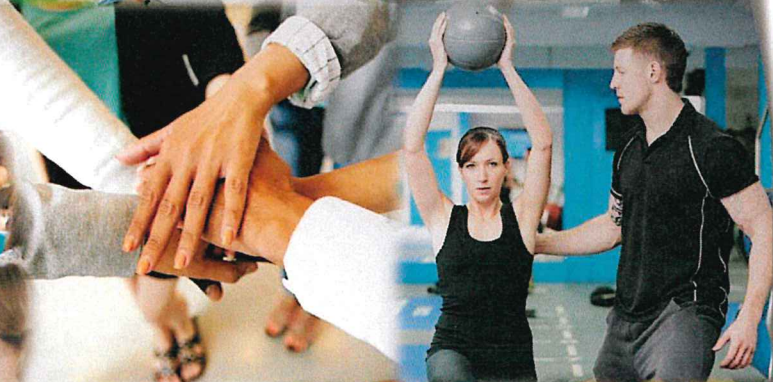


BSBWHS402

Assist with compliance with WHS laws



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ASSESSMENT FOR BSBWHS402

Student name	Cormac Molloy
Date of assessment submission	11/12/2019

Trainer/Assessor's name	
Date of assessment marking	Click here to enter a date.
Outcome for unit	☐ Competent ☐ Not Yet Competent

TASK INSTRUCTIONS

- The assessment for this unit of competency consists of the following:
 - **A series of activities:** Some of these activities will require you to provide a response within this document, others will require you to gather evidence to demonstrate your knowledge and skills (overview below).
 - **Quiz:** You will be required to complete a series of questions to demonstrate your knowledge and skills.
 - **Practical task:** You will be required to have an observer attest to your knowledge and skills and sign a report to this effect.
- At times, you will be provided with a specific business context to which you must respond, otherwise it is anticipated that you will use a workplace of your choosing (your own, or hypothetical) to provide the context to the task.
- At all times, the responses in your assessment must reference **Australian** (Queensland or Federal) documentation, including legislation, regulations, codes of practice, standards and guidance publications.

ACTIVITY OVERVIEW	REQUIRED FOR SUBMISSION
1. Workplace and legal framework	• Workbook response (below)
2. Policy, procedures, processes and systems	• Workbook response (below)
3. Workplace duties, rights and obligations	• Workbook response (below)

ACTIVITIES

For the following activities, name a workplace that you wish to examine.

Name of workplace	Ripley State School
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ACTIVITY 1

- a) Identify current legislation and related documentation that will be relevant to your chosen workplace, and where such documentation can be found.
- b) For each document identified, outline one (1) excerpt or requirement that it specifies for your chosen workplace.

Example:

Name and location of Legislation (Commonwealth or State)
<i>Work Health and Safety Act 2011 (Qld) found at www.legislation.qld.gov.au</i>
Relevant excerpt/requirement for chosen workplace
<i>Section 19: A person conducting a business or undertaking must ensure, so far as is reasonably practicable, the health and safety of workers.</i>

Name and location of Legislation (Commonwealth or State)
WHS Act 2011 https://www.legislation.qld.gov.au
Relevant excerpt/requirement for chosen workplace
Division 2 Consultation with workers 47- Duty to consult workers (1)The person conducting a business or undertaking must, so far as is reasonably practicable, consult, as required under in this division and any regulation, with workers who carry out work for the business or undertaking who are, or are likely to be, directly affected by a matter relating to work health or safety. Maximum penalty—200 penalty units. (2)If the person conducting the business or undertaking and the workers have agreed to procedures for consultation, the consultation must be in accordance with those procedures. (3)The agreed procedures must not be inconsistent with section 48

Name and location of Regulation
https://www.legislation.qld.gov.au QLD WHS Regulation 2011
Relevant excerpt/requirement for chosen workplace
Part 4.2 Hazardous manual tasks 60Managing risks to health and safety (1)A person conducting a business or undertaking must manage risks to health and safety relating to a musculoskeletal disorder associated with a hazardous manual task, under part 3.1.

▪ **Note—**

WHS Act—[section 19](#) (see [section 9](#)).

(2) In determining what control measures to implement under subsection (1), the person conducting the business or undertaking must have regard to all relevant matters that may contribute to a musculoskeletal disorder, including—

- (a) postures, movements, forces and vibration relating to the hazardous manual task; and
- (b) the duration and frequency of the hazardous manual task; and
- (c) workplace environmental conditions that may affect the hazardous manual task or the worker performing it; and
- (d) the design of the work area; and
- (e) the layout of the workplace; and
- (f) the systems of work used; and
- (g) the nature, size, weight or number of persons, animals or things involved in carrying out the hazardous manual task

Name and location of Code of Practice
Hazardous manual tasks
Code of Practice 2011
Relevant excerpt/requirement for chosen workplace
3. Assessing the risks A risk assessment involves examining the characteristics of the hazardous manual task in more detail to assess whether the forces, movements and postures are undertaken in such a way that they give rise to the risk of MSDs.

Name and location of Standard
WORKPLACE EXPOSURE STANDARDS FOR AIRBORNE CONTAMINANTS DATE OF EFFECT: 27 APRIL 2018 https://www.safeworkaustralia.gov.au/system/files/documents/1804/workplace-exposure-standards-airborne-contaminants-2018_0.pdf
Relevant excerpt/requirement for chosen workplace
2.5 Monitoring exposure Under Section 19 of the WHS Act, a person conducting a business or undertaking must ensure, so far as is reasonably practicable, that the conditions at the workplace are monitored for the purpose of preventing illness or injury of workers. The WHS Regulations also require a person conducting a business or undertaking to carry out monitoring for airborne contaminants in certain situations. Where monitoring of airborne contaminants is done to estimate a person's exposure, the monitoring must be carried out in the breathing zone of the person.

Name and requirement of Guidance Publication
Working with silica and silica containing products National guidance material SEPTEMBER 2019 https://www.safeworkaustralia.gov.au/system/files/documents/1909/national_guide_for_working_with_silica_and_silica_containing_products_0.pdf
Relevant excerpt/requirement for chosen workplace
3.1. PCBUs and officers If you have management or control over workers, you are likely to be a PCBU or an officer. A PCBU can be a: • company • unincorporated body or association • sole trader, or • self-employed person. Individuals who are in a partnership that is conducting a business will individually and collectively be a PCBU. PCBUs have the primary duty of care for the health and safety of their workers and others at the workplace. Officers, such as company directors, have a duty to exercise due diligence to ensure that the

business or undertaking complies with the WHS laws. This includes making sure that the business or undertaking has and uses appropriate resources and processes to eliminate or minimise the risks of working with silica and silica containing products. This includes:

- identifying the hazard of silica dust
- controlling the risk of exposure to silica dust
- conducting air monitoring, and
- providing health monitoring for workers.

Outcome for Activity 1	☐ Satisfactory ☐ Not satisfactory
Trainer/Assessor comments	

ACTIVITY 2

Identify one (1) of each of the following within your chosen organisation:

- a) WHS policy
- b) WHS procedure
- c) WHS process
- d) WHS system

For each, summarise:

- Its purpose
- How it can be accessed
- How it can be developed and changed to ensure compliance with WHS legislation, using examples.

Name and purpose of WHS Policy
Dust Management
How document can be accessed
Onsite in the site office by the workers or online by authorised personnel.
How it can be developed and changed to ensure compliance with WHS legislation
Reviews every 12 months by management and updated when relevant changes come through.

Name and purpose of WHS Procedure
Framing Safe work Method Statement (SWMS)
How document can be accessed
Onsite in the company office by all workers, or online through the site portal which all employees have a log on.
How it can be developed and changed to ensure compliance with WHS legislation
Reviewed every 12 months by management and also updated or amended through consultation with workers by way of site tool box meetings or when legislation is updated or changed.

Name and purpose of WHS Process
Weekly site and environmental inspection
How document can be accessed
Online or in the site office
How it can be developed and changed to ensure compliance with WHS legislation
Reviewed every 12 months by management or when legislation has been updated or changed

Name and purpose of WHS System
Site Safety management plan
How document can be accessed
Online through the site portal which employees have a log in. Or in the site office also read and signed when started on site.
How it can be developed and changed to ensure compliance with WHS legislation
Reviewed every 12 months by management or when legislation has been updated or changed. Changes can also be made by consultation with the workers during site tool box meetings.

Outcome for Activity 2	☐ Satisfactory ☐ Not satisfactory
Trainer/Assessor comments	

ACTIVITY 3

For the purpose of the company manual, you are to explain the role of WHS in your chosen workplace, by developing a report in the following structure:

1.0 INTRODUCTION

- Outline the background of your company, its role and purpose
- The objectives and principles underpinning WHS legislation

2.0 WHS REGULATOR

- Identify the WHS regulator that applies to your company
- Explain the functions and powers of the WHS regulator and how they are exercised

3.0 INDIVIDUALS AND PARTIES**3.1 WORKERS**

- Outline workers' WHS duties under the legislation
- Identify workers' WHS rights under the legislation
- Explain workers' WHS obligations under the legislation

3.2 PERSONS CONDUCTING BUSINESSES OR UNDERTAKINGS (PCBUs) OR THEIR OFFICERS

- Outline PCBU's WHS duties under the legislation
- Identify PCBU's WHS rights under the legislation
- Explain PCBU's WHS obligations under the legislation

4.0 COMPLIANCE

- Explain how policies, procedures, processes and systems are developed and changed to maintain compliance
- Explain how workers and PCBU are assessed for WHS compliance with legislation
- Identify ways in which workers' and PCBU's WHS training needs are assessed
- Identify how the workplace provides support for workers' and PCBU's training needs

5.0 CONCLUSION

- Explain the importance of WHS to your company
- Identify that workers and PCBUs have varying WHS duties, rights and obligations under the legislation
- Express the importance of maintaining compliance and addressing training needs

TIPS:

- Use the report template (below) and elaborate on the points above.
- Write in simple English. Remember that people from a range of backgrounds and abilities would be reading this document, such as workers, health and safety committees, health and safety representatives, managers, supervisors, and PCBUs or their officers.
- Be sure to refer specifically to the legislation using section numbers, so that the reader could refer to the legislation for more information if they wanted to.

1.0 INTRODUCTION

North Australian Contracting are a commercial construction company who mainly complete interior fit outs by building walls and ceilings.

We take WHS very serious as we can have up to 500 workers across several sites at once. A lot of the tasks we complete involve high risk works including falls from heights and operating plant.

Our goal is to minimise workplace injuries and eliminate hazards and risks on site

2.0 WHS REGULATOR

WHS QLD

Administers the *Work Health and Safety Act 2011* and the *Work Health and Safety Regulation 2011*.

Regulates safety of major hazard facilities.

Regulates the use, storage and handling of hazardous chemicals at workplaces. Hazardous chemicals are classified under the GHS and incorporates dangerous goods under the ADG code: Classes 2, 3, 4, 5, 6.1, 8 and 9, goods too dangerous to be transported and combustible liquids with some exceptions including combustible liquids having a flash point exceeding 93°C and environmentally hazardous substances of class 9.

3.0 INDIVIDUALS AND PARTIES

3.1 WORKERS

Workers are classified as any person who carries out work, in any capacity, for a PCBU.

Workers must:

- take reasonable care for their own health and safety and electrical safety
- take reasonable care that their conduct, acts or omissions does not adversely affect the health and safety of others or adversely affect the electrical safety of other persons or property
- comply, so far as they are reasonably able with instructions
- cooperate with reasonable health and safety and electrical safety policies or procedures that have been notified to workers

3.2 PERSONS CONDUCTING BUSINESSES OR UNDERTAKINGS (PCBUs) OR THEIR OFFICERS

The Work Health and Safety (WHS) laws require a person conducting a business or undertaking (PCBU) to ensure, so far as is reasonably practicable, the health and safety of their workers while at work in the business or undertaking.

This includes:

- provision and maintenance of a work environment without risks to health and safety
- provision and maintenance of safe plant and structures
- provision and maintenance of safe systems of work
- the safe use, handling, storage and transport of plant, structures and substances
- provision of adequate facilities for the welfare at work of workers in carrying out work for the business or undertaking, including ensuring access to those facilities
- provision of any information, training, instruction or supervision that is necessary to protect all persons from risks to their health and safety arising from work carried out as part of the conduct of the business or undertaking

- health of workers and the conditions at the workplace are monitored for the purpose of preventing illness or injury of workers arising from the conduct of the business or undertaking

4.0 COMPLIANCE

They are developed through consultation with workers, management, industry specialists
This is also done through reviewing relevant industry standards, and legislation.

These are updated and reviewed on a regular basis through consultation and legislation changes.

They are assessed by way of making sure all their policies and procedures are up to date and current with industry standards

Training needs are assessed by observations on site and onsite, when all workers start they should be provided skills and information so they can access what they are required to do, as in SWMS, SOP's, ect....

All PCBU's will provide training to workers that is required for them to complete their jobs correctly and safely.

5.0 CONCLUSION

WHS is very important a must on construction site as there are many hazards and risks in majority of tasks.

Everyone has a responsibility for safety WHS on site.

The PCBU is to provide a safe workplace with policies and procedures, the workers are to follow all policies and procedures and report any unsafe practices through consultation.

Consultation must take place between all parties on a regular basis.

All workers need to be trained and know how to complete their jobs in a safe and correct manner as per current legislation and industry standards.

Outcome for Activity 3	☐ Satisfactory ☐ Not satisfactory
Trainer/Assessor comments	

QUIZ

QUESTIONS	CORRECT
1. What are the objectives and principles underpinning WHS? Select the most appropriate response. ☐ To ensure that people receive a large compensation payment when injured ☐ To create barriers for businesses in their day-to-day operations ☒ To assign responsibilities and confirm rights of those in the workplace, with regards to safety ☐ To provide specific ways in which everything in the workplace must be conducted	☐
2. When providing advice on WHS in the workplace, which of the following sources would you refer to for guidance? Select all that apply. ☒ Inspectors ☒ Legislation ☒ Codes of practice ☒ Policies and procedures	☐
3. Which of the following are functions and powers of the WHS regulator? Select all that apply. ☒ To enforce WHS law ☒ To promote compliance with WHS law ☐ To represent you in court if you breach WHS law ☐ To supply WHS equipment	☐
4. Which of the following methods can be used to advise others about WHS compliance? Select all that apply. ☒ Training sessions for all staff ☒ Emails about changes to laws ☒ A suggestion box to allow workers to raise inadequacies ☒ Having a legal advisor speak at a staff meeting	☐
5. Can all levels of a workplace (e.g. PCBU's down to the worker level) be involved in developing and implementing changes to workplace policies, procedures, processes and systems in order to achieve compliance? ☒ Yes ☐ No	☐

6. Order the following elements of the WHS legal framework from the most legally enforceable to the least legally enforceable (1 = most enforceable; 5 = least enforceable).

Rank (1 – 5)	Element
5	Policies and procedures
3	Code of practice
4	Standard
1	Act
2	Regulation

☐

Outcome for Quiz

☐ Satisfactory

☐ Not satisfactory

Trainer/Assessor comments

PRACTICAL TASK

You are required to have a suitable observer verify your ability to complete the following tasks. These tasks may be simulated or real.

TASKS		VERIFIED
A.	In writing, request an appointment with a legal advisor (e.g. WHS Regulator, union, lawyer) to clarify your interpretation of WHS requirements in your workplace, as outlined in your report (Activity 3).	☒
B.	Meet with legal advisor and seek approval regarding your interpretation of WHS requirements in your workplace, as outlined in your report (Activity 3).	☒
C.	During the meeting, use suitable structure and language when providing, seeking and discussing WHS legislative information.	☒
D.	During the meeting, use questioning and active listening to clarify understanding.	☒
E.	Document WHS legislative and organisational advice from legal advisor, making changes to your report (Activity 3) using structure, layout and language suitable for audience.	☒
Name of observer	Jonathon Greason	
Role of observer (Confirm their suitability to sign)	☐ Trainer/Assessor ☒ Other (specify): Safety Manager	
Phone number of observer	0421882346	
Email address of observer	Jono.greason@nacontracting.com.au	
Signature of observer		
Date	11/12/2019	
Comments	Could do with a bit more improvement on structure and use of terms, but considering he is new to the WHS world he went pretty well.	

Outcome for Practical Task	☐ Satisfactory ☐ Not satisfactory
Trainer/Assessor comments	