of the relevant Australian Standard for OH&S Management Systems AS/NZS:4804:2001.

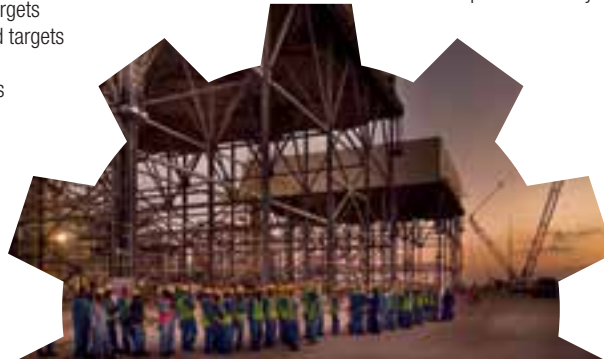
The Australian Standard contains the best recognised way to assist us to manage health & safety including:

- Identify Hazards and assess their risks
- Control or eliminate risks
- Communicate & consult
- Commitment to Zero Harm
- SHEQ is 100% of our Behaviour 100% of the time
- Demonstrate visible safety leadership
- Understand, communicate & comply with legal obligations
- Plan our safety initiatives and actions
- Measure performance through objectives and targets
- Report on our performance to our objectives and targets
- Behave responsibly toward the Environment
- Provide quality & safe products to our customers

WHAT DOES IT MEAN TO YOU – YOUR COMMITMENT

The vision cannot be achieved without your help and as such all workers, employees, visitors, contractors, suppliers and customers have a key role to play, all day every day.

- **Workers including all employees & contractors**
 - Understand and abide by our SHEQ Policy and Procedures
 - Follow any site specific rules or instructions
 - Work in a safe manner that ensures your own protection
 - Work in a safe manner that ensures everyone's safety
 - Insist upon your work mates, visitors or contractors to work safely and follow our rules & procedures
 - Stop unsafe work procedures when/if you see them
 - Report all incidents be it a potential hazard that may cause harm, a near miss that may have caused harm and any incidents that caused harm
 - Co-operate with fellow workers, visitors, customers and suppliers
 - Co-operate with any safety initiative, discussion or change



WHAT DOES IT MEAN TO YOU – YOUR COMMITMENT (CONT.)

- **Visitors**
 - Understand our SHEQ Policy
 - Sign in and out of our sites
 - Follow all instructions of our staff
 - Adhere to all site rules, restricted areas and PPE requirements
 - Report all incidents
- **Suppliers**
 - Understand our SHEQ Policy
 - Report all incidents relevant to us, our products or our people
 - Supply safe equipment and products
 - Tell us what risks your equipment or product possess
 - Tell us of any risk you become aware of if you become aware after you have supplied the equipment or product
 - Comply with the relevant Acts and Regulations
 - Follow all instructions when on our sites
 - Have similar goals of not wanting to hurt people or the environment
- **Customers**
 - Report all incidents relevant to us, our products or our people
 - Use all equipment in a safe manner
 - Use all equipment & product in line with manufacturer recommendations and in line with any specific instructions from us
 - Follow all instructions when on our sites
 - Have similar goals of not wanting to hurt people or the environment

HAZARDS & RISKS

The business we are engaged in, the products we supply and the tasks we perform all attract hazards and risks with the potential to impact people, the environment and / or property.

At SPW Group & Flexihire we will identify all hazards, assess the risk they pose, consult, control and monitor the risk to ensure the health and wellbeing of all people, the environment and to minimise damage to property.

Our Objectives are:

- To ensure that risk management is an integral part of all organisational processes
- To encourage the notification of hazards by all Company personnel
- Management commitment
- To ensure adequate communication and consultation for hazard control
- To ensure risk assessment and hazard control is undertaken through consultation
- To ensure adequate communication of hazard and risk control is implemented promptly
- To ensure the ongoing adoption and effectiveness of the risk controls

HAZARDS & RISKS (CONT.)

Hazards & Risks are not limited to just our tasks but include everything we do including:

- Products we import
- Equipment we operate
- Our work environments
- The climate
- Emergencies
- The local regulators & authorities
- The people we interact with
- Competing business priorities (SHEQ vs. Financial performance)

All of these have the potential to impact us not only in safety terms but health, environment, reputation, breaches of law, criminal prosecution, media attention, technological changes, harassment, psychological impact, social status impacts and cultural sensitivities.

OUR RISK MANAGEMENT PROCESS



STEP 1 IDENTIFY HAZARDS

All Staff are encouraged to report any known hazards that do not have existing controls in place and that pose a risk to health, safety, environment or damage to property. See MS10-6 for a Hazard Report Form.

Other ways we may identify hazards include:

- Hazard Reporting Process via Hazard Report Form
- Workplace Health and Safety Induction
- Reported Incidents and Injuries
- Workplace Hazard Inspections
- Office Hazard Inspections
- Internal and External Audits
- Job Safety and Environmental Analysis
- Changes to procedures or tasks
- Internal and external complaints
- Worksafe Australia OHS Alerts
- Material Safety Data Sheets (MSDS)
- Biological and Environmental testing
- Specialists / Consulting Reports

HAZARDS & RISKS (CONT.)

Hazards may include but are not limited to:

- Mechanical Hazards (e.g. impact injuries, structural failure, vibration, moving parts, gravity etc.)
- Chemical Hazards (e.g. burns, inhalation, poisoning, corrosion, fire, explosion, long term ill effects, contamination etc.)
- Pressure Hazards (e.g. over pressure, explosions, under pressure, leaks, spills etc.)
- Temperature (e.g. extremes of heat and cold, low or high process temperature etc.)
- Noise Hazards (e.g. hearing damage, offensive or nuisance noise)
- Electrical Hazards (e.g. shock, fire, explosion, burns etc.)
- Radiation Hazards (e.g. burns, illness, contamination etc.)
- Environmental Hazards (e.g. spill, emissions)
- Biological Hazards (e.g. illness, contamination etc.)
- Psychological Hazards (e.g. stress from work or work environment situations)
- Miscellaneous Hazards (e.g. suffocation in confined spaces, drugs and alcohol etc.)
- Slip / Trip Hazards
- Manual Handling / Ergonomic Hazards

STEP 2 ASSESSING RISKS

A Risk Assessment is a methodical process to evaluate and estimate the risks associated with a hazard. Risk assessment involves examining and evaluating the likelihood and consequence of the potential outcomes in order to prioritise risks for control.

The following risk matrix is used for ranking risk:

	1 Insignificant (No Injury)	2 Minor (First Aid)	3 Serious (Medical Treatment)	4 Major (Lost Time Injury)	5 Catastrophic (Fatality)
A) Almost Certain (1/wk)	Medium (11)	High (16)	Extreme (20)	Extreme (23)	Extreme (25)
B) Likely (1/mth)	Low (6)	Medium (12)	High (17)	Extreme (21)	Extreme (24)
C) Possible (1/y)	Low (4)	Medium (8)	High (13)	High (18)	Extreme (22)
D) Remotely Possible (1/10y)	Low (2)	Low (5)	Medium (9)	High (14)	Extreme (19)
E) Conceivable but Unlikely (1/>10yr)	Low (1)	Low (3)	Medium (7)	Medium (10)	High (15)

HAZARDS & RISKS (CONT.)

A number of risk assessment templates can be found in MS10-5 including:

- Task Risk Assessments
- Generic Risk Assessments
- Specific Risk Assessments (various)
- Job Safety Analysis
- Permit to Work

STEP 3 CONTROLLING RISKS

The first and most effective step in controlling risks should always be to see if the hazard can be eliminated all together. If this is not possible then look to:

- Substitute the hazard with something safer
- Isolate the hazard from people
- Reduce the risks through engineering controls and finally if these controls are not effective then look to
 - Reduce exposure to the hazard using administrative actions
 - Use PPE (Personal Protective Equipment)

A combination of these controls is permitted to reduce risk to acceptable levels.

STEP 4 EVALUATE / REVIEW CONTROL MEASURES

Implemented controls shall be evaluated or reviewed after a reasonable period to ensure the effectiveness of the control. Managers / supervisors of the area where the controlled hazard resides shall be responsible to ensure a review of the hazard control is undertaken.

Review of controls can be conducted by way of:

- A re-audit or risk assessment of the area;
- Agenda item through the Team Meetings; or,
- Specific inspection of the control.

DEFINITIONS

Hazard: A source or a situation with a potential for harm in terms of human injury or ill-health, damage to property, damage to the environment, or a combination of these.

Hazard Identification: The process of recognising that a hazard exists and defining its characteristics.

Risk: The combination of the likelihood and consequence of an undesired event causing injury, harm, damage or loss.

RA: Risk Assessment is the process of estimating the magnitude of risk and then deciding what actions need to be taken to control the risk to acceptable levels.

SOP: Safe Operating Procedure for an item of Plant.

Task: An activity we conduct in the course of working.

TRA: (Task Risk Assessment) is a procedure where we assess hazards that routine tasks may attract.

JSA: (Job Safety Analysis) is a procedure where we assess hazards that non-routine tasks may attract and when we don't have an existing SWMS or where a change is required to the scope of a SWMS.

PTW: (Permit to Work) is a procedure where we assess hazards in the event a TRA or JSA does not exist, typically issued to contractors who perform high risk tasks.

SWP: (Safe Work Procedure) is a procedure that records how a task is to be performed safely – same as SWMS.

SWMS: (Safe Work Method Statement) is a procedure that records how a task is to be performed safely – same as SWP.

Traccess: The tool used to deliver training and to track who has completed our training procedures and Safe Work Method Statements (SWMS).

LEGAL OBLIGATIONS

Our commitment is to meet all our legal obligations. A Legal Register can be found in MS10-3. It lists all relevant legislation for each Australian State and Territory, New Zealand, local authority regulations, Australian & NZ Standards and Codes of Practice.

As at January 2013 each Australian State (except VIC. & WA) and Territory and the Commonwealth itself have adopted almost identical Occupational Health & Safety laws. These laws for each State (except VIC. & WA) or Territory are sourced from the Commonwealth's model Work Health and Safety Act, model Work Health and Safety Regulations and model Codes of Practice. WA and VIC. have not yet done this, so their respective State laws continue to apply in those jurisdictions. As such:

SPW Group & Flexihire each have a primary duty of care to ensure the health and safety, so far as reasonably practicably, of all people while at work.

All workers have a duty to take reasonable care for their own health and safety and to ensure their own actions do not adversely affect the health and safety of anyone else, to comply with reasonable instructions and to co-operate with all reasonable policies and procedures.

These matters are expanded upon in the Q & A Section of this Booklet at pages 37-40.

Summary of how legal obligations arise:

- **Act** – is a bill concerning subject matter that a government considers should be regulated and which is passed through various legislative steps (like a parliament) to become law. An example is the Work Health and Safety Act 2011 (QLD). The Queensland Government has enacted this law (based on the Commonwealth model) to provide a framework to protect the health, safety and welfare of all workers at work and of other people who might be affected by the work. The Act broadly outlines duties and obligations imposed on various entities to achieve its aims, how the Act will be administered and what the consequences are of failing to comply with the Act.
- **Regulation** – Acts make provision for the executive branch of the Government to make laws to further the aims of the relevant Act. These laws are known as regulations. For example, the Work Health and Safety Regulations 2011 (QLD) specify the way in which some duties under the Work Health and Safety Act 2011 (QLD) must be met and prescribes procedural or administrative requirements to support the Act (for example, by requiring licences for particular activities and record keeping).
- **Code of Practice** – a practical guide to achieving the standards of health, safety and welfare required under the Act & Regulation. A Code of Practice ("COP") is admissible in Court, where a Court may regard a COP as being evidence of meeting the regulation. An example of a COP is the Model Code of Practice on Welding Processes. In Queensland this COP applies to all workplaces covered by the Work Health and Safety Act 2011 (QLD) where welding processes are carried out and to all persons involved in these activities. Normally if a COP is followed it will likely result in

LEGAL OBLIGATIONS (CONT.)

one meeting the relevant regulation. Unless specifically stated in an Act or Regulation, a COP is not law, and as such does not have to be adopted in a case where a better system prevails.

- **Standard** – Set of rules, guides, limits for ensuring a certain amount of quality and consistency. Standards vary in complexity and source. Some are just notes, some are monitored for compliance by authorities and others required under the law (for example, AS/NZS 3000:2007 Electrical Installations (the Wiring Rules) is a standard that electrical installations must be wired to before power is provided by authorities).
- **Other** – legal obligations can arise in other ways such as by way of contract. For example, a contract of employment can require an employee to comply with employer policies and procedures. A failure to comply with such policies or procedures can have legal consequences for an employee such as a formal warning or termination.

Consequences of failing to comply with legal obligations:

Failure to comply with laws, mandatory Codes, Standards or other legal obligations can result in damage to reputations and adverse publicity, penalties and fines, enforceable undertakings, injunctions, Court orders, orders for corrective advertising, refunds, repair of goods, voiding of insurance policies, inability to tender for future Government projects, legal costs and criminal proceedings.

More importantly, if such failure leads to personal injury, death or other harm, those consequences impact on individuals, co-workers, families and friends immeasurably.

Refer to MS10-1 Policies & Management Procedures for our Legal Obligations Procedure document, MS10-6 for our Risk Register and MS10-3 External Resources for our Legal Register with references or links to all laws, Codes of Practice and Standards.



PLANNING, OBJECTIVES, MEASURING & REPORTING

We will ensure that effective processes are in place including:

- Planning our SHEQ Actions annually
- Setting Objectives and Targets
- Capturing all SHEQ Actions
- Measuring our lagging performance & reporting it to provide useful data
- Auditing our leading performance

These items will all be communicated to you via our Dashboard for key objectives and lagging statistics. A weekly report called "Risk & Action Register" will track performance of actions arising from audits, planning, incidents, planned inspections, fresh eye audits or other means.

MS10

MS10 the 10 point SHEQ Management System for SPW Group & Flexihire.

It is designed to assist with the adoption, implementation, communication and continual improvement of a range of effective occupational health and safety actions to minimize risk to health and wellbeing of all persons associated in any way with our business & activities.

In summary MS10 will:

- Store SHEQ documents
- Provide guidelines to identify hazards, assess risk and control risk
- Provide guidelines how to consult, implement, communicate & monitor
- Provide training guidelines and procedures
- Assist with ensuring we meet legal and regulatory controls

MS10 is designed to be consistent with the Standard AS/NZS 4804:2001 which is a commonly used and proven method for managing health and safety at the workplace. We will aim to ensure our MS10 is audited under the guidelines of AS/NZS 4801:2001 in order to verify we are adopting best practice.

This section provides a guideline on how MS10 is laid out and where you may find relevant documents or procedures for your relevant role.



MS10-1 POLICIES & MANAGEMENT PROCEDURES

This chapter of our Management System includes all company policies, management system overview documents, Plans, Objectives and targets and legal obligations.

Includes:

- Our SHEQ Policy
- SHEQ Plan
- Legal Obligations
- Objectives & Targets
- Management System
- Responsibility & Authority
- Management Commitment
- Corrective Actions
- Records Management
- Documentation and Document Control
- Management Review

MS10-2 COMMUNICATION & PARTICIPATION

This chapter of our Management System describes how we communicate our SHEQ messages & systems including the participation of internal and external stakeholders.

Includes:

- How we communicate
- Tool Box Meetings
- Safety Review Meetings
- Newsletters
- Public releases & safety notices
- Learning from other industries
- Quarterly Communication sessions
- Email
- Slogans
- Management meetings
- External consultants
- Web Sites
- Issue resolution
- Workplace consultation



MS10-3 EXTERNAL RESOURCES

This Chapter is where we store any references to external documents such as:

- External references
- Acts, Regulations (Law)
- Codes of Practice & Compliance Codes
- Australian & New Zealand Standards
- External website links
- Technical documents

This entire chapter makes up our Legal Register.

MS10-4 INDUCTION & TRAINING

This chapter of our Management System is where we store our induction and training reference documents.

Includes:

- Induction modules for new staff
- Induction requirements for visitors and contractors
- Training documents for high risk tasks
- Training Needs Analysis
- Traccess supporting documents



MS10-5 HAZARD & RISK MANAGEMENT

This chapter includes a very broad range on Hazard and risk management templates & procedures including:

- Procedures on how to identify hazards
- Procedures on how to assess the associated risk
- Templates for identifying and reporting hazards
- Templates for assessing risk
- Checklists & guidelines for controlling risk
- Procedures for specific hazards (such as load restraint guides & traffic management plans)

This chapter includes all the risk procedures as opposed to the management procedures along with risk guidelines and templates.

MS10-5 Hazard & Risk Management will include a number of sections including but not limited to:

- Plant & Mechanical Hazards
 - Pressure
 - Noise
 - Confined Space
- Vehicle & Driver Hazards
 - Manual Tasks
- Hazardous Chemicals & Products
 - High Risk Work
 - Welding, Cutting & Grinding
- Electrical Hazards
 - Temperature
- Workplace & Facilities
 - Radiation
- Hazardous Work
 - Falls
 - Slips & Trips
- Asbestos
- Miscellaneous Hazards

MS10-6 REPORT/RECORD/REVIEW

At SPW Group & Flexihire we must report all incidents and near misses. This chapter provides our procedures and documents for records management, management review and reporting, including our incident reporting system called Synergi®.

Reportable Incidents Include:

- Occupational incident
- Occupational illness
- Travel and transportation incident
- Commuting incident – when transport has been arranged
- Damage to property
- Environmental Incident
- Near misses



detecting risk



MS10-7 HEALTH & WELLBEING

At SPW Group & Flexihire we care about the health & wellbeing of our employees. This section provides guidelines for how we at SPW Group & Flexihire will aim to identify and eliminate any hazards to health and how we treat workplace injury & illness.

INCLUDING

- Workplace injury and illness will be treated with appropriate rehabilitation measures
- Health surveillance
- Drug & alcohol management
- Workplace violence
- Workplace stress

MS10-8 ENVIRONMENT

At SPW Group & Flexihire we care about the Environment. This section provides guidelines for how we at SPW Group & Flexihire treat the environment.

RULES

- Hazardous substances must not be released to water or the ground. This includes, storm water drains, toilets, grates and sewers.
- Hazardous gases must not be released or vented to air, unless approved by an approved operations expert.
- Open fires and burn-offs are prohibited on site.
- No solids or sediments must be placed where they may wash into storm water or other drains.
- The supervisor or manager must immediately be informed of any accidental spillage or unplanned release of hazardous substance on site.
- The location of spill kits on site should be identified.
- Licensed disposal companies will be used for the off-site disposal of waste.

MS10-9 EMERGENCY & INCIDENT MANAGEMENT

This chapter of our Management System is to provide guidance to emergency situations and incident management.

In the event of an emergency follow the site's emergency evacuation procedure and the instructions of emergency wardens. A specific evacuation procedure exists on every site.

Ensure you are familiar with:

- Site emergency procedures
- Assembly point
- Fire fighting equipment
- First Aid Kits
- Names of trained First Aid staff
- Location of spill kits

This will also include:

- Incident management guidelines
- Evacuation maps
- Emergency contact list

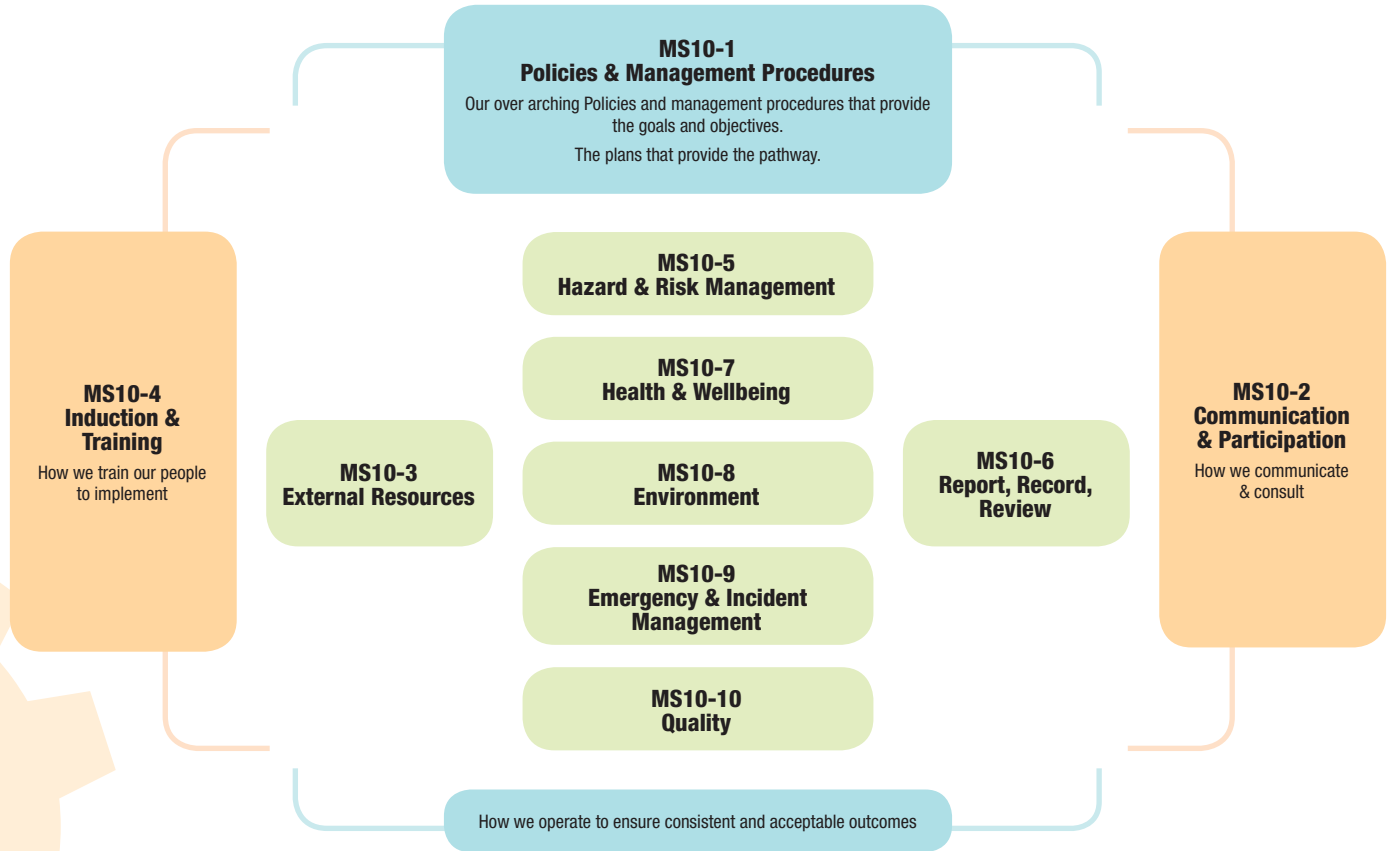
MS10-10 QUALITY

At SPW Group and Flexihire we will provide quality products and services. We will do this by ensuring effective quality procedures for everything we do to deliver consistent quality outcomes.

Quality documents include:

- Product stewardship
- Non safety related work processes & procedures
- Product recalls
- Test procedures
- Purchasing procedures





SAFETY DEFINITIONS

CUA	Car Unavoidable Accident
CAA	Car Avoidable Accident
CAAR Formula	CAA Rate = $\frac{\text{Number of CAAs}}{\text{Distance driven (Cars) x 1,000,000}}$
LTI	Lost Time Injury
LTIR Formula	LTI Rate = $\frac{\text{Number of LTIs}}{\text{Hours worked x 1,000,000}}$
MTI	Medical Treatment Injury
MTIR Formula	MTI Rate = $\frac{\text{Number of MTIs}}{\text{Hours worked x 1,000,000}}$
Near Miss	Any unplanned event that has the potential to cause but does not result in harm or damage to people, assets or property.
TAA	Truck Avoidable Accident
TUA	Truck Unavoidable Accident
TAAR Formula	TAAR Rate = $\frac{\text{Number of TAAs}}{\text{Distance driven (Trucks) x 1,000,000}}$
Manual Handling	Any activity requiring the use of force exerted by a person to lift, lower, push, pull, carry or otherwise move, hold or restrain any animate or inanimate object. Ref. National Standard for Manual Handling – NOHSC:1001(1990)

SAFE BEHAVIOURS

Behaviours for all employees.

People

- Understand and comply with SHEQ policy and principles
- Exhibit a safety-first behaviour
- Highlight non-compliance issues immediately
- Participate in self assessments, such as self audits, housekeeping inspections, Safety observations
- Participate in daily meetings
- Attend monthly SHEQ meetings/briefings
- Raise safety concerns to management immediately
- Contribute to an open culture.

Risk Management

- Always use appropriate PPE
- Report all hazards
- Follow work instructions
- Participate in risk assessment activities
- Participate in SHEQ committee meetings.

Incident Management

- Participate in close-out meetings of incidents
- Report all incidents and near-misses
- Participation in incident investigations.

SAFE BEHAVIOURS (CONT.)

Training

- Ensure that you have been adequately trained before commencing any task
- Coach peers on behavioural issues (LeadSafe).

Driving

- Participate in observed and accompanied drives
- Discuss journey plans with peers/subordinates on an ad hoc basis
- Always observe Driver & Vehicle Safety procedures and policies
- Participate in driver safety focus groups and awareness sessions
- Always wear seat belts and ensure others in vehicle do too
- Ensure own driver training is up to date
- Always ensure driving style / behaviour of self and others is appropriate for the conditions at the time.

MANAGEMENT CUE CARDS

These Cue Cards are designed to provide a guideline for all Managers when visiting and whilst working on our sites.

MAKE THE FOLLOWING OBSERVATIONS

- SHEQ Station Guide visible from station and all aspects completed
- SHEQ Policy visible to public and staff
- All visitors and contractors are inducted and sign in
- High visibility clothing in place and adopted by all (as applicable)
- Evacuation procedures visible from all entry/exit points
- Fire/emergency equipment
- Condition of first aid facilities
- All electrical leads and tools are in current test and tagged accordingly
- The behaviours of site personnel, e.g.: General standards of housekeeping, Wearing of Personal Protective Equipment (PPE), Manual handling techniques etc.
- Environmental controls – Oils and fuels banded & signage visible
- Seat belts being worn on all forklifts and other equipment
- Check hire equipment that is ready to hire has SOP's attached

ASK ABOUT

- Do you know our SHEQ Policy?
- Truck pre-start checklists are they available for inspection
- Forklift pre-start checklists are they available for inspection



MANAGEMENT CUE CARDS (CONT.)

- Recent incidents and near misses
- Traccess training and driver training compliance
- What was discussed at the last Toolbox meeting, are signed minutes available
- View and check last Planned Inspection & JSA file
- SHEQ Risk & Actions Register – any outstanding for site?
- What hazards are you aware of?
- Load restraint documentation available for truck loads >5T

VISIBLE LEADERSHIP ACTIVITIES

- Observe site rules
- Take your own PPE
- Carry out a site tour
 - Carry out a Leadsafe engagement
 - Observe people's behaviour
 - Discuss your observations with front line employees
 - Feedback on positives and opportunities for improvement to site management and supervision
 - Attend a Site Safety Committee meetings
 - Check effectiveness of key SHEQ systems such as Permit to Work, Emergency Preparedness, Management of Change, Contractor Control
 - Follow up actions identified

Q&A

Are we required by law to have a Management System?

No. The law imposes duties and obligations on the company concerning occupational health and safety but does not specifically require a company to have a Management System. However, it is well recognised that the best way for a company to meet its obligations under the law is to have a well defined and up to date Health and Safety Management System. In addition, many larger customers and Government organisations specifically request that tendering suppliers, like us, have an Occupational Health and Safety Management system in line with the Standards AS/NZS4804:2001 & AS/NZS4801:2001.

Does a Management System need to comply with AS/NZ4804:2001?

No. It is not a requirement by law and not a requirement of the Linde Group. However, it is a requirement of many customers and Government organisations that we supply to. AS/NZS 4804:2001 and AS/NZS 4801:2001 complement each other. AS/NZS 4804:2001 provides guidance on setting up and continually improving an OHS Management System whereas AS/NZS 4801:2001 establishes a framework for auditing and reviewing an OH&S Management System. Government documents, such as tenders, often require the tendering company to disclose if it has an OHS Management System that complies with AS/NZS 4804:2001 and/or if the OH&S Management System been externally audited in line with AS/NZS 4801:2001.

What obligations does an employer have under the law?

There are numerous laws that govern the workplace from industrial relations and discrimination issues to health and safety issues. Prior to 2011 each Australian State and Territory had its own laws dealing with occupational health and safety. Since 2011 attempts have been made to harmonise all of these laws across Australia. This harmonisation

Q&A (CONT)

involves each Australian State or Territory adopting (with minor variations if necessary) the Commonwealth's model Work Health and Safety Act, model Work Health and Safety Regulations and if, relevant model Codes of Practice. As at January 2013 the Commonwealth, NSW, QLD, NT, ACT, TAS and SA have respectively enacted the model Work Health and Safety Act and the model Work Health and Safety Regulations and have adopted all or most of the Codes of Practice. WA and VIC. have not yet done this, so their respective State laws continue to apply in those jurisdictions.

Looking at the new laws now applying in most of Australia, the concepts of who is an employer and who is a worker have been substantially expanded. The comparable term for employer in the new law is "Person conducting a business or undertaking" ("PCBU"). The PCBU has a primary duty of care to ensure workers and others are not exposed to a risk to their health and safety. This primary duty of care is owed by a PCBU when it directs or influences work carried out by a worker, engages or causes to engage a worker to carry out work (including through subcontracting) or has management or control of a workplace.

To meet its duty to provide a safe and healthy workplace for workers or other persons the PCBU, so far as is reasonably practicable, must for example ensure, safe systems of work, a safe work environment, safe use of plant, structures and substances, notification and recording of workplace incidents, adequate information, training, instruction and supervision is given, compliance with regulations, effective monitoring systems are in place and consultation with health and safety representatives and committees.

What obligations does a worker have under the law?

Looking at the new laws now applying in most of Australia, the concept of who is a worker has been substantially expanded. A worker can also include a trainee, apprentice, contractor or subcontractor and an employee of a labour hire company assigned to work for a PCBU. In summary a worker, while at work, must take reasonable care for their own health and safety and for the health and safety of others, comply with any reasonable instruction by the PCBU and cooperate with any reasonable policy or procedures of the PCBU.

What Law applies to me?

The Legal Register that is kept up to date in MS10 has these specific details and can be inspected by you during office hours. Generally speaking the occupational health and safety laws that apply to you from January 2013 are the model Work Health and Safety Act and the model Work Health and Safety Regulations and all or most of the Codes of Practice (but as varied slightly by each applicable State or Territory).

What can I do if I may be exposed to a risk that may impact my health or safety?

Firstly, you should stop and remove yourself from the risk, then you are obligated to report it to your manager. You should also complete the Hazard Identification Form located in MS10-6 and hand it to your Manager.

What are my options if I feel something is wrong or unsafe and I am not being heard?

If you feel you are not being heard locally by your Manager then refer to the Issue Resolution Procedure in MS10-1 or escalate the issue up the line to a Regional Manager, General Manager or direct to HR.

Q&A (CONT)

What can I do if I feel scared to make a complaint?

Firstly read our procedure for Workplace Bullying, Harassment & Discrimination Procedure. You should feel free to discuss issues without the fear of being discriminated. Discuss the issue with who you best feel comfortable with including your Line Manager, Regional Manager, General Manager or direct to HR.

Is sexual harassment covered under safety or under safety laws?

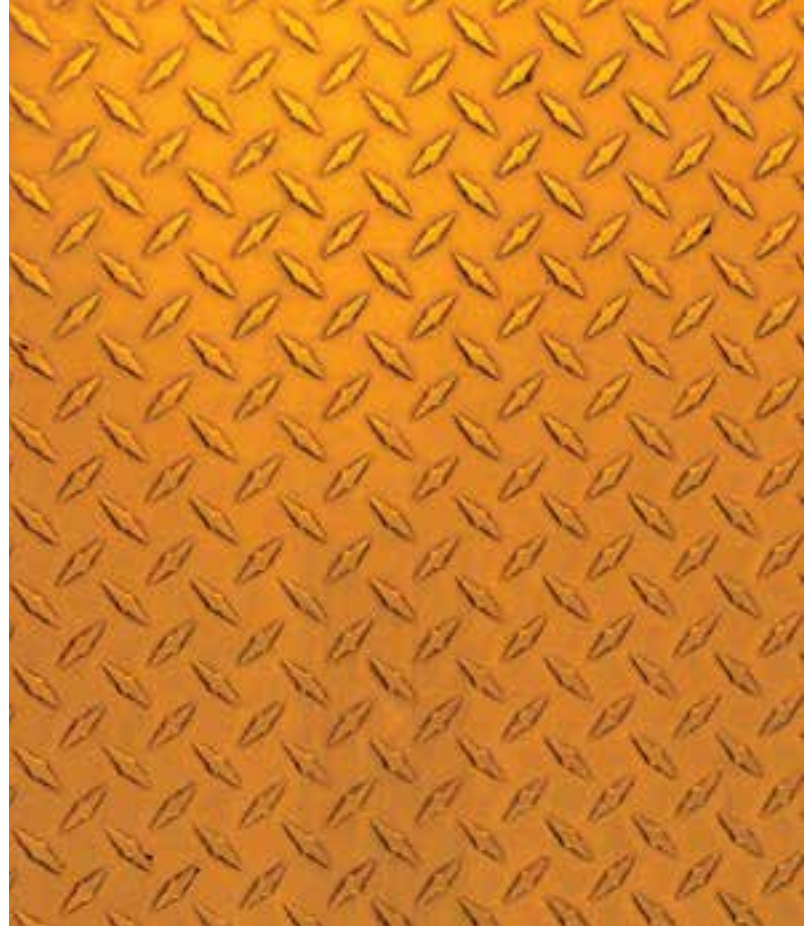
No. There are other laws that deal with harassment of a sexual nature. It is a HR related issue that is taken seriously and can be reported without fear of victimisation. Reports can be made to your Line Manager, Regional Manager, General Manager or direct to HR.

Is discrimination covered under the Work Health & Safety Act?

Yes but it is a specific type of discrimination under the Work Health & Safety Act. It is defined as a worker being put to their detriment for a reason of a safety nature such as raising an issue or performing safety related functions or activities under the Work Health & Safety Act. There are substantial penalties for breaching the Act. Direct or indirect discrimination, victimisation or harassment of non-safety related matters are all offences in their own right covered under separate laws and are HR related issues that can be reported without fear of victimisation.

What can I do if I feel I have been discriminated for a safety reason?

Refer to our Issue Resolution Procedure. It can be reported to a Line Manager or escalated direct to a Regional Manager, the General Manager or direct to HR.





Management System MS10
is the Occupational Health
& Safety Management System for
South Pacific Welding Group Pty Ltd
and Flexihire Pty Ltd

**South Pacific Welding
Group Pty Ltd**

ABN: 46 078 830 878
1/15 Westgate Street
Wacol QLD 4076
Ph: (+61) 7 3718 0801

Flexihire Pty Ltd

ABN: 95 010 108 559
1/15 Westgate Street
Wacol QLD 4076
Ph: (+61) 7 3718 0804

**For more information or additional Geared for Safety
MS10 Booklets please contact your Head Office.**

SPW

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