

BSBWHS412

ASSIST WITH WORKPLACE COMPLIANCE WITH WHS LAWS

WORKBOOK

Participant name	
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FOR THE PARTICIPANT

Instructions

- You will complete written activities as outlined on the following pages. You must attempt all questions and provide enough detail in your responses to demonstrate your knowledge.
- The timeframe for these tasks will be established by your Assessor or Training Provider. Additional time may be allowed upon negotiation with the Assessor.
- You must complete all questions unless instructed by the Assessor. Other personnel may refer to reference material as needed. All questions must be answered correctly for a 'Satisfactory' assessment outcome to be awarded.
- An oral examination may be allowed under certain circumstances, whereby your answers will be documented by another party.
- Any written questions that are incomplete, or not answered satisfactorily will need to be completed again after further training support.
- If you answer a question incorrectly but modify your response, put your initials next to the written change (or the Assessor must initial a verbal change).

Resources required

Pen

FOR THE ASSESSOR

Instructions

- Where oral examination has occurred, ensure that this is acknowledged in writing (e.g. FT001 and Assessor Comments)
- All questions must be satisfactorily demonstrated by the Participant for a Satisfactory determination (indicated by an Assessor tick to the right of the question).
- Assessors are to complete marking in pen of a different colour to the Participant.
- If the Participant verbally modifies their response, write in the modified response verbatim and put your initials next to the written change.

ASSESSOR COMMENTS

As necessary, outline:

- Details on reattempts, alternative arrangements or reasonable adjustments made.
- Where a Participant is deemed 'Not Satisfactory', provide recommendations for future training.

NOTE

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. For example, in Queensland refer to

<https://www.worksafe.qld.gov.au/>

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

Name of workplace	Construction Skills Training Centre (CSTC)
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ACTIVITY 1

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

Example:**Name and location of Legislation (Commonwealth or State)**

Work Health and Safety Act 2011 (Qld) found at www.legislation.qld.gov.au

Relevant excerpt/requirement for chosen workplace

Section 19: A person conducting a business or undertaking must ensure, so far as is reasonably practicable, the health and safety of workers.

Link to workplace

As a workplace that requires high risk work tasks to be undertaken (e.g. training in dogging, rigging, scaffolding, forklift use), the health and safety of workers must be ensured by the person conducting a business or undertaking. This does not require all measures to be implemented, but those considered to be reasonably necessary, such as providing safe plant, information, instruction and training.

Name and location of Legislation (Commonwealth or State)

Work Health and Safety Act 2011 (Qld) found at www.legislation.qld.gov.au

Relevant excerpt/requirement for chosen workplace

Section 28: While at work, a worker must take reasonable care for his or her own health and safety, ensure that their acts do not adversely affect the health and safety of others, and comply with reasonable instruction and policies of the PCBU.

Link to workplace

As a workplace that requires high risk work tasks to be undertaken (e.g. training in dogging, rigging, scaffolding, forklift use), workers must safely undertake such tasks and not put others at risk. They should also follow direction from PCBU (e.g. wear PPE).

Name and location of Regulation
Work Health and Safety Regulation 2011 (Qld) found at www.legislation.qld.gov.au
Relevant excerpt/requirement for chosen workplace
Section 46: When a PCBU provides a worker with PPE, the worker must use the equipment in accordance with any training and reasonable instruction of the PCBU.
Link to workplace
As a workplace that requires high risk work tasks to be undertaken (e.g. training in dogging, rigging, scaffolding, forklift use), workers are directed to wear PPE. Such direction from the PCBU must be observed.

Name and location of Code of Practice
'How to manage work health and safety risks' Code of Practice 2021 found at https://www.worksafe.qld.gov.au/laws-and-compliance/workplace-health-and-safety-laws/codes-of-practice
Relevant excerpt/requirement for chosen workplace
Section 2.1: How to find hazards - Regularly walk around the workplace and observe how things are done to help predict what could or might go wrong.
Link to workplace
In areas that have high traffic, it is particularly important to identify hazards that may impact on workers and other visitors.

Name and location of Standard
AS/NZS 3123:2005 Approval and test specification - Plugs, socket-outlets and couplers for general industrial application found at http://infostore.saiglobal.com/
Relevant excerpt/requirement for chosen workplace
Specifies essential safety requirements for plugs, socket-outlets, cable couplers and appliance couplers for operation at 50 Hz, with a rated voltage not exceeding 660 V and a rated current not exceeding 315 A intended for general industrial use.
Link to workplace
As the workshop area uses electrical equipment, these directions should be observed (e.g. hoist).

Name and requirement of Guidance Publication
'Be safe around leads' fact sheet found at: https://www.worksafe.qld.gov.au/forms-and-resources/guides-and-fact-sheets
Relevant excerpt/requirement for chosen workplace
• Always use a licenced electrician • Never use double ended leads • Wear the right shoes to help reduce the risk of electrical shock • Undertake regular maintenance.
Link to workplace
In the workshop, classroom and office areas, these points should be observed with regards to the use of power leads.

Satisfactory
Outcome



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

Safety Management System - Policy and Procedures Manual

Ensures that CSTC conducts its activities in a way that the health, safety and wellbeing of employees, sub-contractors and the public are not in any way impaired or prejudiced as a result of working within or for the organisation.

How document can be accessed

Via CSTC intranet, aXcelerate

How it can be developed and changed to ensure compliance with WHS legislation

This document is reviewed annually by the Managing Director and is ratified by the Board of Directors.

Sections of this document needed to be changed to reflect the findings from an audit. These were done in conjunction with the Safety Committee and management to ensure compliance with the legislation.

Name and purpose of WHS Procedure

Safety Management System - Policy and Procedures Manual

Provides specific information in Section 3.0 about inductions, the promotion of WHS training and consultation, emergency procedures, Safe Work Method Statements, incident reporting, recording and investigation.

How document can be accessed

Via CSTC intranet, aXcelerate

How it can be developed and changed to ensure compliance with WHS legislation

This document is reviewed annually by the Managing Director and is ratified by the Board of Directors.

Sections of this document needed to be changed to reflect the findings from an audit. These were done in conjunction with the Safety Committee and management to ensure compliance with the legislation.

Name and purpose of WHS Process

Safety Management System - Policy and Procedures Manual

Provides more specific detail as to how CSTC intends to uphold WHS. For example, it outlines the roles and responsibilities of the Board of Directors, Managing Director, Managers, OHS Advisor, Health and Safety Representative, Health and Safety Committee Member, Workers and Sub-contractors in implementing WHS at CSTC.

How document can be accessed

Via CSTC intranet, aXcelerate

How it can be developed and changed to ensure compliance with WHS legislation

This document is reviewed annually by the Managing Director and is ratified by the Board of Directors.

Sections of this document needed to be changed to reflect the findings from an audit. These were done in conjunction with the Safety Committee and management to ensure compliance with the legislation.

Name and purpose of WHS System

Safety Management System - Policy and Procedures Manual

This document encompasses the policies, procedures and processes at CSTC, showing the interconnection of these aspects.

How document can be accessed

Via CSTC intranet, aXcelerate

How it can be developed and changed to ensure compliance with WHS legislation
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This document is reviewed annually by the Managing Director and is ratified by the Board of Directors.
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Sections of this document needed to be changed to reflect the findings from an audit. These were done in conjunction with the Safety Committee and management to ensure compliance with the legislation.
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**Satisfactory
Outcome**



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 and monitored for WHS compliance with legislation and how these findings are reported and documented
- 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

CSTC is registered training organisation which endeavours to provide training for workers in the building and construction industry. CSTC strives to be recognised as a learning centre of excellence for vocational education and training.

As part of meeting the highest possible standards of education and training, CSTC ensures that it aligns with the objectives and principles of workplace health and safety. As outlined in Section 3 of the Work Health and Safety Act 2011 (Qld), these objectives are to protect workers and other persons against harm to their health, safety and welfare, as well as promoting the provision of advice, information, education and training in relation to work health and safety.

2.0 WHS REGULATOR

CSTC abides by the obligations set out by Work Health and Safety Queensland (WHSQ). WHSQ, the WHS regulator in Queensland, is responsible for improving workplace health and safety in Queensland and helping reduce workplace injuries. WHSQ does this through enforcing WHS laws, investigating workplace injuries and educating employers and employees about their legal rights and responsibilities.

3.0 INDIVIDUALS AND PARTIES

3.1 WORKERS

As outlined in the Work Health and Safety Act 2011 (Qld), a 'worker' is defined as a person who carries out work in any capacity for a PCBU including under a contract of employment, apprenticeship or contract for services. Under section 28 of the Work Health and Safety Act 2011 (Qld), workers have duties and obligations to:

- Take reasonable care for their own health and safety
- Take reasonable care for the safety of others
- Comply with the reasonable instructions of a Person Conducting Business or Undertaking (PCBU)
- Cooperate with the PCBU's reasonable policies or procedures for health and safety

To meet their obligations, workers should:

- Cooperate with and follow instructions from the PCBU regarding WHS
- Use personal protective equipment and clothing (PPE) that has been provided by the PCBU
- Report to the PCBU on any hazards or injury to harm or health

As part of fulfilling these rights under the legislation, workers are entitled to certain rights under the legislation. For example, the right to health and safety, as owed by others (including the PCBU, as described below).

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

Section 19 of the Work Health and Safety Act 2011 (Qld) provides that in holding the primary duty of care the PCBU should ensure, so far as is reasonably practicable, the health and safety of workers affected by the business or undertaking.

This duty includes providing:

- Safe work environment
- Safe plant and structures
- Safe systems of work
- Safe use, handling and storage of plant and substances
- Adequate facilities
- Information instruction and training; and
- Monitoring of the workplace

The requirement of 'reasonable practicability' means what can be reasonably done to eliminate or reduce a risk, weighing up a number of factors. It does not mean that PCBUs are required to do everything possible, just what is reasonable. Refer to section 18 of the Work Health and Safety Act 2011 (Qld) for further detail.

As with workers, outlined above, as part of fulfilling these rights under the legislation the PCBU is entitled to certain rights under the legislation. For example, the right for workers to take reasonable care for their own health and safety, as well as their compliance with the PCBU's reasonable instructions, policies and procedures.

4.0 COMPLIANCE

CSTC ensures that its policies, procedures, processes and systems maintain compliance through its review by the Safety Committee and Management. Workers are assessed for WHS compliance by how well they meet their duties and obligations under the legislation. Workers' WHS training needs will be assessed by observing their methods of work on a daily basis, as well as undertaking internal WHS audits.

As with workers, PCBUs are assessed for WHS compliance by how well they meet their duties and obligations under the legislation. PCBUs' training needs will regularly occur through self-identification, as well as audits by external bodies (e.g. inspections by WHSQ or consultants). CSTC will regularly monitor implemented changes to ensure that legislative compliance.

The results of such assessments will be used to determine how the PCBU proceeds to address any inadequacies. This may be undertaking courses internally (e.g. by training staff, as required) or by liaising with training providers so that the PCBU meets their requirements (e.g. attending WHSQ workshops). CSTC also ensures that consultation is a key factor between PCBUs and its workers.

5.0 CONCLUSION

As part of CSTC's aim of being a centre of excellence, CSTC not only trains students about the importance of WHS, but also ensures that it practices what it preaches. As outlined in the legislation, CSTC (as a PCBU) and its workers have duties to ensure that workplace health and safety is recognised - and each party has a role in upholding it.

As part of maintaining compliance, CSTC reviews its policies and procedures annually and ensures that all members keep abreast of changes. CSTC addresses staff training needs and provides training - internal training and supplementing this by seeking the assistance of external bodies, such as WHSQ. As such, CSTC ensures the highest level of safety in the workplace.

**Satisfactory
Outcome**



BSBWHS412

ASSIST WITH WORKPLACE COMPLIANCE WITH WHS LAWS

QUIZ

Participant name	
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FOR THE PARTICIPANT

Instructions

- You will complete written questions as outlined on the following pages. You must attempt all questions and provide enough detail in your response to demonstrate your knowledge.
 - It is anticipated that you should complete this assessment within one (1) hour, but additional time may be allowed upon negotiation with the Assessor.
 - You must complete all questions unassisted by the Assessor or other personnel but may refer to reference material as needed. All questions must be answered correctly for a 'Satisfactory' assessment to be awarded.
 - An oral examination may be allowed under certain circumstances, whereby your answers will be documented by another party.
- Any written questions that are incomplete, or not answered satisfactorily will need to be completed again after further training support.
- If you answer a question incorrectly but modify your response, put your initials next to the written change (or the Assessor must initial a verbal change).

Resources required

Pen

FOR THE ASSESSOR

Instructions

- Where oral examination has occurred, ensure that this is acknowledged in writing (e.g. FT001 and Assessor Comments)
- All questions must be satisfactorily demonstrated by the Participant for a Satisfactory determination (indicated by an Assessor tick to the right of the question).
- Assessors are to complete marking in pen of a different colour to the Participant.
- If the Participant verbally modifies their response, write in the modified response verbatim and put your initials next to the written change.

ASSESSOR COMMENTS

As necessary, outline:

- Details on reattempts, alternative arrangements or reasonable adjustments made.
- Where a Participant is deemed 'Not Satisfactory', provide recommendations for future training.

Q1. What are the objectives and principles underpinning WHS?
Tick your response.

Answer	Choice	Possible Answers	☐
		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	

Q2. When providing advice on WHS in the workplace, which of the following sources would you refer to for guidance? Tick all that apply.

Answer	Choice	Possible Answers	☐
	✓	Inspectors	
	✓	Legislation	
	✓	Codes of practice	
	✓	Policies and procedures	

Q3. Which of the following are functions and powers of the WHS regulator? Tick all that apply.

Answer	Choice	Possible Answers	☐
	✓	To enforce WHS law	
	✓	To promote compliance with WHS law	
		To represent you in court if you breach WHS law	
		To supply WHS equipment	

- Q4. True or False (Tick your response): All levels of a workplace (e.g. PCBU down to the worker level) can be involved in developing, implementing and monitoring changes to workplace policies, procedures, processes and systems in order to achieve compliance.

Answer

✓	True
	False

☐

- Q5. Which of the following methods can be used to advise others about WHS compliance? Tick all that apply.

Answer

Choice	Possible Answers
✓	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

☐

- Q6. Which of the following methods can be used to monitor the effectiveness of workplace policies and procedures? Tick all that apply.

Answer

Choice	Possible Answers
✓	Internal audits
✓	Observing trends through hazard/incident/injury reports
✓	Interviews with those in the workplace
✓	Workplace inspections from legal advisors

☐

- Q7. 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).

Answer

Enforceability	Element
5	Policies and procedures
3	Codes of practice
4	Standards
1	Acts
2	Regulations

☐

BSBWHS412

ASSIST WITH WORKPLACE COMPLIANCE WITH WHS LAWS

PRACTICAL ASSESSMENT

Participant name	
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FOR THE PARTICIPANT

Instructions

- The tasks outlined on the following pages will require performance of normal workplace activities, as a result of a structured activity set by an Observer in the workplace or a simulated activity set by your Assessor/Observer.
- The timeframe for these tasks will be established by your Assessor/Observer in consideration of location conditions and industry requirements.
- You must complete all tasks assisted by the Assessor or other personnel, unless the supervisor notes assistance.
- You must attempt all tasks (and itemised steps) for a 'Satisfactory' assessment outcome to be achieved.
- For any observation conducted that is incomplete, or without satisfactory performance, the observation will need to be completed again after further training support.

FOR THE ASSESSOR/OBSERVER

Instructions

- The following observation record should be used to judge and record your observations of the Participant as they complete the task(s) set. You must record your observations of the Participant's performance.
 - For each occasion, indicate the task performed and whether it was a simulation or workplace-based task.
 - Any simulated assessment must ensure the Participant still performs under workplace conditions which reflect industry standards.
 - In the comments, provide clear detail regarding the task that the Participant was required to do (e.g. PPE used, materials handled, attachments connected, plant types).
- All steps must be satisfactorily demonstrated by the Participant for a 'Satisfactory' determination (indicated by an Assessor tick to the right of each itemised step, or an Observer tick to the right of each itemised step, and confirmation by an Assessor in the Assessor Comments).
 - Where you have determined that one or more task steps have not been satisfactorily demonstrated, provide the Participant with additional support and outline details of such assistance in the Assessor/Observer Comments. Allow the Participant two (2) further opportunities to demonstrate the task again to allow an opportunity for a 'Satisfactory' assessment outcome to be achieved.
 - If after three (3) attempts the Assessor determines that the Participant cannot demonstrate the required steps, a 'Not Satisfactory' outcome is to be determined.

TASK OUTCOME					
Task	Date	Task Type (Tick)	Location	Task outcome (Tick)	
				Satisfactory	Not Satisfactory
Task 1 (Occasion 1)		☐ Workplace ☐ Simulation		☐	☐
Task 1 (Occasion 2)		☐ Workplace ☐ Simulation		☐	☐

ASSESSOR COMMENTS: GENERAL

As necessary, outline:

- Details on reattempts, alternative arrangements or reasonable adjustments made.
- Where a Participant is deemed 'Not Satisfactory', provide recommendations for future training.

ASSESSOR COMMENTS: PRACTICAL TASK 1: OCCASION 1

- ☐ Individual student (as named on cover page)
☐ Multiple students [☐ All from Attendance Report, ☐ Specific students involved – identify students]

Task	Provide detail
1.1A. 1.1B. 1.1C.	Specify workplace where documents were assessed: e.g. road working company
1.2B.	Workplace checklist for monitoring compliance is suited to the workplace and situation: ☐ Yes ☐ No (if no, specify changes to be made):
1.3B.	Specify how presentation was delivered: ☐ Face to face ☐ Intranet ☐ Media such as Zoom ☐ Other (please specify):

ASSESSOR COMMENTS: PRACTICAL TASK 1: OCCASION 2

- ☐ Individual student (as named on cover page)
☐ Multiple students [☐ All from Attendance Report, ☐ Specific students involved – identify students]

Task	Details
1.1A. 1.1B. 1.1C.	Specify workplace where documents were assessed: e.g. road working company
1.2B.	Workplace checklist for monitoring compliance is suited to the workplace and situation: ☐ Yes ☐ No (if no, specify changes to be made):
1.3B.	Specify how presentation was delivered: ☐ Face to face ☐ Intranet ☐ Media such as Zoom ☐ Other (please specify):