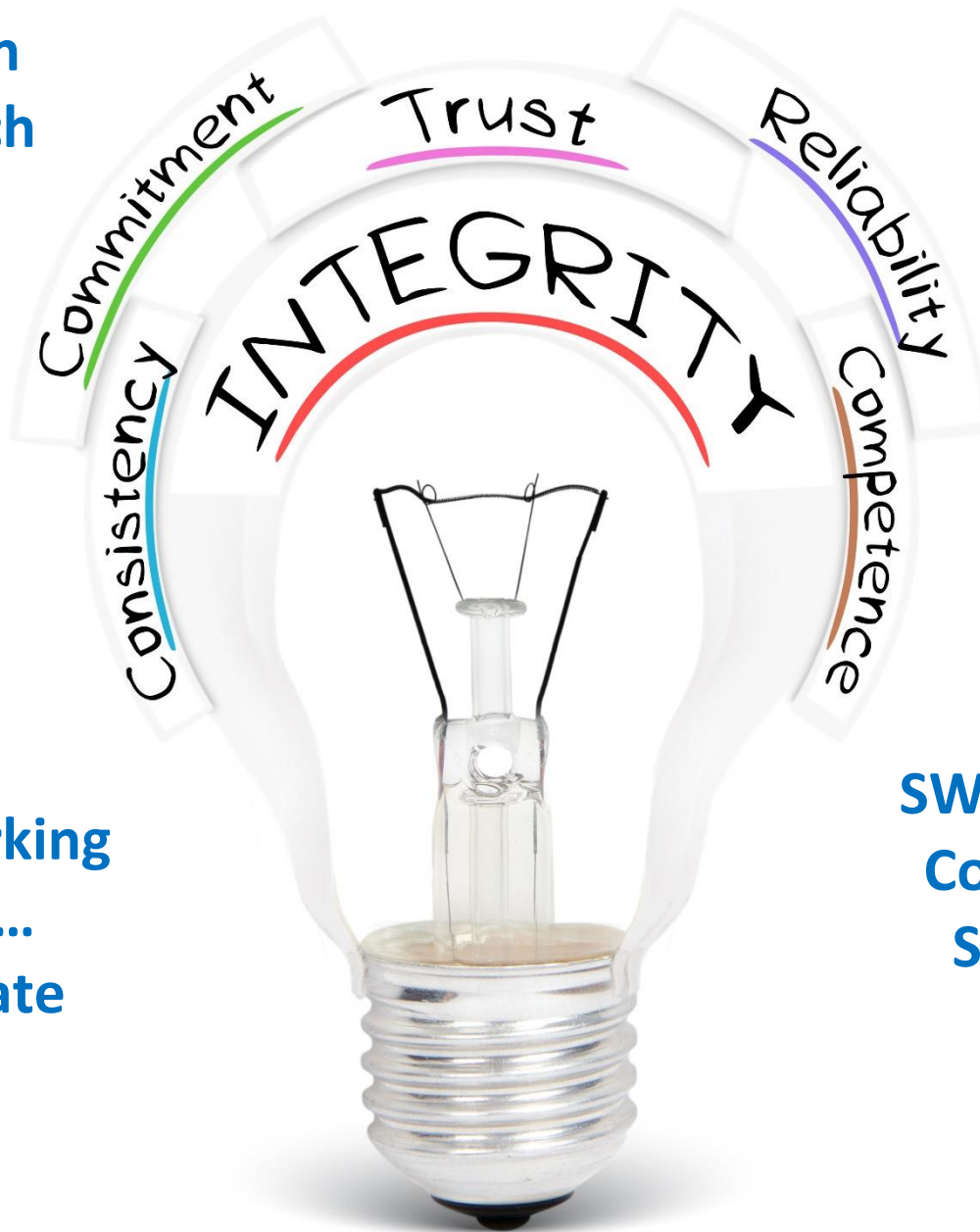


CODE OF CONDUCT AND SAFETY

What can
OHS Teach
Covid



Benchmarking
Survey...
Participate
Now

SWMS and
Confined
Spaces

Workshop: Risk Assessments
and SWMS

What's New in July?

Welcome to the July Safety News.

This month we explore how a Code of Conduct can help prevent bullying and harassment in the workplace. We also look at what COVID can learn from OHS, update you on the new Vic Dangerous Goods notification and a new digital waste tracker for contaminated soil and asbestos plus more important updates.

Our Benchmarking Survey is now launched. See page 5 to participate.

We have a workshop on risk assessments and SWMS coming up. See page 4 for details.



Gary

Stay Safe!

Safety Webinar – 13th July 10am

We invite you to join us at **10am on Tuesday 13th July** for our free monthly webinar to keep you up to date on workplace health and safety. Gary and the team present short informal sessions of only 20 to 30 minutes on topical issues and answer your questions.

[Register here](#) providing your name, email address and company details. We shall send you the link one week before the webinar.

Missed our last webinar? View them [here](#)

SAFETY ACTION TEAM



Andrea



Stephen



Katie



Ben



Miriam



Sarah

What Does Code of Conduct Have to do With Safety?



More and more we are seeing the Regulator re-enforcing the position that organisations must take proactive steps to create a workplace that is free from bullying, harassment and unlawful behavior. As part of their duty of care, organisations need to make their expected behaviour, values and culture in the workplace clear.

A succinct way of doing this is to have a Code of Conduct, a policy outlining the company's values and principles, including expected standard of behaviour from all workers. The Code of Conduct needs to be communicated to all employees, monitored and enforced to ensure it is aligned with all workplace activities.

Businesses can include a Code of Conduct within their safety management system, and it should contain as a minimum:

1. Company values including those relating to safety and wellbeing of workers. These should be aligned with the organisations Culture and Vision.

2. Prohibited practices/ behaviour such as bullying, harassment, misconduct, drugs, and alcohol use.

Traditionally businesses have separate policies & procedures to outline the details of each prohibited practice e.g. process regarding worker use of prescribed medicine within the Drug and Alcohol policy. The code of conduct summarises the critical elements for each of these prohibited practices to ensure staff and visitors are aware they exist.



3. Core safety standard/ Golden Rules

Best practice businesses establish a set of Golden Safety Rules, which are rules which relate to management of critical risks within the business e.g. potential fatality risks or rules which align to the Company Values e.g. Committing fraud, bullying, harassment etc.

Golden Safety Rules are universal and apply to all staff, such that, if breached may result in dismissal, these often include: only to use equipment you are trained and authorised to use, never tamper with safety devices or guarding etc.

4. **Disciplinary process** for breaches.

Staff need to be clearly aware of the process that will be implemented if a breach of the Code of Conduct occurs, including their rights to ensure a safe and fair process.

Businesses may have additional elements within their code of conduct from other areas of the business, such as conflicts of interest, acceptance of gifts in the course of work etc.

All staff should be provided a copy at employment and included in the company induction, with regular refreshers to ensure staff are reminded of the companies values, behavior and reporting process.

Managers should be trained to model the Values and Code of Conduct for the organization, understand effective communication and engagement tools & techniques to ensure they can engage with workers on the expected behaviours and ensure their importance to the organization is clearly understood. They should also undertake periodic activities such as safety walks, staff safety moments and conversations to check the expected code of conduct is being followed by all staff and visitors at all times.

RISK ASSESSMENTS & SWMS MADE EASY

Want to learn how to prepare efficient and compliant risk assessments and safe work method statements (SWMS) without unnecessary content or bureaucracy?

This workshop will change the way you look at risk assessments and SWMS for the rest of your career.

[Book your place](#) now for this special event.
Places limited and Covid compliant.

WHEN: Tue 10TH August 2021, 10am to 2.30pm

VENUE: Safety Action, Clayton, Vic

FEE: \$495+GST per person. Includes light lunch and participant notes with unique templates and sample exercises.



Benchmarking Survey 2021

Participate Now

What OHS Can Teach Covid

Everyone understands the need for temporary rules and restrictions until we get the COVID pandemic under control.

However, many people like me wonder why excessive rules have been repeatedly imposed on the whole community without learning from previous episodes or new research that would allow us to refine our response.

For example, the learner driver who was fined during the first Melbourne lockdown for having a driving lesson with her mother from the same household, where there was NO exposure to anyone else and NO risk of spreading the virus.

We are very lucky to be in Australia during this pandemic and overall, despite many criticisms, our politicians and public servants have done a good job dealing with unfamiliar and quickly evolving circumstances.

Notwithstanding this, I think good safety leadership training can offer several tips that may help moving forward.

1. Good Rules Have Clear Benefits

To be a safety (or public health) rule it must have a safety benefit.

It is highly questionable what the benefit of having old people wear a mask is when walking in their local street, or stopping people going fishing, which is essentially a solitary pastime.

Maybe better to ask, *"please wear a mask when close to other people"*?

2. It is OK to Challenge Bad Rules

It is OK to challenge a suspected bad rule, but not to recklessly disobey them.



Politicians say restrictions are based on science? If so we should ask them to prove it and show us the evidence.

But remember, win or lose our challenge we still need to obey the spirit of the law.

3. Politicians Govern – Not Health Officials



Politicians are elected to govern and are responsible for balancing the ever-present competing community needs, and cannot hide behind decisions made by un-elected public health officials who only have one consideration.

For example, if someone's sole responsibility is to stop the virus spreading, then don't expect the crushing costs, family heartache and stress, inconvenience or excessiveness of the rules to receive significant consideration.

Why? Because public health officials only have to achieve one thing and will probably then look for a bonus for achieving their single goal.

Once public health officials achieve their single goal they will expect a bonus

Some think if we had our current public health officials in charge of reducing the road toll, which claims more lives every year than COVID, we would have 20kph speed limits in all built-up areas (towns) and 60kph limit on country roads.

This extreme approach would reduce the road toll, but at a massive cost to the community and economy, and therefore is deemed unacceptable.

Therefore, we must insist our politicians, at state and federal level, take responsibility for all important decisions, and stop pretending they are powerless during this pandemic and defer to health officials for decisions.

4. Don't Ask Officials What We Can't Do

The safety principle is "tell us what you want to do, and we (safety specialists) will tell you how to do it safely", as opposed to fanatics who will ban things without exploring options for proceeding safely.



No COVID risk, but banned.

Therefore, do not ask public health officials what restrictions are needed to prevent the spread of COVID

Instead, we should insist that they provide us with a comprehensive list of what can be done safely so the community understands safe behaviours vs unsafe, and more likely to support sensible restrictions.

Explore what we can do safely

When we bother to explore what is safe we will likely find things like; go fishing alone or with household members, go for a long bike ride or drive, play golf, or go hiking in the mountains are all safe.

Just add "do not meet or socialise with others while out alone".

5. Follow the "4 to 1 Rule"

We are quick to tell others what they did wrong but tend to be sparing in our praise when they do the right thing.

When interacting with other people always remember and follow the 4 to 1 rule, which essentially translates to '4 positives for every negative'.

Therefore, we need to provide positive feedback (at the ratio of 4 to 1), in order to be credible when speaking to others about their behaviour, and not just being negative all the time.

6. Every Observed Breach is Intervened

Good safety leadership teaches us to speak to the person immediately and provide constructive feedback, when we are concerned about something.

Instead, we hear of people calling the police, WorkSafe or Health Department, as suggested by some radio talk-back shows.



Research shows people do change behaviour if they receive the right type of feedback eg 4 to 1 positive, respectful and helpful. An example could be "I notice you don't have a mask, here have my spare one".

If people follow the social isolation rules and good hygiene practices there is no science to a 5km lockdown rule versus 10km or 20km. Therefore, it would be more truthful and rational to say something like:

"We need to restrict the speed of spread to help get this outbreak under control and ask you not to visit any venues or people beyond your suburb or immediate family for the time being."

Our goal is to set good rules, and everyone to be willingly follow them.

Gary Rowe, CEO, Safety Action

Do I Need a SWMS for All Confined Space Entry?

SWMS are required for all high-risk construction work under safety laws in every state and territory. High risk construction work can include work in a confined space. First we must classify the task as construction work.

Construction work is typically defined as “work performed in connection with the construction, alteration, conversion, fitting out, commissioning, renovation, refurbishment, decommissioning, or demolition of any building or structure, or any similar activity.”



Work where you enter a confined space to undertake a routine inspection, sampling or cleaning, outside of construction project is not defined as high-risk construction work.

A permit to work is always required under the law for confined space entry and this usually requires the provision of a work procedure which for non-routine tasks will likely be a SWMS or JSA (is there a difference between a SWMS/JSA – see our previous article [here](#)).

In summary;

- If your confined space entry is not part of construction work **and** is routine work with a work procedure, and you complete a permit to work for entry, then you do not require a SWMS.
- If it is non-routine work then you require a permit and evidence of work procedure, which may be a SWMS.
- If it is part of construction work then yes a SWMS, in compliance with state regulations, is required.

Note: the regulations require additional controls for confined space entry not covered by this article.



Joke of the Month



(Caution Humour can offend)

If you had to choose between drinking wine every day or being skinny,
what would you choose?
Red or White?

EPA Victoria – New Digital Waste Tracker from 1 July

Waste Tracker is a new digital system to track reportable priority waste, such as contaminated soils and asbestos. This system replaces existing waste transport certificates.

Waste Tracker will allow EPA to see the handling of waste around the state in real time and see any unusual activity.



Changes come into effect on 1 July 2021. The old Waste Tracker Certificate system will close on Friday 16 July 2021. All waste transport certificates must be received by this date and EPA will take enforcement action for any outstanding certificates. Waste Tracker is only a Waste Tracking System. It doesn't replace commercial transaction records, logistics or inventory management systems.

Click [here](#) for more information.

New Vic DG Notification from July 2021

From 1 July 2021, the Dangerous Goods (Storage and Handling) Regulations 2012 require all occupiers of premises with prescribed quantities of dangerous goods to notify and update WorkSafe at least every two years.



Dangerous Goods (Explosives) Interim Regulations 2021 (Interim Regulations) commenced on 20 June 2021. The Interim Regulations extend the operation of the Dangerous Goods (Explosives) Regulations 2011 (DG Explosives Regulations), which were due to sunset on 21 June 2021. The Interim Regulations will be in place for 12 months until 19 June 2022.