

Work Health and Safety (Office of the Work Health and Safety Commissioner) Statement of Operational Intent 2021

Notifiable instrument NI2021–606

made under the

Work Health and Safety Act 2011, Schedule 2, Division 2.2.5, Section 2.40 (Statement of operational intent)

1 Name of instrument

This instrument is the *Work Health and Safety (Office of the Work Health and Safety Commissioner) Statement of Operational Intent 2021*.

2 Commencement

This instrument commences on the day after notification.

3 Approval – Schedule 2, section 2.40 (2)

I approve the attached Statement of Operational Intent for the Office of the Work Health and Safety Commissioner.

4 Revocation

This instrument revokes the *Work Health and Safety (Office of the Work Health and Safety Commissioner) Statement of Operational Intent 2020* [NI2020-606].

Mick Gentleman

Minister for Industrial Relations and Workplace Safety

17 September 2021



Mick Gentleman MLA
Minister for Industrial Relations and Workplace Safety

Email: Mick.Gentleman@act.gov.au

6/09/2021

Dear Minister Gentleman

Thank you for your letter dated 27 July 2021. I acknowledge receipt of the Ministerial Statement of Expectations in which you outline the priorities, activities and initiatives expected of WorkSafe ACT over the next 12 months. As prescribed under Schedule 2, section 2.40 of the *Work Health and Safety Act 2011*, this response is the Office of the Work Health and Safety Commissioner's (WorkSafe ACT) Statement of Operational Intent 2021.

I recognise that I am preparing this response as the Territory again navigates through uncertain times and it represents WorkSafe ACT's planned work program of priorities, activities and initiatives. Above all, as the regulator for work health and safety (WHS), workers' compensation and labour hire in the Territory, I confirm the continued commitment to ensuring the health, safety and wellbeing of all workers in the ACT. This commitment is outlined in our [Strategic Plan 2020-2024](#) and covers both expected hazards and risks and the changed risk profile caused by COVID-19.

WorkSafe ACT uses a combination of data analysis, intelligence and consultation with the community, industry and unions to identify emerging trends and priorities in the Territory. Over the 2020-2024 period, WorkSafe ACT has four high-level strategies that underpin its activities and drive its work towards achieving measurable outcomes. These are:

1. Ensuring fair and firm enforcement against non-compliance
2. Minimising physical and psychological harm and improving WHS practices and culture
3. Engaging with stakeholders to better understand and respond to current and emerging WHS issues, and
4. Creating an exemplary regulator.

Your Statement of Expectations 2021, notified on 5 August 2021, sets out the priorities which you expect WorkSafe ACT to action. In summary these are:

- Addressing present and emerging WHS risks including:
 - psychosocial hazards in the workplace

- silica dust exposure, and
- the impacts of climate change.
- Actively implementing the *National Principles to Support Families following an Industrial Death* published by Safe Work Australia (SWA)
- Continued focus on improving the safety culture of the Construction industry
- Continuing to improve the operational effectiveness of WorkSafe ACT, including implementation of the 2018 Independent Review recommendations, and
- Engagement with the WHS Council.

Consequently, WorkSafe ACT's focus areas for 2021-2022 include:

- **Addressing psychosocial hazards** – WorkSafe ACT will continue to increase its capability and tools to address psychosocial hazards, including specialised training of inspectors along with the deployment of additional resources. Engagement with industry and social partners to understand barriers, enablers and opportunities will inform WorkSafe's regulatory response to psychosocial hazards the workplace, combined with a high-level review of ACT psychosocial hazards at work incidents. Based on the evidence collected, WorkSafe ACT will develop and release a psychosocial strategy to guide the work in this area, including the prevention of sexual harassment and the prevention of work-related violence.

In addition, the People at Work (PAW) tool will continue to be promoted for persons conducting a business or undertaking (PCBU) to assess workplace psychological risks using an evidence-based psychosocial survey.

- **Preventing silica dust exposure in the workplace** – As an emerging WHS risk, silicosis is a preventable disease with the potential to affect many workers and their families. WorkSafe ACT will prioritise its regulatory response of enforcing compliance with the silica dust exposure standard. This includes working with industry representatives to provide education and undertaking compliance and enforcement actions to ensure all workers in the manufacturing and construction industries with a risk of exposure to respirable crystalline silica are protected.
- **Ensuring that all workers and workplaces across the Territory are safe and healthy** – WorkSafe ACT is committed to preventing injury and traumatic fatality and during 2021-2022 will develop and begin implementing a range of strategies to support compliance with relevant legislation. These strategies and awareness campaigns will include:
 - A young workers' strategy, including addressing the health and safety of apprentices
 - A strategy to prevent Musculoskeletal Disorders
 - An occupational lung diseases strategy
 - A lead risk awareness campaign, and
 - A hazardous chemicals awareness strategy.
- **Addressing work related impacts of climate change** – In response to recommendations from the WHS Council, through its Extreme Weather Conditions Advisory Committee, WorkSafe ACT will develop guidance material for air quality,



working in weather and extreme heat risks to improve industry capability to manage these issues in the workplace.

- **Supporting the families of those killed or seriously injured at work** – SWA’s *National Principles to Support Families following an Industrial Death* provide a high-level framework to guide WHS regulators in implementing family-centred policies and practices to support families impacted by an industrial death or serious injury. WorkSafe ACT will actively implement the National Principles during 2021-2022.
- **Continuing to work to improve the safety culture in the construction industry** – The safety culture in the construction industry remains inconsistent, creating a high-risk working environment for its workers. Economic indicators highlight a significant rise in residential construction activity in the 2021-22 period, with residential dwellings approvals in March 2021 increasing by 121.1% over the same time last year.

WorkSafe ACT will maintain its strong and ongoing focus to improve compliance and safety standards across both residential and commercial sectors through specific strategies for each segment of this industry, along with continued engagement with stakeholders and social partners to provide appropriate information and guidance materials.

- **Improving the operational efficiency of WorkSafe ACT** – WorkSafe ACT will remain focused on ensuring improvements to its governance and operations continue to build on the recommendations of the 2018 Independent Review. During 2021-22, WorkSafe ACT will commence the implementation of the remaining recommendations from the 2018 Independent Review which focus on capability development.
- **Engaging with the WHS Council** – As an ex-officio member of the WHS Council, the WHS Commissioner will continue to participate in WHS Council meetings and collaborate with its members as set out in the WHS Act.

Our strategic priorities align with those you have set out in the Statement of Expectations 2021, and I undertake to support these, and our additional priorities, and ensure all workers in the Territory have healthy and safe workplaces.

I look forward to continuing to work with you and the Executive in this critically important area.

Yours sincerely

Jacqueline Agius

Work Health and Safety Commissioner

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Authorised by the ACT Parliamentary Counsel—also accessible at www.legislation.act.gov.au

