



**SafeWork SA**

information ► advice ► support

# Annual Activity Report 2022–2023



## Acknowledgement of Country

SafeWork SA acknowledges and respects Aboriginal peoples as the state's First Peoples and nations, and recognises Aboriginal peoples as Traditional Owners and occupants of lands and waters in South Australia.

### We recognise:

- ◆ the spiritual, social, cultural and economic practices of Aboriginal people come from their connection to traditional lands and waters
- ◆ maintaining cultural and heritage beliefs, languages and laws are of ongoing importance to Aboriginal peoples today
- ◆ Aboriginal peoples have made and continue to make a unique and irreplaceable contribution to South Australia.

We acknowledge Aboriginal peoples have endured past injustice and dispossession of their traditional lands and waters and the effects of such injustice and dispossession are still felt today.

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## Message from our Executive Director

I had the privilege of being appointed Executive Director in April after acting in the role since January following the departure of my predecessor Martyn Campbell at the end of 2022.

I'd like to thank Martyn for his years of leadership at SafeWork SA and his continued commitment to work health and safety.

The 2022–23 financial year presented a new set of challenges and opportunities for our Agency, and the broader community as we put COVID-19 behind us and established a new rhythm in an evolving work environment. Ongoing flexible working arrangements are among the positive outcomes of the COVID-19 pandemic, and these opportunities were maintained for SafeWork SA staff in 2022–23.

Our organisational reform program also continued last year in line with a number of commitments from the incoming Labor Government ahead of its election victory in March 2022.

These election commitments included amending the *Shop Trading Hours Act 1977* to extend Sunday trading hours by allowing shops to open at 9am, creating consistency in the state system for domestic and family violence leave, and introducing industrial manslaughter as an offence.

Included was an Independent Review of SafeWork SA, which took place between September and December 2022 by Mr John Merritt. The Government made the review findings public on 25 January 2023 and also published its preliminary response to the recommendations.

The review found that SafeWork SA's significant reform program over the past five years has resulted in more disciplined and professional investigative processes and that injured workers and their families can be confident that future workplace tragedies will be properly investigated.

The Government committed to the immediate establishment of a stakeholder advisory committee to SafeWork SA and the Minister.

The SafeWork SA Advisory Committee has representation from multiple key organisations and the South Australian Government. It held its first meeting in April. Further information about the Committee is included in this report.

It further recommends that the Government consult on a small number of legislative amendments to the *Work Health and Safety Act 2012* to improve work health and safety.

SafeWork SA's *2023–2027 Strategic Plan* was launched in October 2022 and sets a clear direction for our activities over the next five years. The new plan came into effect from 1 January 2023 and aims to help make South Australian workplaces safe through trusted and respected regulation and our core values of professionalism, respect, integrity and service.

This will complement the new *Australian Work Health and Safety Strategy 2023–2033* to reduce worker fatalities, injuries and illnesses.

We have also had an influx of new inspectors and investigators join the team in the first half of 2023. This has injected a fresh wave of talent and enthusiasm into the agency that will hold us in good stead going forward.

A special thank you must go to all of our dedicated and valued staff who perform such challenging and rewarding roles, all of which contribute to fair, safe and healthy workplaces for all South Australians. The opportunities ahead of us to make a difference to people's lives and to serve our community in the best way possible, is something we all look forward to.

Collaboration is the key to creating opportunities and making a difference to people's lives and I look forward to working with many different stakeholders to turn our shared interests into positive outcomes over the next 12 months and beyond.



**Glenn Farrell**

Executive Director, SafeWork SA



The background features a diagonal split between a solid blue upper half and a white lower half. Abstract geometric shapes, including cubes and polygons in various shades of blue, purple, and white, are scattered across the white section, creating a modern, architectural feel.

About us

**SafeWork SA**

information > advice > support

# South Australia's work health and safety regulator

SafeWork SA plays a critical role in the lives of South Australian workers and employers.

We administer South Australia's key work health and safety and state-based industrial relations legislation.

Our role is to ensure safe and equitable workplaces and high standards of public safety for all South Australians.

We work closely with workers, employers, unions, business representatives, industry sectors and government agencies to ensure positive health and safety outcomes.

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## OUR VISION

Making South Australian workplaces safe

## OUR VALUES

Professionalism, Respect, Integrity, Service

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SafeWork SA is a branch within the Attorney-General's Department, moving from the Department of Treasury and Finance following the March 2022 State Election.



providing information, advice and support services to workers, employers, health and safety representatives and the public



issuing licences and registration for workers and plant



conducting regular workplace inspections



responding to workplace incidents, notifications and complaints



performing proactive compliance audits



enforcing work health and safety laws and investigating breaches

## Our offices

SafeWork SA has a network of metropolitan and regional offices to allow our teams to cover the entire state. With a head office in Keswick to service the greater Adelaide area and nearby regions, SafeWork SA also has offices in the South East, Mid North and two on Eyre Peninsula.



# Our leadership team



## Glenn Farrell

### Executive Director, SafeWork SA

SafeWork SA's Executive Director is the Regulator under South Australia's work health and safety legislation.

The Regulator delegates certain powers and functions to SafeWork SA inspectors.

The Executive Director reports to the Chief Executive, Attorney-General's Department.

Glenn Farrell was appointed Executive Director of SafeWork SA in April 2023, replacing Martyn Campbell who left the agency at the end of 2022.

A former leader at Rolls-Royce in England at a site that manufactures jet engines for the commercial aerospace industry, Mr Farrell relocated to Adelaide and has been working in a regulatory environment for the past 20 years.

Mr Farrell has also held director roles in SafeWork SA's Compliance and Enforcement, and Workplace Education and Business Services divisions over the previous six years.

His tenure as South Australia's Work Health and Safety Regulator officially began on 17 April after acting in the role since January.

Glenn is South Australia's representative at the Heads of Workplace Safety Authorities and Safe Work Australia.

## Brett Pfeffer

### Director, Compliance and Enforcement

Brett Pfeffer has built his career around workplace safety. A fitter and turner by trade, and an advanced rigger in construction, Brett joined SafeWork SA in 2009, holding various roles across the compliance and enforcement area of the organisation, including managing SafeWork SA's Construction and Utilities team. He has more than 20 years' experience in high-risk construction and associated activities, including demolition and asbestos removal.

He was appointed Director, Compliance and Enforcement in July 2023 after acting in the role for several months.

The Compliance and Enforcement directorate is the regulatory arm of SafeWork SA.

SafeWork SA inspectors monitor and enforce compliance with work health and safety, and public safety requirements.

The directorate ensures appropriate action is taken when breaches of work health and safety laws are detected.

Inspectors are recruited from, and have experience in, the industry sectors they service.

Specialist staff in this directorate provide internal expertise in fields such as construction, occupational health, mining, engineering, chemical hazards and explosives.

The directorate also has a dedicated investigations team that investigate the causes of serious workplace incidents.

## Rob Templeton

### Director, Workplace Education and Business Services

Rob Templeton joined SafeWork SA in January 2023 from the Attorney-General's Department where he was a Project Director. In this role he implemented a range of initiatives from establishing the Office for the Royal Commission into Early Childhood Education and Care, and the Office of the Inspector to developing technology strategies for State Records SA.

Previously, Rob led the delivery of the South Australian Civil and Administrative Tribunal from concept to a fully functioning tribunal. He has also served as the Director of Licensing and Registration in Consumer and Business Services where he was instrumental in driving business transformation and project initiatives across liquor and occupational licensing, births deaths and marriages, tenancy bonds, charities and associations.

The Workplace Education and Business Services directorate is the educator arm of SafeWork SA.

The directorate's focus is on the education of businesses and workers in relation to work health and safety.

The directorate provides free information, advice and support, and processes licences required under the legislation that we administer. It is also responsible for corporate and governance services.

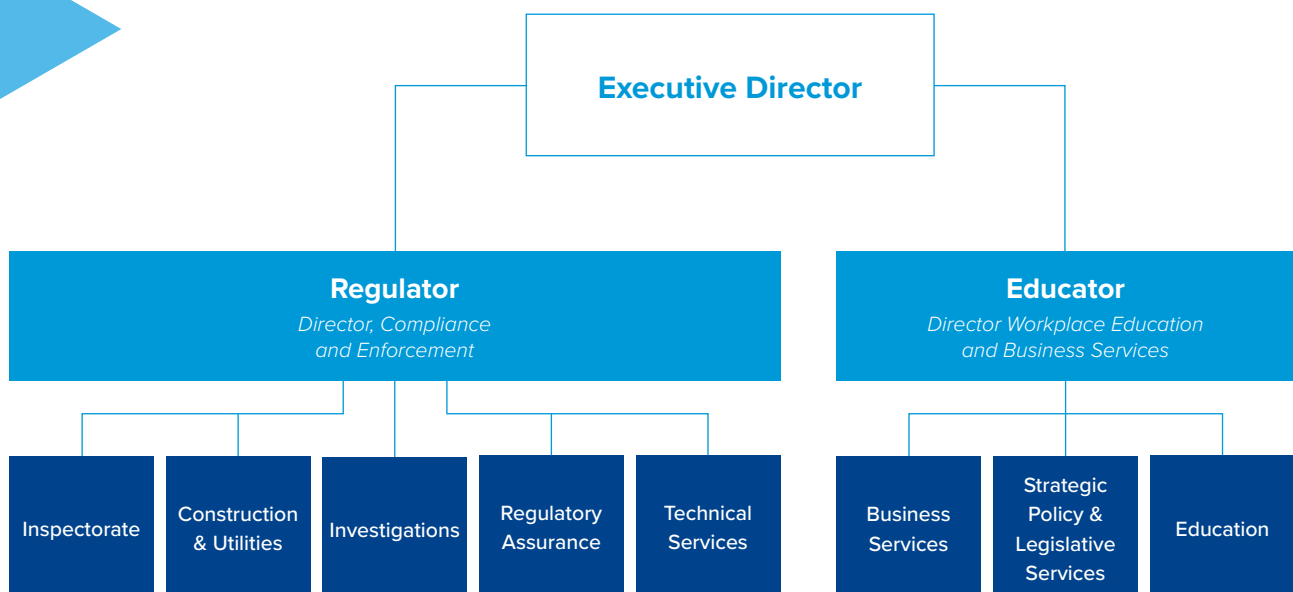
Unlike the Compliance and Enforcement directorate, staff in this directorate do not have any delegated powers.

# Our organisational structure

SafeWork SA has two public facing functions, the Regulator and the Educator. Both have direct but separate reporting lines to the Executive Director, who oversees both units.

The Regulator arm of SafeWork SA has regulatory power to investigate workplace incidents and enforce numerous laws in South Australia.

The Educator arm of SafeWork SA provides advice and education on work health and safety, state-based industrial relations, and facilitates licences and registration for workers and plant.



# ReturnToWorkSA partnership

## SafeWork SA and ReturnToWorkSA share a collaborative partnership.

ReturnToWorkSA provides work injury insurance and regulates the South Australian Return to Work scheme. ReturnToWorkSA's insurance provides protection to South Australian businesses and their workers in the event of a work injury.

SafeWork SA works with ReturnToWorkSA to ensure our education focus and work health and safety compliance campaigns are based on work injury claims and incident data.

This arrangement enables SafeWork SA to deliver high quality and professional services that promote safe and equitable workplaces and high standards of public safety for all South Australians.

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## Total funding **\$23,654,000**

ReturnToWorkSA transfers funds to SafeWork SA for the costs of administering the *Work Health and Safety Act 2012*.

South Australia's work health and safety legislation fixes the prescribed amount and percentage amount payable to SafeWork SA each financial year.

**Prescribed Amount \$23,883,000**

**Prescribed Percentage 99.04%**

**Service Fee (0.96%) \$229,000**



# Legislation we administer

## Safety

*Work Health and Safety Act 2012 (SA)*

*Work Health and Safety Regulations 2012 (SA)*

*Dangerous Substances Act 1979*

*Dangerous Substances (General) Regulations 2017*

*Dangerous Substances (Dangerous Goods Transport) Regulations 2023*

*Explosives Act 1936*

*Explosives Regulations 2011*

*Explosives (Fireworks) Regulations 2016*

*Explosives (Security Sensitive Substances) Regulations 2021*

*Petroleum Products Regulation Act 1995*  
(administered on behalf of Revenue SA)

*Petroleum Products Regulations 2023*  
(administered on behalf of Revenue SA)

## Industrial relations

*Fair Work Act 1994*

*Fair Work (Commonwealth Powers) Act 2009*

*Fair Work (General) Regulations 2009*

*Fair Work (Clothing Outworker Code of Practice) Regulations 2022*

*Fair Work (Representation) Regulations 2009*

*Holidays Act 1910*

*Long Service Leave Act 1987*

*Long Service Leave Regulations 2017*

*Construction Industry Long Service Leave Act 1987*

*Construction Industry Long Service Leave Regulations 2018*

*Shop Trading Hours Act 1977*

*Shop Trading Hours Regulations 2018*

*Standard Time Act 2009*

*Daylight Saving Act 1971*

*Daylight Saving Regulations 2009*

*Employment Agents Registration Act 1993*

*Employment Agents Registration Regulations 2010*



## MATES in Construction

The South Australian Government committed to restore funding to MATES in Construction SA in May 2022.

Funding is delivered by SafeWork SA, and was allocated in the 2022–23 State Budget.

It provides \$60,000 annually to MATES in Construction to support suicide prevention work and to provide vital case management support for workers in need in the construction and mining industry through case management and a 24/7 helpline.

Construction workers are six times more likely to die from suicide than an accident at work, and young construction workers are three times more likely to die from suicide than other young Australians.

MATES in Construction is a national industry intervention program that:

- ◆ raises awareness of suicide as a preventable problem
- ◆ builds stronger and more resilient workers
- ◆ connects workers to the best available help and support
- ◆ partners with researchers to inform industry around best mental health practice.

It is supported by industry partners from the building and construction industry, which help to deliver services to workers who need help and support.



## Funding for asbestos victims

In 2022, the South Australian Government committed to provide funding to the Asbestos Victims Association of SA (AVA) and Asbestos Diseases Society of SA (ADSSA) for advocacy and education programs.

The Government provided \$50,000 each to the AVA and the ADSSA in the 2022–23 State Budget, which it has committed to continue on an annual basis.

The funding is for advocacy and education programs that seek to increase awareness of dust diseases, reduce risk, and create a safer community.

The AVA is a not-for-profit organisation run by volunteers to support people and their families living with asbestos-related disease, including running seminars and educating the community about the dangers of exposure to asbestos.

It hosts the annual Asbestos Victims' Memorial Day service at Pitman Park, Salisbury in the last week of November each year to coincide with National Asbestos Awareness Week.

The AVA offers its services to people living with an asbestos-related disease, family members, carers, and friends, free of charge.

The ADSSA is a community-based, registered charitable organisation providing information, education, advocacy, awareness, and support to those in contact with asbestos in the environment, home or workplace, and support to those suffering from an asbestos-related disease.

The ADSSA employs a social worker to support victims of asbestos-related diseases, their caregivers, and bereaved relatives.

It also oversees the annual Asbestos Victims' Memorial Breakfast held at Jack Watkins Memorial Reserve in Kilburn during National Asbestos Awareness Week. Both AVA and ADSSA are charities registered with the Australian Charities and Not-for-profits Commission.



## ***Shop Trading Hours (Extension of Hours) Amendment Act 2022***

The Government committed to amend South Australia's shop trading laws by extending Sunday trading hours to allow shops to open at 9am instead of 11am, and to permanently allow trading on 26 December in the city and suburbs.

The *Shop Trading Hours (Extension of Hours) Amendment Bill 2022* passed through both houses of Parliament on 20 October 2022 and commenced on 1 November 2022.

The *Shop Trading Hours (Extension of Hours) Amendment Act 2022* made changes to the *Shop Trading Hours Act 1977* to implement the shop trading election commitments, along with providing additional shopping hours on Black Friday and in the weeks prior to Christmas through Ministerial exemptions.

Amendments were also made to provide a level of accountability over the exercise of Ministerial powers of exemption, and to simplify the appointment of inspectors.

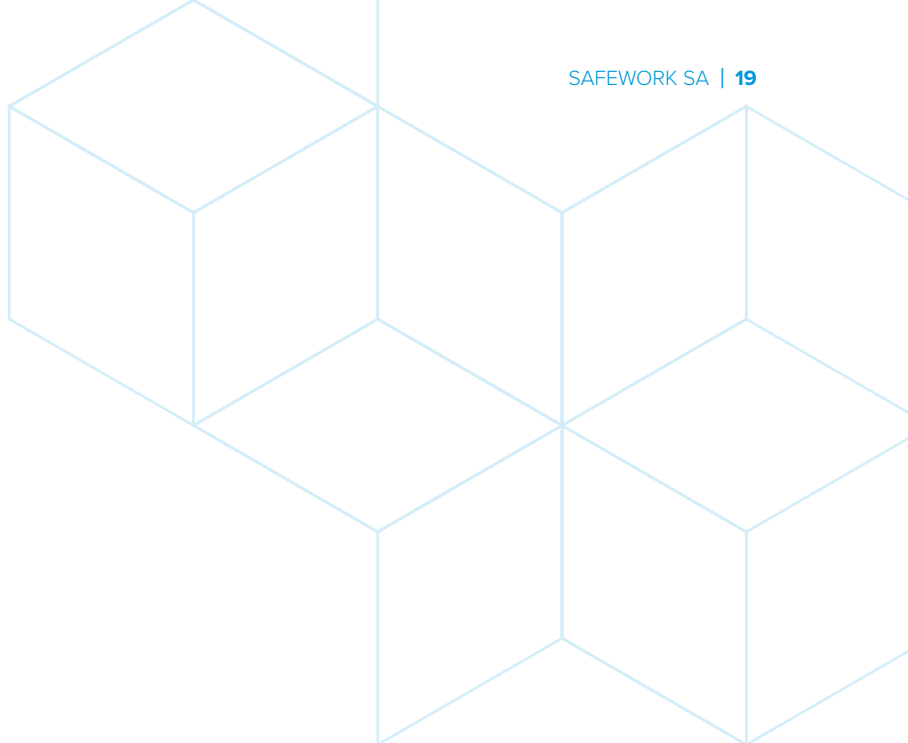
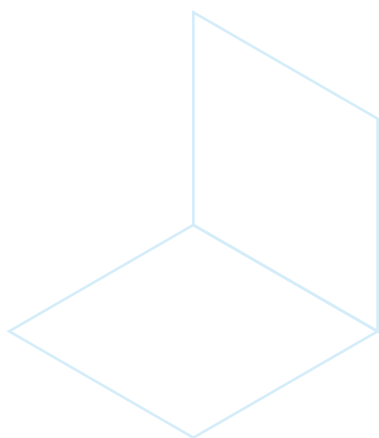
## ***Fair Work (Family and Domestic Violence Leave) Amendment Bill 2022***

On 23 March 2022, the Fair Work (Family and Domestic Violence Leave) Amendment Bill passed through both houses of Parliament.

The amendments addressed the Government's election commitment to create consistency in the state industrial relations system for family and domestic violence leave to ensure more workers can access such leave.

From 1 September 2023, the *Fair Work Act 1994* provides an entitlement of 15 days paid family and domestic violence leave for State Government and Local Government workers in South Australia. These workers can now take paid leave to attend medical appointments, legal proceedings, counselling, relocation and other matters related to family and domestic violence, which is crucial to support anyone experiencing or escaping these circumstances.





## Portable long service leave system

The Government committed to consulting with workers, unions and businesses to expand the portable long service leave system in South Australia.

Presently, South Australia has one portable long service leave scheme available to workers in the construction industry. This scheme enables workers in the industry to qualify for long service leave based on service in the industry, rather than service to a single employer.

Work is being undertaken to support the development of a portable long service leave scheme in South Australia, which includes reviewing the current arrangements in place for existing portable long service leave across other industry schemes operating in South Australia and other states and territories.

Consultation with key groups in the Community Services sector commenced in 2023 which assisted in progressing the work to define the scope and design of a new scheme. Work towards developing the new portable long service leave scheme is continuing.

## Introduction of Industrial Manslaughter

On 28 November 2022, the Government released the draft *Work Health and Safety (Industrial Manslaughter) Amendment Bill* for a period of public consultation until 10 February 2023.

The release of the draft Bill followed several months of targeted consultation with business groups and unions, including at roundtable forums hosted by the Government.

The introduction of a Bill to amend the *Work Health and Safety Act 2012* to make industrial manslaughter a criminal offence, with a maximum penalty of 20 years imprisonment, and financial penalties of \$18 million for companies, was scheduled for early July 2023.

There will be a substantial period of public education, should the Bill be assented to by the Governor after passing through both Houses of Parliament and become an Act, so that the community and duty holders understand their obligations before any legislation comes into effect.

# Industrial Relations Consultative Council

SafeWork SA administers the Industrial Relations Consultative Council (IRCC) as part of our administration of the *Fair Work Act 1994* and industrial relations role.

We assist in the preparation of agendas and minutes, manage the membership of the Council and provide other administrative support. The IRCC provides a consultative framework for engaging with relevant groups on work health and safety and industrial relations matters in South Australia. It is established under the *Fair Work Act 1994*. The IRCC consists of 15 members who represent the interests of business organisations, associations and unions. The Hon Kyam Maher MLC, Minister for Industrial Relations and Public Sector, is the Chair of the IRCC. The IRCC assists the Minister to implement policies and advises him on legislative proposals affecting industrial relations, employment, and work health and safety in South Australia. The Governor of South Australia appoints members to the IRCC.

## Fees

IRCC members are entitled to fees (at a sessional rate of \$206 per four-hour session/hourly rate of \$51.50), allowances and expenses approved by the Governor (excluding the Treasurer and Erma Ranieri, who is a Government employee). These fees are a category two, level two classification of the Cabinet approved remuneration framework. During 2021–2022 IRCC members were paid fees of \$927.

## Members of the IRCC as of 30 June 2023

Name	Representing
Hon Kyam Mahr MLC	Statutory requirement
Natasha Brown	Public Sector Association of SA
Owen Webb	Australian Hotels Association (SA Branch)
Peter Lamps	Australian Workers' Union (SA Branch)
Erma Ranieri	Commissioner for Public Sector Employment
Jessica Rogers*	Communications, Electrical and Plumbing Union (SA)
Charlie Condo	Housing Industry Association (SA)
Ronan O'Brien*	Motor Trades Association of South Australia
Leah York*	Australian Education Union (SA Branch)
Kendall Crowe	Business SA
Amanda Green	Ai Group
Blythe Ormesher	Shop, Distributive and Allied Employees' Association (SA)
Dale Beasley	SA Unions

\* Ronan O'Brien replaced Christopher Morey on 3 November 2022.

\* Jessica Rogers resigned as of 31 December 2022.

\* Leah York resigned as of 17 March 2023.

## Meetings

The IRCC held two meetings in the 2022–2023 financial year.

Topic discussed included:

- ◆ Review of two new and 14 current Codes of Practice as part of the legislated requirements for model codes of practice to be accepted as codes in South Australia
- ◆ Legislative Reforms, including:
  - *Work Health and Safety (Psychosocial Risks) Amendment Regulations 2023*
  - Model Work Health and Safety Regulations on engineered stone



# SafeWork SA Advisory Committee

In response to recommendations from the Independent Review of SafeWork SA, the State Government formed the SafeWork SA Advisory Committee to provide a high-level forum for stakeholder consultation on work health and safety matters and the strategic direction of SafeWork SA.

The Committee's inaugural Chair is the Commissioner of Public Sector Employment for the South Australian Public Sector, Erma Ranieri. As per the recommendations from the Independent Review, the committee is made up of:

- ◆ Four members representing employees
- ◆ Four members representing employers
- ◆ A member representing the interests of victims and their families
- ◆ A member representing a work health and safety professional body
- ◆ A member representing ReturnToWorkSA
- ◆ The Chief Executive of the Attorney-General's Department.



## Members of the SafeWork SA Advisory Committee as at 30 June 2023

Member	Organisation
Erma Ranieri (Chair)	Chair
Kendall Crowe	Business SA
Susan Babidge	Ai Group
Estha van der Linden	Master Builders Australia (SA)
Ronan O'Brien	Motor Trades Association
Dale Beasley	SA Unions
Mary McCarthy	United Workers Union
Marcus Pare	Construction, Forestry and Maritime Employees Union (CFMEU)
Tania Newell	Australian Nursing and Midwifery Federation (ANMF)
Craig Schopp	Australian Institute of Health & Safety (AIHS)
Bronwyn Killmier	Commissioner for Victim's Rights
Michael Francis	ReturnToWorkSA (RTWSA)
Caroline Mealor	Chief Executive of the Attorney-General's Department
Glenn Farrell	Executive Director SafeWork SA, ex-officio Member
Rhiannon Pearce MP	Assistant Minister to the Deputy Premier

The Committee held its first meeting in April 2023 and is establishing the meeting protocols and commencing the work on consultation around the recommendations from the Independent Review.



# Measuring our performance



# Our performance

## Feedback

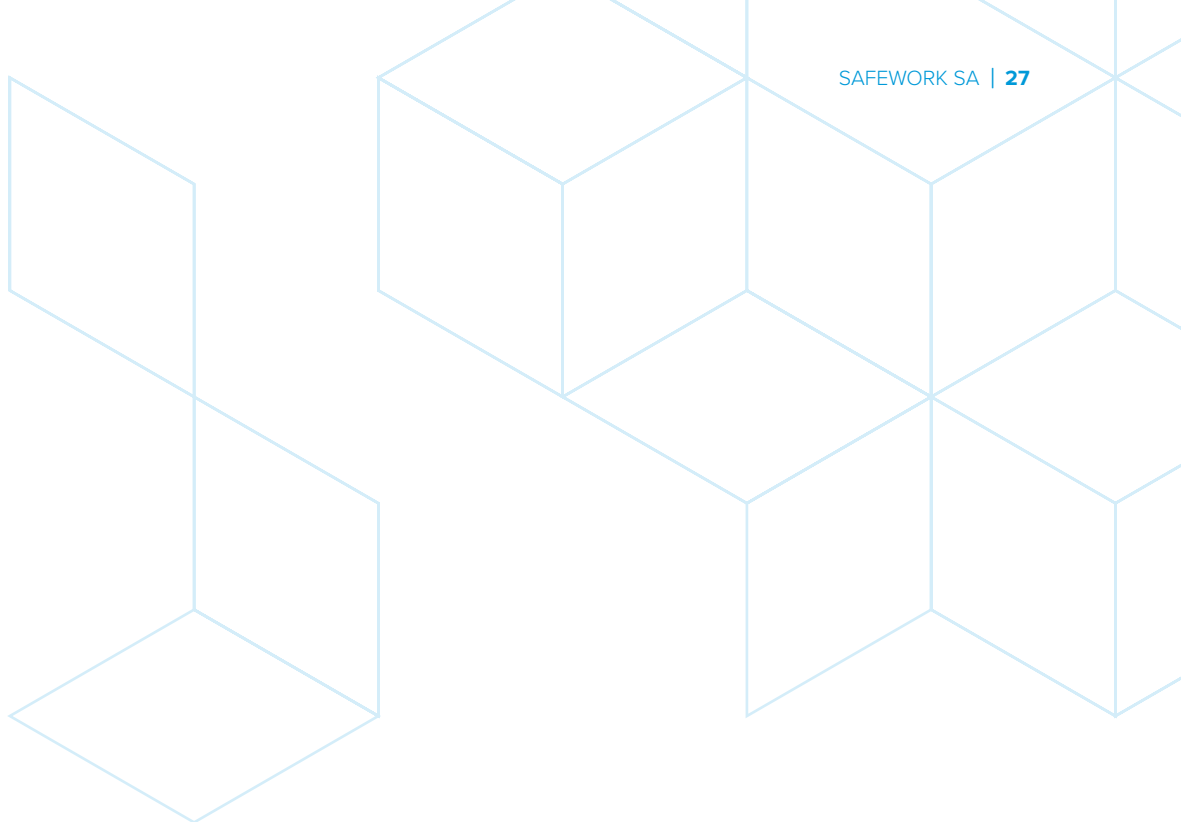
SafeWork SA welcomes all forms of feedback, including complaints, from business and the community regarding their interactions and experiences with us.

Complaints made to SafeWork SA are addressed with a formal response to the complainant and, depending on the nature of the complaint, we may take action to address the reason for the complaint.

Any feedback we receive that consists of a comment or opinion may not receive a response, however the comments will be considered.

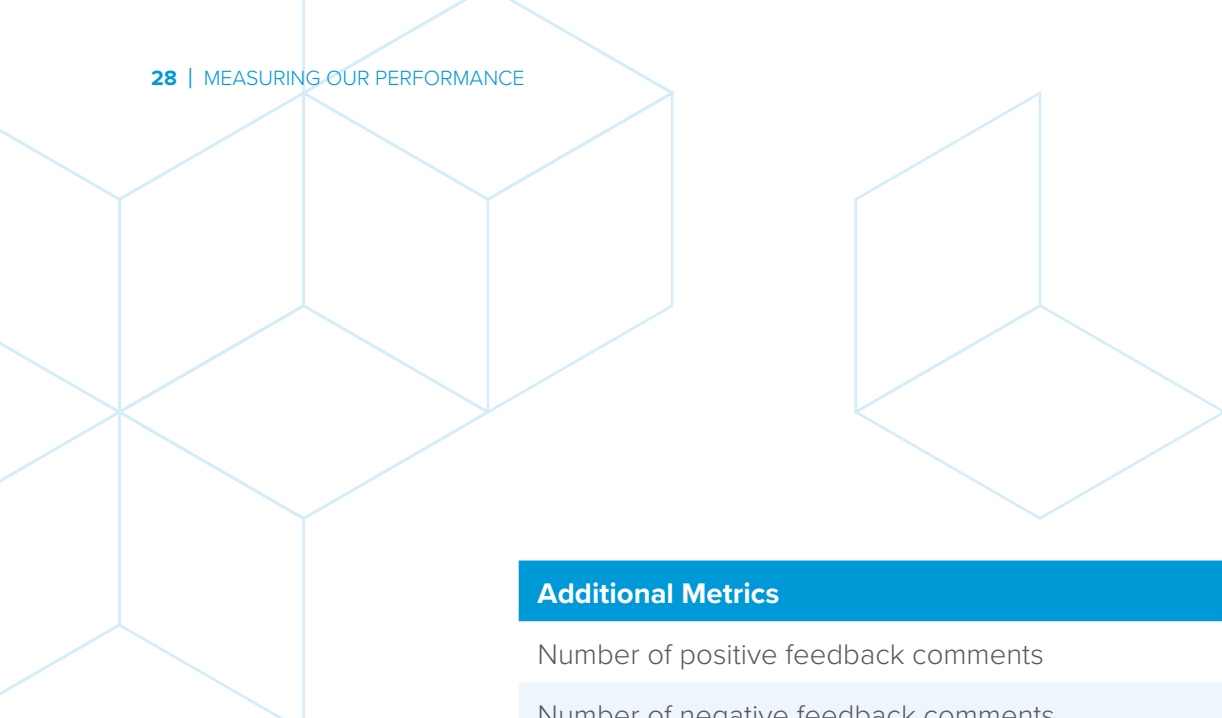
In 2022–2023 SafeWork received complaints and feedback from 30 people—10 positive reports and 20 negative reports. The feedback covered professional behaviour, communication, service delivery and service quality.





### Number of public complaints reported

Complaint categories	Sub-categories	Example	Number of complaints 2022–23
Professional behaviour	Staff attitude	Failure to demonstrate values such as empathy, respect, fairness, courtesy, extra mile; cultural competency	3
Professional behaviour	Staff competency	Failure to action service request; poorly informed decisions; incorrect or incomplete service provided	2
Professional behaviour	Staff knowledge	Lack of service specific knowledge; incomplete or out-of-date knowledge	1
Communication	Communication quality	Inadequate, delayed or absent communication with customer	2
Service delivery	Process	Processing error; incorrect process used; delay in processing application; process not customer responsive	5
Policy	Policy application	Incorrect policy interpretation; incorrect policy applied; conflicting policy advice given	4
Service quality	Timeliness	Lack of staff punctuality; excessive waiting times (outside of service standard); timelines not met	1
<b>TOTAL</b>			<b>18</b>



Additional Metrics	Total
Number of positive feedback comments	10
Number of negative feedback comments	2
<b>TOTAL NUMBER OF FEEDBACK COMMENTS</b>	<b>12</b>
Percentage complaints resolved within policy timeframes	62%

## Complaint analysis

An analysis of complaint data for the 2022–23 financial year indicated a 25 per cent reduction of complaints received compared to the previous year.

In reviewing the trends of the two largest cohorts (50 per cent) of complaint categories of service delivery – process and policy application revealed.

- ◆ Of the five complaints received for service delivery – process, two complaints were substantiated and resulted in improved service delivery process.
- ◆ The remaining complaints were not substantiated. Investigation into those complaints showed the process was accurately followed as per legislative requirements much to the complainants' expectations.
- ◆ The four complaints received for policy application were not substantiated.

There has been significant improvement in service delivery which has seen a decrease of substantiated complaints mainly due to the introduction of iApply online licence forms and guidance material which better informs applicants on the requirements for licences and expectations.

It is noted that the 38 per cent of complaints not resolved within policy timeframes were mainly attributable to complex investigations into the complaints involving multiple parties. At all times, the complainants were updated by the complaint investigators on the progress of their complaint.



## Our performance – Educator



Customer service  
calls answered:

**45,645 total**

Help Centre

**15,876**

Priority calls

**2,079**

Licensing / Licensing enquiries

**21,466 / 22,284**

Outbound calls

**6,224**

Notifiable incidents

**923 calls**

Workplace complaints

**1,083**

Long Service Leave

**522**

WHS advice

**14,271**



Education, engagement  
and support activities:

**24,612 total**

Education activities

(visits, presentations, audits,  
stakeholder interactions)

**491**

Advisory calls

**15,876**

Advisory emails

**8,245**



Customer service  
emails answered:

**29,452 total**

Advisory

**8,245 total**

Help Centre inbox

**5,756**

Safety Incidents inbox

**1,790**

Workplace Advisory

Services inbox

**699**

Licensing

**21,207 total**

Licensing inbox

**13,947**

High Risk Work inbox

**6,832**

Protected Licensing inbox

**428**

## Customer services

SafeWork SA's customer service centre assists the South Australian community by:

- ◆ providing information about work health and safety and state-based industrial relations matters
- ◆ processing applications for high-risk work and other licences
- ◆ receiving reports of notifiable incidents
- ◆ receiving feedback from the community, including compliments and complaints.

Our Help Centre and Licensing Unit staff respond to calls to SafeWork SA's dedicated 1300 and 1800 telephone numbers. They also process new licence requests and licence renewals.

Staff from these teams answered 45,645 calls in 2022–23. Staff answered 92 per cent of calls in less than three minutes (time from the caller connecting to our phone system to speaking with a contact centre officer).

Staff from these teams also responded to more than 29,452 emails from the public.



**45 paper-based forms** converted to **28 iApply forms** with 5 still to go

Key topic of call	Number of calls
Licensing enquiries and applications	22,978
Priority calls	2,174
Notifiable incidents	107
Workplace complaints	735
Other enquiries including:	5,801
◆ long service leave	
◆ work health and safety advice.	
<b>TOTAL</b>	<b>41,042</b>

## Licensing

SafeWork SA issues a variety of licences across a range of areas, including:









- ◆ plant and machinery
- ◆ high risk work
- ◆ asbestos removal
- ◆ explosives
- ◆ chemicals
- ◆ dangerous goods and substances.

Our licensing team processed more than 36,000 licence applications during the period. Types of licences include approvals, registrations, permits and authorisations.

### Number of licence applications (by category)

Licence type	Renewal applications	New applications, variations, transfers	Legislation
Accredited assessor	45	12	WHS
Asbestos assessor	11	9	WHS
Asbestos removal	34	84	WHS
Blasters	376	281	Explosives
Classification of explosives	N/A	41	Explosives
Dangerous goods driver	600	389	DGT
Dangerous goods vehicle	1,077	178	DGT
Dangerous substances storage	3,969	374	DS
Design registration	N/A	136	WHS
Employment agents	123	56	EAR
Explosives	868	192	Explosives
Gas fitting work	80	147	DS
High risk work	17,452	10,418	WHS
Major hazard facility	11	0	WHS
Petroleum products	544	96	PP
Plant registration	7,490	1,290	WHS
Pyrotechnics	54	11	Fireworks
Security sensitive ammonium nitrate	24	8	SSAN
Shop trading (in relation to petroleum, motor spirits and lubricants)	168	57	STH
Other	1	174	
<b>TOTAL</b>	<b>32,927</b>	<b>13,953</b>	

## Compliance data

	Notice type	2021–22	2022–23	Increase
	<b>Visits</b>	4,573	5,122	12%
	<b>WHS Improvement Notice</b>	1,829	2,662	45%
	<b>WHS Prohibition Notice</b>	453	610	35%
	<b>Dangerous Substance Notices</b>	428	523	22%
	<b>Explosives Notice</b>	8	10	25%
	<b>Letter of Warning</b>	53	85	57%
	<b>Expiation</b>	6	16	170%
	<b>Closed within 6 months</b>	89%	92%	3%

## In 2022–23, SafeWork SA received 3,579 notifications, consisting of:

### 1,641 notifiable incidents

- ◆ 766 serious injury notifications
- ◆ 875 dangerous incident notifications

### 1,939 complaints

- ◆ 1,312 workplace safety
- ◆ 228 reports of workplace bullying
- ◆ 196 activities causing a risk to public
- ◆ 168 reports of unsafe asbestos practices
- ◆ 27 handling and storage of dangerous substances
- ◆ 8 reports of workplaces failing to adhere to COVID-19 requirements

### 137 industrial relations

- ◆ 121 Long service leave entitlements
- ◆ 11 FairWork Act
- ◆ 5 Shop Trading Act

### 97 worker representation

- ◆ 92 notifications of EPH entry
- ◆ 5 HSR disputes

## Statutory notices

### Top 5 reasons for issuing an improvement notice:

1. Failing to manage risks to health and safety – 471
2. Electrical safety breaches – 301
3. Maintenance of plant shortcomings – 248
4. Asbestos management breaches – 201
5. Inadequate training – 154

### Top 5 reasons for issuing a prohibition notice:

1. Managing risk of falls – 177
2. Maintenance of plant – 108
3. Asbestos management – 47
4. Inadequate guarding – 46
5. Electrical safety breaches – 25

### Top 5 reason for issuing a notice against dangerous substance legislation:

1. Missing/illegible warning signs, instructions or placards – 150
2. Emergency response equipment not available – 33
3. Combustible material within a hazard zone – 30
4. Emergency plan not prepared or incomplete – 24
5. Nil or exceeding dangerous substance licence – 20



# Reforming the way we work

A person wearing a high-visibility yellow and navy blue uniform with reflective silver stripes. The back of the uniform has the text "SAFework SA" and "INSPECTOR" printed on it. They are wearing a navy blue cap and are standing with their back to the camera. In the background, there is a large Ferris wheel and a large flag with a green field and a white star. The scene is outdoors, likely at a fair or festival.

SAFework SA  
INSPECTOR

# Strategic Plan

The development of SafeWork SA's Strategic Plan was among the recommendations of a 2018 evaluation of the practices, policies and procedures of the regulator arm of the Agency conducted by the Hon Bruce Lander QC, Independent Commissioner Against Corruption.

The inaugural *2019–2022 Strategic Plan* was launched in 2019.

The *2023–2027 Strategic Plan* was launched in October 2022 and sets a clear direction for our activities over the next five years.

The new plan came into effect from 1 January 2023 and aims to help make South Australian workplaces safe through trusted and respected regulation and our core values of professionalism, respect, integrity and service.

Under the 2023–27 Plan, SafeWork SA will:

- ◆ be the employer of choice for developing a contemporary workforce
- ◆ promote the SafeWork SA brand as a trusted and intelligence-led Regulator who works collaboratively across industry
- ◆ be a global leader in regulatory compliance theory and practice, and work with stakeholders to transfer knowledge into healthy and safe workplaces
- ◆ create a mobile workforce and make it easy for people to interact with us.

## Strategic Plan 2019–2022 Closure Report

The Closure Report on the inaugural *2019–2022 Strategic Plan* was released in January 2023 and details how we delivered our objectives and success measures.

The *2019–2022 Strategic Plan* outlines goals to achieve our vision of keeping South Australians safe, we:

- ◆ worked with industry using more accessible and flexible arrangements
- ◆ regulated fairly and firmly against non-compliance to protect workers and industry
- ◆ became a contemporary and agile organisation, supporting innovative ways of working
- ◆ built a culture of performance excellence, evidence-based and transparent decision making so we are an effective and trusted Regulator.

# SafeWork SA values

## Professionalism

## Respect

## Integrity

## Service

Our values influence how SafeWork SA staff interact with each other and the community.

They influence how staff work together to achieve our vision of *Making South Australian Workplaces Safe*.

The SafeWork SA values were settled in 2018.

The project to formulate a set of values was employee driven.

This ensured that the people who would be guided by the values were the ones who chose them.

Representatives from all areas of the agency participated in the selection of SafeWork SA's values.

We continue to promote these values to staff and seek to embed them in everything we do.



# Staff development and training

SafeWork SA has continued its comprehensive training program for staff. We have implemented and maintained core training requirements that contribute to the capability and development of SafeWork SA staff.

## Leadership program for managers

SafeWork SA's Leadership Program for Managers continued in 2022–23.

The program commenced at the beginning of the 2023 calendar year. Course content was primarily delivered through workshops. Training modules aim to enhance the professional performance of managers with a focus on strategic leadership of teams and functions.

The customised program focused on identified areas for improvement and those considered important to being an effective leader.

The program was structured to create an environment that enabled managers to utilise and embed the skills they learned into their day-to-day practices.



## Leadership program for team leaders

In 2022 SafeWork SA continued to deliver its Leadership Program for team leaders.

SafeWork SA introduced a leadership program specifically designed for the development of team leaders in October 2018.

The program is primarily delivered through workshops. It aims to enhance the performance and capabilities of team leaders and provide succession planning opportunities.

Under the program, current and potential team leaders learn skills and strategies that can be incorporated into their day-to-day practices.

Training modules provide participants with opportunities to work individually and in groups. This assists in processing and understanding complex content.

The program syllabus includes follow-up assessments that allow participants to demonstrate what they have learned. Each module has a dedicated focus.

Training module topics include:

- ◆ my leadership practice
- ◆ building good relationships
- ◆ setting people up to succeed
- ◆ building good teams
- ◆ addressing unsatisfactory performance

Given the success of the program, SafeWork SA now conducts the course annually. This helps create professional development opportunities for staff in non-leadership roles.

To date, five cohorts of staff have completed this program (2019, 2020, 2021, 2022 and 2023).

## Inspector Development Program

A 12-month Inspector Development Program (IDP) is required to be completed at the commencement of employment for all new inspectors and investigators at SafeWork SA. The training in the IDP is continuously reviewed at the completion of each program to ensure the content is relevant, current and uses best practice adult training methods.

The IDP incorporates a number of training programs, which include the Inspector Foundation Course, Technical training and other training that has been identified as necessary.

### Inspector Foundation Course

The IDP commences with the 10–12 week Inspector Foundation Course.

The program contains 15 modules that provide the essential knowledge and skills for the role of Inspector. The course requires participants to attend all modules and successfully complete a series of activities and assessments. All training modules are delivered by SafeWork SA staff who are experts in their subjects.

On completion of the Inspector Foundation Course, Inspectors are granted their powers with managerial conditions, until competence is assessed by the Manager for full sign off.

In 2022–2023, one Inspector Foundation Course was conducted with 16 staff graduating.

### Technical training

Technical training forms part of the IDP and is delivered to new Inspectors and Investigators after they complete the Inspector Foundation Course. The training aims to build on the course by providing more detailed technical knowledge based on SafeWork SA's compliance requirements.

Technical training is mandatory for new inspectors, however existing Inspectors and other staff can also attend relevant modules to expand their knowledge in particular subjects. Each training module is facilitated by subject matter experts from SafeWork SA to ensure accurate and consistent information is delivered to participants.

### Technical training program 1

Technical training program 1 consists of 14 modules delivered over five days.

It includes modules such as construction work, asbestos, electrical hazards, machine guarding, elevating work platforms, amusement devices and hazardous chemicals.

Technical training program 1 was delivered in August 2022.

### Technical training program 2

In November 2022, technical training program 2 was rolled out for the first time.

Technical training program 2 consists of 13 modules delivered over four days.

It includes topics such as ergonomics, psychosocial risk, scaffolds and temporary structures, expiation notices, silica, noise, HSRs and Provisional Improvement Notice (PIN) review, entry permit holders, pressure vessels and high-risk work licensing.



In November 2022, three courses were delivered over three weeks. Technical training program 2 will continue to be included as an integral part of the IDP.

### Investigations management training

Investigative interviewing training is an important component of the Inspector Foundation Course. The training develops and enhances the skills and knowledge necessary to engage with witnesses and respondents using the 'free recall' and 'conversation management' styles of interviewing and observing the over-arching 'PEACE' model framework of investigative interviewing.

In April 2023, the investigative interviewing course was conducted at Central Queensland University (CQU), Greenhill Road, Wayville. The course was delivered by lecturers at CQU.

### ICAM training

This two-day, face-to-face course is a comprehensive education in best-practice ICAM (Incident Cause Analysis Method). Successful participants receive the qualifications to supervise incident investigations in their workplace, as well as access to the tools needed to manage an investigation.

Two ICAM courses were delivered in September 2022.



### Physical evidence management training

This training provides Inspectors with procedures relating to physical evidence. The outcome of this training is to ensure there are consistent and practical approaches to evidence collection techniques.

Physical evidence management training was delivered in February 2023.

### Critical competency record

During the year-long IDP, inspectors are required to complete their Critical Competency Record (CCR). This sets out a range of competencies and related tasks that inspectors and investigators must work through. Throughout this process, support is provided by Team Leaders and Principal Inspectors. Once the CCR is successfully completed with all tasks having been signed off by delegated staff, inspectors are granted their full powers.

### Our trainers

SafeWork SA's training programs are evaluated for quality assurance and are recognised as being relevant and effective. The Regulator is reliant on its own internal staff to deliver training. Many staff are involved in delivering training in the Inspector Foundation Course and/or technical trainings. Our trainers are the experts in their fields and take pride in sharing their knowledge, skills and experience with others in the agency. Our thanks and appreciation go to all trainers in the agency who give up their time to assist with delivering programs.

# Staff Engagement

## New PRISM intranet

As one of the final parts of the ‘moggling’ process that has seen SafeWork SA move back to the Attorney-General’s Department from the Department of Treasury and Finance, a new intranet was built on AGD’s Sharepoint platform.

The Squiz intranet platform, which had been in operation since 2019, was ‘switched off’ on 30 June 2023 when the website management contract with PIRSA ended.

The content for the new site was reviewed as part of a PRISM project that concluded in February 2023.

The communications team built the new website between February and May with support from AGD ICT. The new site launched on 1 June 2023.

The new site is similar in looks and functionality to the AGD intranet and provides an easy-to-navigate and fresh-looking home for all of our internal news, staff updates, internal documents and other pertinent information.

## Talking Shop

A weekly ‘Talking Shop’ news segment on the PRISM intranet launched in March to keep staff informed about operational happenings within the agency and team milestones.

The weekly snippets aim to share information about projects, investigations, campaigns and legislation to grow knowledge and interest across the teams.

## PAW Survey

From Monday 1 May 2023, SafeWork SA rolled out the People at Work (PAW) survey across the agency.

PAW is a free and validated Australian psychosocial risk assessment survey. The survey assesses several of the most common psychosocial hazards and factors within a workplace.

SafeWork SA, along with all other state and territory regulators, funded the development and implementation of this tool. It's a tool that is free to Australian businesses with the aim to help create psychologically safe and healthy workplaces.

The Agency will implement PAW to ensure we are the best we can be when it comes to creating our own psychologically safe and healthy workplace.

We are committed to using survey results to inform continuous improvement to workplace health and safety.

## 360-degree feedback

Each year SafeWork SA's leaders undergo a 360-degree feedback process to gather information to support the growth of their strengths and identify important development priorities.

In 2022–23 the program included the executive team as well as managers. The process gives leaders insights into their leadership and management style, and allows them to make changes in their approach to dealing with work, problems, solutions, and people.

The process provides direct reports, colleagues, managers and external contacts to provide honest and comprehensive feedback on SafeWork SA leaders.

The results are compiled into a report for each leader undertaking the process. Leaders can then compare their own self-perceptions with those of others who have provided feedback on important competencies and behaviours.

# Body Worn Cameras

SafeWork SA prepared for the implementation of the use of body worn cameras in the second half of 2023.

A great deal of work was undertaken to support the use of body worn cameras as operational equipment for compliance and enforcement staff. This included the development of key policy documents outlining when the use of body worn cameras is optional and when it is mandatory. Training material was developed and delivered to all compliance staff in the use of the cameras.

SafeWork SA will use body worn cameras in the following circumstances:

- ◆ when responding to a critical event such as a fatality, serious injury or dangerous incident
- ◆ when responding to matters where there is an immediate or imminent risk to health and safety
- ◆ where an inspector has been appointed to resolve a dispute in relation to a work health and safety entry permit holder matter
- ◆ where it has been identified that a client may be aggressive.

Inspectors may use body worn cameras in other circumstances, including:

- ◆ routine compliance activities
- ◆ proactive compliance campaigns
- ◆ when an Inspector has determined there is a reasonable need to use a body worn camera when attending a workplace.



# Independent Review

The Hon Kyam Maher MLC, Minister for Industrial Relations and Public Sector, announced the commencement of an independent review of SafeWork SA on 21 September 2022, as part of a commitment of the Labor Government prior to the 2022 state election.

John Merritt commenced his independent review in late September 2022, and the Review's Terms of Reference were published in December 2022.

These included a focus on:

- ◆ The effectiveness of SafeWork SA's compliance and enforcement functions including complaints, inspections, investigations, prosecutions, and witness and family support.
- ◆ SafeWork SA's implementation of recommendations arising from the 2017 review undertaken by a Senior Prosecutor from the Office of the Director of Public Prosecutions, 2018 evaluation by the Independent Commissioner Against Corruption, internal audit recommendations, and coronial inquests into workplace deaths.
- ◆ Appropriate measures to ensure that workers and their representatives (including Health and Safety Representatives), and the families of deceased workers, have a genuine voice in the complaints, investigation, and enforcement process.
- ◆ Engagement between SafeWork SA and other government agencies to monitor and improve workplace safety.
- ◆ Recommendations as to any other matters that may arise during the review.

The review included a four-week period of public consultation, which closed on Friday 21 October 2022.

During this time, businesses, workers, industry organisations, members of the public and SafeWork SA staff were invited to make submissions.

Mr Merritt received 29 written submissions and held 55 separate meetings with individuals and groups, including some current and former SafeWork SA staff.

The review was completed in December 2022.

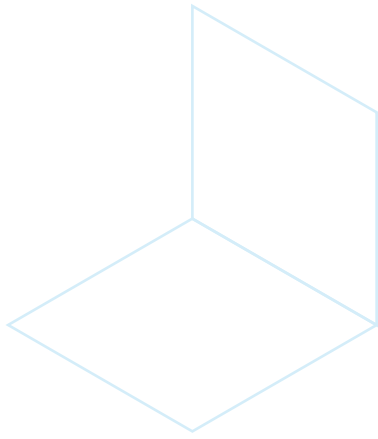
The Government released its response and made the review public on 25 January 2023.

It also published its preliminary response to the review's 39 recommendations.

Of those, the Government has accepted (either wholly, in part or in principle) 25 recommendations, committed to further consultation with stakeholders on 10 recommendations, and not accepted four recommendations.

The review found that SafeWork SA's significant reform program over the past five years has resulted in more disciplined and professional investigative processes.

It also found that injured workers and their families can be confident that future workplace tragedies will be properly investigated.



As part of its preliminary response, the Government committed to the immediate establishment of a stakeholder advisory committee to SafeWork SA.

The review recommends that SafeWork SA work more closely with key organisations such as employer associations, trade unions, and health and safety representatives.

It also makes recommendations for changes to internal practices and procedures at SafeWork SA, including making it easier for inspectors to spend more time conducting inspections rather than administrative work.

The review endorses the recommendations of last year's review into the death of outback nurse Gayle Woodford by retired Federal Court judge John Mansfield AO KC.

It further recommends that the Government consult on a small number of further legislative amendments to the *Work Health and Safety Act 2012* to improve work health and safety.

The independent review found that SafeWork SA has made significant improvements in recent years that have increased confidence in our investigative processes.

This review provides SafeWork SA with an opportunity for further improvements.

The Agency looks forward to working with the Government to implement the accepted recommendations arising from the review.

The agency acknowledges and thanks the individuals and organisations that participated in the public consultation.

SafeWork SA will continue to work closely with staff and external stakeholders to fulfil its role of South Australia's Work Health and Safety Regulator.

## Progress on implementing recommendations from the Mansfield Review

Work is continuing in response to Mr Mansfield's recommendations, including the consideration of legislative options to enable more information to be provided to families about workplace incidents.





# Prioritising safety



## News

News items are published regularly on the SafeWork SA website and are promoted on the agency's social media platforms.

These articles are sometimes also pitched to broadcast media or sent to mainstream media and specialist WHS news sites for consideration.

In 2023–24, SafeWork SA published 86 news items. These included media releases about successful prosecutions, promotion of activities such as National Safe Work Month, updates on legislative changes and coverage of compliance campaigns.

### **Compliance failures lead to asbestos licence suspensions**

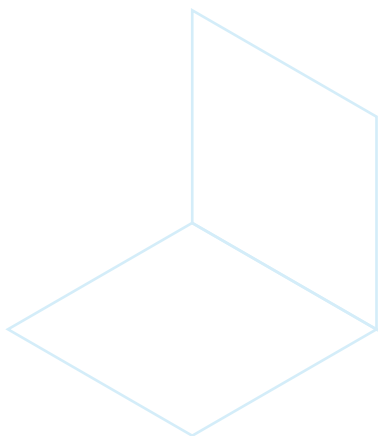
SafeWork SA has suspended another two asbestos licences following separate incidents on Adelaide work sites in recent months.

A South Australian asbestos assessor had their licence immediately suspended while an asbestos removalist and demolition contractor had their class B licence suspended for a period of three months, both in March.

An Asbestos Assessor Licence allows a person to carry out air monitoring before and during licenced asbestos removal work, and to carry out clearance inspections and issue clearance certificates following the completion of asbestos removal work.



The asbestos assessor failed to take reasonable care to carry out licensed asbestos assessor work safely and competently by issuing a clearance certificate without undertaking a proper and effective clearance inspection. They also failed to set-up an adequate number of air monitors on three separate asbestos removal jobs.



### **Fashionably late closing time for Rundle Mall shops**

Shops in Adelaide's Rundle Mall precinct will be allowed to trade until 7pm on Saturday as part of ADL Fashion Week festivities.

The Hon Kyam Maher MLC, Minister for Industrial Relations and Public Sector has granted an exemption under the *Shop Trading Hours Act 1977* for non-exempt shops situated within the precinct to stay open for an additional two hours from 5pm to 7pm on Saturday 8 October 2022.

The exemption follows a request from the Adelaide Economic Development Agency and coincides with the ADL Fashion Week, which runs from 6–9 October.

Rundle Mall precinct incorporates the land and retailers operating within the boundaries of the southern side of North



Terrace, the eastern side of King William Street, the northern side of Grenfell Street and the western side of Pulteney Street.

ADL Fashion Week celebrates the fabric of fashion in the city and includes a range of free and ticketed events and experiences.



### Partnership targets retail violence

SafeWork SA has joined forces with the largest private sector trade union in Australia to tackle abuse and violence in the retail industry.

SafeWork SA has signed on to the Shop, Distributive and Allied Employees Association's nationwide industry statement pledging to eradicate customer abuse from the retail and fast-food industries.

SafeWork SA joins more than 50 industry groups and major companies in signing the industry statement including Coles, Woolworths, ALDI the Reject Shop, Kmart, Myer, David Jones, National Retailers Association and Australian Retailers Association.



The industry statement pledges support for the eradication of customer abuse and violence, as well as agreeing to encourage and facilitate the reporting of all forms of customer perpetrated abuse and violence towards workers, including sexual harassment and assault.

The partnership follows a state-wide SafeWork SA campaign, which launched mid-year, aiming to reduce work-related violence and aggression in the retail sector.

### Construction workers busting for better toilet access

SafeWork SA is urging businesses that conduct construction activities to provide clean and reasonably located toilets for workers after a recent report found that a lack of access to hygienic toilets was a major gripe among workers.

A review of SafeWork SA's database found the construction industry accounted for 42 per cent of 765 complaints associated with toilets in the past decade.

Construction also accounted for half of all toilet-related improvement notices.

SafeWork SA has published new guidance on toilet facilities at construction sites in collaboration with the South Australian branches of the Communications, Electrical and Plumbing Union, Construction, Forestry, Mining and Energy Union, Master Builders and Civil Contractors Federation.

Construction work activities include contractors such as trades, communications and utilities.

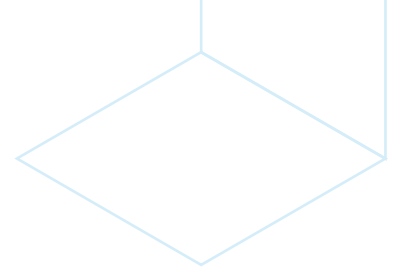


The campaign is in an education phase with compliance checks scheduled for the second half of this year.

SafeWork SA Executive Director Glenn Farrell said most complaints were associated with unhygienic portable toilets.

‘Portable toilets need to be maintained and serviced in a hygienic way to minimise the risk of infections and disease for workers and the public,’ he said.

‘A safe construction site starts with the fundamental basics of having a clean toilet, equipped with the necessary facilities, and we’re seeing an unacceptable number of improvement notices being issued in the residential construction sector.



# Safety Alerts

Safety Alerts are published in response to workplace incidents that provide important opportunities to raise current and emerging safety issues.

These alerts provide industry with information regarding key risks and hazards for equipment, workplaces and work situations.

SafeWork SA publishes Safety Alerts on its websites and distributes them through social media and its monthly e-newsletters.

In 2022–23 the agency published 29 Safety Alerts, up from 17 the previous year.

Several Safety Alert examples follow.

## High-pressure cleaning leads to asbestos contamination

An incident where a home and a neighbouring house were contaminated with asbestos after a contractor used a high-pressure water cleaner is being investigated by SafeWork SA.

The painting contractor used a high-pressure water cleaner on a residential asbestos cement roof to prepare it for painting on 20 January.

The high-pressure water delaminated the asbestos roof sheet surface.

A slurry contaminated with asbestos fibres washed out of the downpipes onto the



driveway and neighbouring property.

SafeWork SA reminds painting professionals and other contractors that high-pressure water cleaning of asbestos cement material is prohibited.

### Heater fire prompts safety warning

A fireball that seriously burned a male worker at an Adelaide hotel has prompted a SafeWork SA warning about the dangers of re-fuelling heating devices.

Alcohol fuelled devices – also known as ethanol burners and ethanol fireplaces – are sold for heating and display purposes.

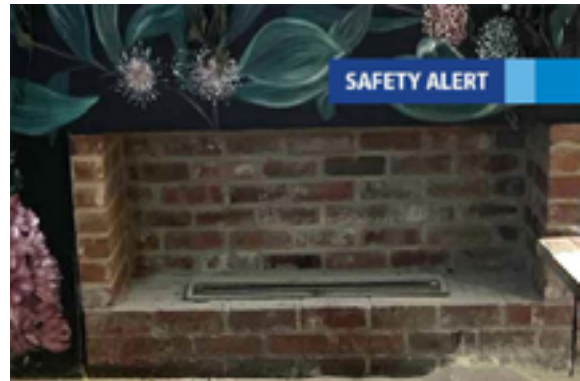
Burners are typically fuelled with liquid ethanol. The most common form is methylated spirits, often marketed as bio-ethanol or eco-fuel.

On Friday, 2 June 2023, a hotel worker was topping up the fluid in an ethanol fireplace when the vapour exploded. The fireball resulted in serious burns to the worker's body and fire damage to the surrounding area.

The worker was admitted to hospital in a critical condition.

A mandatory safety standard for decorative alcohol-fuelled devices sold in Australia was introduced in July 2017. According to the standard, devices must:

- ◆ be a permanent fixture, or weigh at least 8kg and have a footprint of at least 900 sq cm



- ◆ meet the stability test set out in the European Standard
- ◆ be supplied with a fuel container with a flame arrester or an automatic fuel pump system
- ◆ be labelled with the prescribed warning.

To manage risks, a safe system of work must be developed to ensure control measures are in place to eliminate ignition hazards prior to refuelling, including:

- ◆ considering the positioning of equipment for safe access
- ◆ only using the recommended fuel for the device
- ◆ checking the flame is extinguished and ensuring the device is cool.

### Poor form leads to concrete collapse

Builders and contractors are being urged to ensure metal deck formwork systems are installed and inspected in accordance with the design instructions following two notifiable dangerous incidents where single prop formwork systems have collapsed during a concrete pour.

In the past few weeks, SafeWork SA has been notified of two notifiable dangerous incidents where single prop formwork systems have collapsed during a concrete pour.

On November 5, while pouring concrete onto the second floor, a formwork section collapsed falling approximately three metres. Eleven workers were in the vicinity at the time of the incident.

Initial enquiries found inadequate propping to support the weight of the load and that the formwork and supporting structures system had not been inspected and certified by a competent person against the design specifications to ensure the system was structurally sound.

On October 25, a formwork section collapsed during a concrete pour. A worker who was vibrating the concrete jumped backwards and was grabbed by another worker after



they felt the top flooring sheets fall.

While the formwork and supporting structures system had been inspected and certified by a competent person as structurally sound 10 days before the incident, initial enquiries found inadequate propping to support the weight of the load.

A concrete pre-pour checklist failed to identify that 11 props were either not installed or had been removed.

Single prop formwork systems are always at risk of collapse as opposed to scaffold or form work frame systems. When single props are used, they must be secured, such as bolting the base plate to the slab, if one exists, or nailing it to a large sole board or 6"x 4" timber or laminated veneer lumber (LVL).

### Sharp edges carry a load of danger

SafeWork SA is reminding businesses of the dangers of using soft slings on materials with corners, after a 2.2 tonne load fell at a work site.

The 18 May incident occurred after the synthetic fibre sling used to secure the load was severed against a sharp edge.

A SafeWork SA investigation identified that the load was secured by two soft slings, each with a 3-tonne working load limit.

While the crane crew were lifting and slewing the load, one of the slings slipped resulting in a complete cut to the soft sling.

This caused one end of the load to hit the ground and the second soft sling to sustain partial cut damage.

Sudden failure of soft slings can result in serious or fatal injuries.

Failure commonly occurs when soft slings are damaged by sharp edges, either on the load or as a result of coming into contact with obstructions.



Excessive exposure to UV light, dirt, chemicals or oils can also contribute to wear.

These failures can occur even when using soft slings below their working load limit.

While soft slings are well suited to certain applications, they have a number of limitations.

One of the most common causes of failure when using soft slings is lifting a load that has an edge with a small radius rather than a rounded edge.

Where a soft sling comes into contact with a relatively sharp edge of a load, appropriate cut-resistant material (such as a protective sleeve or pad) should be used between the sling and the edges of the load.

### Don't get trapped by stored energy

SafeWork SA is warning shooting clubs that use clay target throwers about the dangers of stored energy after a volunteer suffered a serious head injury last month.

The volunteer was preparing a clay target throwing machine, known as a trap, before a shooting event in May 2023.

While inspecting the trap to check its alignment height, the volunteer observed the machine had started to throw broken clay targets and one had lodged in the spring-loaded throwing arm, causing the device to malfunction.

As the volunteer bent down to remove the obstruction, the machine activated, striking them on the top of their head, causing a severe laceration.

SafeWork SA inquiries into the incident are continuing.



Stored energy refers to an amount of potential energy which is accumulated within a medium such as a spring, pneumatics, hydraulics or gravity, which can have damaging consequences if released suddenly. Each has its own unique technique for removal or control of the inherent risk of stored energy.

To reduce the risk of incidents and injuries occurring from the use, maintenance and repair of trap machines, clubs are advised to minimise the risks by applying measures from the "Hierarchy of Controls".

# Let's Talk Safety

In January 2023, SafeWork SA launched a Let's Talk Safety section on its website to provide a home for seasonal news content and blogs to attract visitors to the site so they could discover more details about subjects of interest.

The 15 blogs published from January to June covered a variety of topics from superannuation, to working in heat, combatting workplace fatigue and bushfire planning tips for businesses. A selection is included below.

The style of writing and use of headings and lists improves the agencies search engine optimisation (SEO) in internet searches, which helps attract more visitors to our online resources.

## Bushfire planning tips for businesses

Bushfires occur every year in South Australia and can have a devastating impact on businesses and families.

Sadly, bushfires are killers, taking the lives of people, livestock, pets and wildlife.

Every business faces different circumstances. Business planning will depend on how and where you operate and the goods and services offered.

### Things to consider when putting together a business bushfire plan

Business critical considerations:

- ◆ Can you change how, when and where you operate to reduce the risk of bushfire on your business?
- ◆ Are you confident that you could keep your staff and customers safe during a bushfire?
- ◆ Would your business still be able to operate after major and ongoing impacts such as road closures, loss of power or damage to infrastructure?

### What should a business bushfire plan include?

A bushfire plan for a business should address actions and strategies to be implemented before a bushfire, during a fire and after a fire.



Preparations that can be made ahead of fire danger season include reducing fuel loads on your work site by cutting long grass, checking equipment such as fire extinguishers and sprinkler systems and making sure insurances are adequate and up to date.

Having a bushfire plan in place will provide workplaces with a step-by-step strategy to follow during a bushfire emergency. Having this on hand during this high-stress time will help ensure critical actions are not missed and everyone stays safe.

Contingency plans for after a fire such as business adaptation and staff health checks are also important.

The CFS publishes a detailed Bushfire Safety Guide for Business, which is a crucial resource for businesses and provides more detail about what to consider when creating a plan.

### What does a healthy workplace look like?

A safe and healthy workplace is essential to maintain the physical and mental wellbeing of all workers.

When it comes to examples of healthy workplaces, it is hard to look past global tech giant Google with its free food, in-house masseurs, nap pods and games rooms.

The benefits of providing a healthy work environment for staff can be achieved without the big budget required to set up a dreamy list of glitzy perks.

The World Health Organisation defines a healthy workplace as one where workers and managers collaborate to continually improve the health, safety and wellbeing of all workers and by doing this, sustain the productivity of the business.



Healthy workplaces also strike a balance between removing harmful conditions that can cause injury and illness and providing an abundance of health-promoting initiatives.

The Healthy Workplaces Service launched in South Australia in October 2022.

The service provides free information, resources and support to help create healthy, safe and thriving workplaces.

### Long service leave explained

Australia is the only country in the world to have a legislated long service leave system and the rules in the state of South Australia are the most generous.

Full-time, part-time and casual workers in South Australia are entitled to 13 weeks additional leave after 10 years of continuous service with a pro-rata entitlement kicking in at the seven-year mark.

Long service leave was introduced in recognition of Australia's isolation at the bottom of the world to allow workers and their families the time to travel back to the UK or Europe to visit relatives.

This extra leave was especially important back in the days when the majority of overseas trips from Australia were by ship, taking a number of weeks to complete.

The scheme started in South Australia in the 1960s. In those early days, employees had to work 20 years with the same employer to be eligible.

#### How is long service leave calculated?

Since 1987 in South Australia, long service leave has accrued at 1.3 weeks per year but cannot be taken until a worker has



been with the same employer for a decade. In most other Australian states workers accrue long service leave at a rate of about 0.87 weeks per year, allowing them two months of paid leave after a decade.

Long service leave only recognises full years of service and must be paid out in full when a worker finishes up with an employer.

For example, if an employee leaves a job after 12 years and six months without taking any long service leave, they are entitled to 15.6 weeks' pay ( $12 \times 1.3$  weeks).

For part-time workers, total pay is calculated by their average weekly hours over the previous three years (156 weeks), multiplied by their final hourly rate of pay, multiplied by 1.3 weeks per year.

## Seven tips to survive a hot day at work

Do you work outdoors? Here are our top tips to help you prepare and get through a hot day at work.

There are many benefits to working outside such as an abundance of fresh air, plenty of natural light to help generate Vitamin D and the feeling of freedom only the great outdoors can provide.

On the downside, working under the sun can be a major hazard. Outdoor work during times of extreme heat can cause serious illness, including heat exhaustion and heat stroke.

We've compiled seven tips to help you stay cool on the job site this summer:

### 1. Drink plenty of water throughout the day

Staying hydrated will help regulate your body temperature. Make sure you take plenty of breaks and have a supply of cold drinks available throughout the day.

### 2. Apply sunscreen frequently

The ultraviolet radiation from the harsh summer sun is intense during hot weather. Sunscreen acts as a shield against these rays, adding a layer of protection against the heat that reduces the risk of sunburn and skin cancer. As an added bonus, sunscreen also helps preserve your skin and minimises premature ageing and wrinkling. Slap on that sunscreen 20 minutes before you start working outdoors and reapply every two hours.

### 3. Wear clothes that cover the arms and legs

In hot weather we tend to wear fewer clothes. Covering up the arms and legs adds another layer of protection against the sun and its powerful rays. Loose fitting clothes are most suitable as they allow airflow between clothes and the skin to increase evaporation and permit excess heat to escape to help you keep cool.

### 4. Wear a hat

Hats have been used by workers as sun protection since the construction of the Egyptian pyramids around 2500BC, and for good reason. Hats protect your face,



ears and neck from the sun. A wide-brimmed hat will keep your face shaded any time of the day. If your job requires you to wear a hard hat or helmet, use a brim attachment for best protection.

### 5. Take frequent rest breaks in the shade

This will limit your sun exposure. It's also a great opportunity to have a rest and cool down. If you have a long day of work to get through, frequent breaks will reduce the chance of over-heating and are the perfect time for a drinks break.

### 6. Consider adapting the work schedule around the hottest times of the day

During heatwaves, a modified workday is recommended. The hottest part of the day is generally mid-to-late afternoon in summer, so consider starting outdoor work earlier during the cooler part of the day and heading indoors when the mercury rises.

### 7. Gradually acclimatise your body to working in the heat

Acclimatisation means preparing your body to adapt to the heat. People who are acclimatised to the heat can sweat more efficiently and find it easier to maintain a normal body temperature. To acclimatise to the heat, you must gradually increase your exposure time to a hot environment over a 7 to 14-day period. New workers will need a longer time to get used to the heat than workers who have already had some exposure. Be careful to not push yourself too much, as a person's body can only adapt to the heat to a certain limit.

Speak to your manager to find out if your employer has an acclimatisation program to help you manage the risk of heat exhaustion.

### Saluting a safety pioneer on International Women's Day

Augusta Zadow was a trailblazer of women's suffrage in the 1890s.

Like South Australian women's rights pioneer Catherine Helen Spence before her and Roma Mitchell several decades later, Augusta Zadow has a lasting legacy worth celebrating on International Women's Day.

Augusta was an advocate for women's rights in the workplace and became South Australia's 'First Lady Inspector of Factories' in 1895. She was a woman ahead of her time, with many of the working conditions women enjoy today attributable to her advocacy.

Born in Germany, Augusta met her husband Christian, a tailor and political refugee, in London. The couple married in 1871 before emigrating to Australia with their young son in 1877.

Augusta became an advocate for women working in clothing factories and was a major contributor to the establishment of the Working Women's Trades Union in 1890. She was also a delegate to the United Trades and Labour Council of South Australia.

An outspoken supporter of women's suffrage, following the franchise of women in South Australia in 1894, she was appointed by SA Premier Charles Kingston as a factory inspector to monitor working conditions for women and children.



The inaugural Augusta Zadow scholarships were introduced in 1994 to commemorate the centenary of the Factories Act and Women's Suffrage in South Australia in recognition of her work.

SafeWork SA's annual Augusta Zadow Awards were introduced in 2005 and have since granted about \$400,000 to help meet the costs of a work health and safety initiative that benefits working women, research or further education.

This year's awards will open in May with entries closing in August. Winners will be announced in October, as part of National Safe Work Month celebrations.

International Women's Day is celebrated globally on 8 March as a focal point in the women's rights movement, bringing attention to issues such as gender equality, violence and abuse against women.

# Compliance campaigns and audits



## Asbestos Audits

In 2022–2023, SafeWork SA implemented five asbestos audits in support of the National Strategic Plan's (NSP) priority.

The NSP aims to improve asbestos awareness to influence behavioural change. Its target is that all regulators have in place, and have implemented, asbestos compliance programs.

The aim of the asbestos audits were to ensure that persons with responsibility for managing asbestos and asbestos licence holders were complying with their obligations under work health and safety laws.

The regulations require the person with management and control of the workplace to manage the risk of asbestos exposure by:

- ◆ identifying asbestos
- ◆ labelling asbestos
- ◆ preparing an asbestos register
- ◆ where asbestos has been identified, preparing an asbestos management plan
- ◆ reviewing and revising the asbestos register prior to demolition or refurbishment commencing
- ◆ engaging a competent person to determine
- ◆ whether asbestos is fixed to, or installed in, a structure or plant where an asbestos register is not available.



**164 asbestos licence holders** – class A 17, class B 69, assessors 79

SafeWork SA administers three types of licences associated with asbestos removal work:

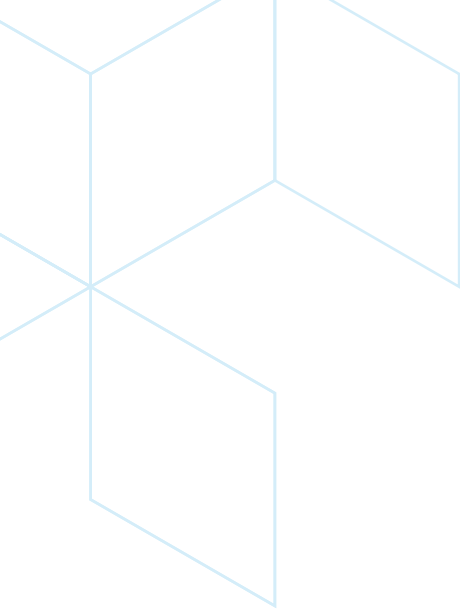
- ◆ Class A – Friable Asbestos
- ◆ Class B – Non-Friable (Bonded) Asbestos
- ◆ asbestos assessor.

### Asbestos management

Between 1 May and 30 June 2023, SafeWork SA undertook a follow-up agency-wide compliance campaign focused on asbestos management and the management of asbestos prior to demolition and refurbishment.

The asbestos management campaign supported the NSP target that all commercial buildings which are required by law to maintain asbestos registers, have up-to-date registers and management plans that are actively being implemented.

The objective of the campaign was to improve the management of asbestos by persons with management and control of a workplace to minimise the risk of exposure to airborne asbestos fibres.



SafeWork SA conducted 70 audits of workplaces during the campaign, resulting in 51 Improvement Notices. The top four notices issued were:

- ◆ 34 no asbestos register
- ◆ 7 asbestos register not maintained
- ◆ 5 asbestos management plan not maintained
- ◆ 2 no asbestos management plan.



**61% of audits identified non-compliance**

#### **Asbestos management – demolition or refurbishment**

To support the asbestos management campaign, SafeWork SA undertook a follow-up audit on demolition or refurbishment work.

The objective of the campaign was to ensure that persons with management and control of a workplace are meeting their asbestos management obligations prior to demolition or refurbishment work commencing, and to monitor compliance of asbestos licence holders.

During the audits, inspectors attended 42 licensed asbestos removal sites and performed a total of 95 compliance audits across multiple duty holders.

These included:

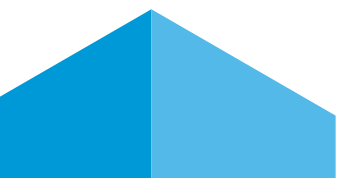
- ◆ 39 persons who commissioned the work
- ◆ 28 licensed asbestos removalists
- ◆ 28 licensed asbestos assessors.

A total of 30 statutory notices were issued, consisting of 12 prohibition notices and 18 improvement notices. The top four notices issued were:

- ◆ 6 independence of licensed asbestos assessor
- ◆ 4 VET certificate not available at the removal area
- ◆ 3 workers wearing a tight-fitting respirator and not clean shaven
- ◆ 3 decontamination without controls in place to minimise airborne asbestos fibres.



**66% of audits undertaken met compliance**



## Asbestos Licence Holder Audit

The aim of the Asbestos Licence Holder Audit was to ensure that asbestos licence holders were complying with their obligations under work health and safety laws.

The first phase of this proactive campaign was initiated by SafeWork SA in July 2022. This involved inspectors attending sites where licensed asbestos removal work was taking place.

Asbestos removalists whose licence was up for renewal in 2022 or 2023 or had been recently sanctioned were selected for auditing.



**78% of targeted asbestos removalists were audited**

Between July and December 2022, SafeWork SA inspectors audited 50 sites associated with licensed asbestos removal work and completed 94 audits.

- ◆ 48 licensed asbestos removalists
- ◆ 46 licensed asbestos assessors.

A total of 69 statutory notices were issued, consisting of 14 prohibition notices and 55 improvement notices. The top six notices issued were:

- ◆ 10 workers wearing a tight-fitting respirator and not clean shaven
- ◆ 8 workers wearing a tight-fitting respirator and not fit-tested
- ◆ 6 inadequate decontamination facilities
- ◆ 6 asbestos removal control plan not prepared
- ◆ 6 asbestos removal control plan not given to the person who commissioned the work
- ◆ 6 independence of licensed asbestos assessor.

During this period, four letters of warning and reminder of legal obligation were issued.

Phase two of the campaign was initiated in response to the number of non-compliances identified in phase one.

Asbestos removalists audited during the campaign were randomly selected.

Between January and April 2023, SafeWork SA inspectors attended 38 asbestos removal notifications and conducted 72 audits of:

- ◆ 36 licensed asbestos removalists
- ◆ 36 licensed asbestos assessors.

A total of 49 statutory notices were issued, consisting of 11 prohibition notices and 38 improvement notices. The top five notices issued were:

- ◆ 7 asbestos removal control plan not prepared
- ◆ 7 inadequate personal protective equipment
- ◆ 6 workers wearing a tight-fitting respirator and not clean shaven
- ◆ 5 independence of licensed asbestos assessor
- ◆ 4 inadequate number of air monitors for the quantity of asbestos being removed.

During this period, SafeWork SA:

- ◆ Immediately suspended, and subsequently cancelled an asbestos assessor for 5 years
- ◆ Immediately suspended, and subsequently cancelled two licensed asbestos removalist for 1 year
- ◆ Suspended a licensed asbestos removalist for 1 year
- ◆ Suspended a licensed asbestos removalist for 3 months
- ◆ Refused to grant the renewal of an asbestos removal licence
- ◆ 13 letters of warning and reminder of legal obligations were issued
- ◆ \$2220 expiation – Licensed asbestos removalist failed to ensure that asbestos removal work, authorised by the licence, was supervised by a supervisor named to the regulator by the licence holder.
- ◆ \$2220 expiation – Licensed asbestos removalist failed to give a copy of asbestos removal control plan to person who commissioned the work.

## Asbestos Removalist Licence Conditions – Desktop Audit

Licensed asbestos removalists are required to notify SafeWork SA at least five days prior to commencing licensed asbestos removal work. Notification to SafeWork SA is via an online notification portal.

As part of their licence conditions, licensed asbestos removalists are also required to upload a Clearance Certificate within five days of job completion.

Clearance Certificates must include results of air monitoring for each asbestos removal job. This confirms that airborne asbestos fibres were at a non-detectable level at the time that work was undertaken and that no visible asbestos contamination has been left in the removal areas and immediate vicinity.

Asbestos removalists must also upload a Waste Transport Certificate within 14 days of job completion.

The Waste Transport Certificate confirms that asbestos waste was disposed of at a licensed waste facility.

Between January and April 2023, SafeWork SA conducted a desktop audit of asbestos removal job notifications. The audit was designed to provide education and assistance to licence holders to encourage ongoing compliance with their licence conditions. Enforcement action was considered where multiple non-compliances were identified.

- ◆ During this period, SafeWork SA audited the asbestos removal notifications of 92 licence holders across 1,002 asbestos removal notifications. The audit identified 974 instances of non-compliance.
- ◆ 9 Asbestos Licence Holders have not notified of any asbestos removals during their licence period
- ◆ 736 notifications were completed within one day of the estimated completion date
- ◆ 190 notifications had excessive timeframes from commencement to completion date
- ◆ 432 Waste Transport Certificates were not uploaded within the required 14 days or were inaccurate
- ◆ 122 had a waste disposal date before the clearance certificate was issued
- ◆ 230 Waste Transport Certificates showed the waste wasn't disposed of as soon as practicable after the completion of the job

SafeWork SA issued 17 improvement notices and 9 letters of warning and reminder of legal obligations as a result of the audit.



## Accredited Assessor National Assessment Instrument (NAI) Desktop Proactive Campaign

SafeWork SA administers 29 types of licences associated with high risk work and has 91 South Australian accredited assessors.

Desktop audits were designed to evaluate accredited assessor compliance with the accredited assessor conditions.

Between February and April 2023, SafeWork SA conducted desktop audits of 42 licensed asbestos assessors and issued:

- ◆ one Prohibition Notice
- ◆ 30 Improvement Notices
- ◆ 34 letter of reminder of legal obligations.

The top three notices issued were:

- ◆ 11 altered, amended and or reproduced NAI
- ◆ 10 not exercising judgement. Not conducting assessments in accordance with guide for assessors
- ◆ five failure to give five-days notification of impending assessments.

The audits identified 148 non-conformances with accredited assessor licence conditions and consisted of:

- ◆ 73 NAI assessments were not completed in accordance with the NAI instructions
- ◆ 36 applications for assessment form were identified as no being complete and correct
- ◆ 22 without giving 5-day notifications to conduct NAI assessments
- ◆ 11 NAI assessment summaries were not complete
- ◆ four where the evidence of identity was not retained
- ◆ two notice of satisfactory assessment and portal data did not match the retained proof of evidence.

## Electrical Safety Proactive Compliance Campaign 2022

Electricity can kill or severely injure people and cause damage to property. However, simple precautions can be taken when working with electrical equipment to significantly reduce the risk of injury.

Between 3 October and 31 October 2022, SafeWork SA undertook an all-agency proactive compliance campaign focusing on electrical safety as part of National Safe Work Month and in response to a 9% rise in electric shock notifications compared to the previous financial year and 38% more than 2019–20.



**28%** worksites  
visited resulted in an  
improvement notice

The rise in electric shock incidents resulted in SafeWork SA publishing new guidance information to assist duty holders in managing the risk associated with electrical equipment, these include:

- ◆ electrical risks at the workplace
- ◆ electrical work
- ◆ inspection and testing of electrical equipment.

SafeWork SA Inspectors conducted a total of 104 electrical safety inspections, resulting in 42 improvement notices being issued.

The most common areas of non-compliance identified that resulted in an Improvement Notice being issued, related to:

- ◆ 21 inspection and testing of electrical equipment
- ◆ 17 testing of residual current devices.

## Dangerous Substance Licence Proactive Compliance Campaign

Under the *Dangerous Substances Act*, prior to issuing a licence, SafeWork SA must assess the suitability of the applicant and the premises where it is proposed dangerous substances will be kept, to ensure that the:

- ◆ premises comply with the regulations, and
- ◆ dangerous substances can be safely kept at those premises.

The following classes of substances are declared by regulation to be prescribed dangerous substances:

- ◆ class 2: liquified petroleum gas
- ◆ class 3: flammable liquids
- ◆ class 6: toxic substances, and
- ◆ class 8: corrosive substances

The *Dangerous Substances Act* does not define or specifically require a physical inspection of the premises. SafeWork SA used a risk ranking methodology to determine whether an application requires an inspection based on the:

- ◆ inherent hazards of DS, and
- ◆ environment in which DS will be kept.

During the period 1 July 2022 to 30 June 2023, SafeWork SA Inspectors undertook 266 DS worksite inspections. The audits resulted in 517 statutory notices, against the following classes:

- ◆ 289 – class 2
- ◆ 172 – class 3
- ◆ 56 – class 6 & 8

The top 5 notices issued across all DS licence audits were:

1. 150 – missing/illegible warning signs, instruction or placards
2. 33 – emergency response equipment not available
3. 30 – combustible material within the hazardous zone
4. 24 – emergency plan not prepared or incomplete
5. 20 – nil or exceeding dangerous substance licence.



**57%** of licence applications in FY 22–23 were visited

## Preventing Violence and Aggression in Retail Proactive Compliance

The retail industry is a vital industry in South Australia and contributes significantly towards local employment.

Retail work includes frequent contact with members of the public and introduces many potential hazards and risks to the safety and wellbeing of retail workers including violence and aggression.

SafeWork SA attended 89 retail workplaces around South Australia, including metropolitan and regional locations between June 2022 and January 2023. Sites were selected based on past ReturnToWorkSA data indicating incidents of violence or aggression between July 2018 and June 2021.

During the campaign, Inspectors issued 28 Improvement Notices with the dominant area of non-compliance being a lack of training for workers on dealing with violence, aggression, or armed hold up. This accounted for 42% of all non-compliance identified. A lack of a safe system of work for dealing with violence, aggression or armed hold up was the next highest area of non-compliance which accounted for 14% of all non-compliance identified.

## Major Hazardous Facilities

SafeWork SA currently licences 11 Major Hazardous Facilities within South Australia.

These consist of chemical and fuel storage facilities, major manufacturing and mining sites. As part of the safety case monitoring, these facilities are audited annually with nine audits occurring between 1 July 2022 to 30 June 2023.

A further three proposed Major Hazardous Facilities are under review.

## Lead risk work

SafeWork SA launched a 12-month campaign focusing on lead risk work in July 2022.

During the campaign period, SafeWork SA received 26 confirmed lead risk work notifications.

Work Environment Inspectors conducted 15 desktop audits and 15 worksite audits, including one conducted by a CHEM Inspector. No statutory notices were issued.

Throughout the campaign, the target of 13 audits of lead risk work (50 per cent of notifications received) was exceeded.

While SafeWork SA received significantly fewer notifications of lead risk work during the campaign period than in previous years, the number of notifications received each quarter during the campaign was consistent and the number of audits conducted exceeded the campaign expectation.

## Explosive magazine audit

An explosive magazine audit campaign was conducted from 1 July 2022 to 30 June 2023.

During the campaign, 84 licenced explosive magazines were identified. Of these, 21 were audited and one licence was cancelled.

A quarter of the magazines following audit were found to be non-compliant.

Areas of non-compliance were identified as:

- ◆ no key register for magazine keys
- ◆ lack of maintenance to magazine
- ◆ magazine and surrounds not affording sufficient security to protect against illegal entry.



## Sexual Harassment and Discrimination in the Mining Industry

SafeWork SA launched a campaign in September 2022 aimed reducing the risk of sexual harassment, discrimination and violence in the mining industry.

The campaign included a forum on 29 September in Adelaide for senior managers and safety representatives from major SA mines to share information and gain a deeper understanding of industry best practice.

About 40 senior managers representing all major South Australian mines gathered at BHP's Adelaide headquarters for the event.

Speakers included BHP's Chair of the Olympic Dam Inclusion & Diversity Council Cu Phan, SafeWork SA Executive Director Glenn Farrell and Association of Mining and Exploration Companies General Manager (South Australia) Sam Panickar.

SafeWork SA has also published fresh guidance on its website to remind mine operators and industry stakeholders of their obligations under the *Work Health and Safety Act 2012* and suggest potential controls.

The agency's inspectors are also conducting mine site audits across the state to ensure risks are being appropriately managed. The first of these audits was conducted in April 2023 at OZ Minerals' Prominent Hill mine in the Far North of the state.

SafeWork SA Executive Director Glenn Farrell said the mining industry was chosen as the focus for the campaign because of the isolated nature of FIFO work, the unique mix of workers it engages, and issues identified in larger mining states.

'Sexual harassment, discrimination and violence is firmly a work health and safety risk, as well as a crime under other legislation,' he said.

'Every workplace needs to control the risk of inappropriate behaviours towards workers that can lead to psychological injury.'

Major mining company Rio Tinto released its Report into Workplace Culture in February 2022.

The report found that bullying was systemic within the company and sexual harassment occurred at unacceptable rates.

The Enough is Enough report tabled in the Western Australian Legislative Assembly in June 2022 found that sexual harassment against women in the FIFO mining industry represented 'a failure of the industry to protect its workers'.



## Fleet vehicle branding

The majority of SafeWork SA fleet vehicles have now been branded with the agency's logo to provide a greater visual presence in the community.

The branding of vehicles has significantly increased SafeWork SA's visual presence in the community, dispelling myths that we are not out and about in the field. This is in line with a recommendation in the Independent Review in late 2022.

The branded vehicles also act as a general deterrent and reminder to employers and workers regarding their work health and safety obligations.

SafeWork SA Inspectors and Investigators are now easily identifiable when arriving at the scene of a serious incident or fatality. This is especially important when entering scenes where SAPOL is the lead authority and are awaiting SafeWork SA's arrival. It also brings us into line with other Regulators across Australia.

Some concerns were raised about the need for discretion when visiting witnesses, injured persons or next of kin at their home addresses. Several cars have remained unmarked for this and other purposes.

# Prosecutions

SafeWork SA compliance and enforcement activities may lead to prosecutions being filed in the South Australian Employment Tribunal.

A prosecution may start either by SafeWork SA's own initiative or following consideration of a request from a person under section 231(1) of the *Work Health and Safety Act 2012* (SA).

Prosecutors must prove the relevant elements of the offence and in the case of a Category 1 offence, that the conduct was reckless and without reasonable excuse.

Such offences are prosecuted not only to penalise those who have breached their duty, but also to deter other duty holders from placing people's safety at risk.

In circumstances where the Regulator determines that the potential benefits of education and workplace safety improvements outweigh the penalty of conviction, an Enforceable Undertaking can be entered into.

In 2022–23, there were 14 convictions recorded in the South Australian Employment Tribunal for work health and safety matters, with fines totalling \$2,318,000.

**Pacific Salt Pty Ltd***Martyn Campbell v Pacific Salt Pty Ltd*

Pacific Salt Pty Ltd pleaded guilty and was sentenced in the South Australian Employment Tribunal (SAET) for breaching their health and safety duty and exposing their workers to an unsafe work environment.

In April 2020, a young worker suffered an injury after her right arm was trapped between a roller and the motorised belt of a conveyor.

The return rollers of the conveyor were unguarded, and the conveyor was not fitted with an emergency stop device.

The worker sustained serious injuries requiring hospitalisation and several surgical treatments to her arm.

The SAET convicted Pacific Salt Pty Ltd and imposed a fine of \$75,000 (after discount for early guilty plea) plus legal fees.

3 August 2022

**Maverick Steel Pty Ltd***Martyn Campbell v Maverick Steel Pty Ltd*

Maverick Steel Pty Ltd pleaded guilty to three counts in the SAET for breaches of its duties under section 32 of the *Work Health and Safety Act 2012* after an employee suffered fatal injuries when he fell through a roof in December 2019.

The 51-year-old man was replacing roofing sheets with the company's co-owner at its rented premises in Webb Street, Port Adelaide, when he fell 6.5 metres onto a concrete floor. He did not have any formal training or licences for working from heights. In addition, he was not provided with any safety equipment and was working unsupervised at the time of the incident.

The company was also ordered to install a shed for Kura Yerlo Inc and a plaque dedicated to the deceased 51-year-old man.

Kura Yerlo Inc provides services that allow Aboriginal and Torres Strait Islander persons to learn trade and work health and safety skills.

The company was also ordered to arrange for one of its workers to undertake a Certificate IV in Work Health and Safety within the next 12 months.

The SAET convicted Maverick Steel Pty Ltd and imposed a fine of \$100,000.

12 August 2022

### **Dial-a-tow Australia Pty Ltd and Ahrns Handling Equipment Pty Ltd**

*Martyn Campbell v Dial-a-tow Australia Pty Ltd (First Defendant) and Ahrns Handling Equipment Pty Ltd (Second Defendant)*

Dial-A-Tow Australia and the manufacturer of the tilt tray, AHRNS Handling Equipment, were both charged with contraventions of the *Work Health and Safety Act 2012* (SA) following a SafeWork SA investigation sparked by the death of a worker in 2018.

AHRNS pleaded guilty in the SAET following the withdrawal of some of the particulars of the alleged contraventions. Dial-A-Tow pleaded not guilty and, in those

circumstances, the sentencing of AHRNS was deferred pending the determination of the charge against Dial-A-Tow.

A trainee tow truck driver sustained fatal injuries when he was crushed between a fixed headboard and toolbox behind the cabin of a tilt tray tow truck and a mechanically sliding tray on 14 March 2018.

A conviction was recorded against Dial-A-Tow Australia and a fine of \$600,000 imposed plus legal fees.

AHRNS was convicted and fined \$350,000.

*12 September 2022*

### **Magill Grain Store**

*Martyn Campbell v Magill Grain Store*

A grain store and one of its directors were fined a total of \$112,000 after an employee's hand was caught in machinery at the business in Adelaide's eastern suburbs.

The director and the company both pleaded guilty in the SAET following a SafeWork SA investigation.

Magill Grain Store and the director breached section 32 of the *Work Health and Safety Act 2012* (SA) in that they failed to provide and maintain, so far as was reasonably practicable, safe plant and structures.

On 14 February 2020, the staff member was transferring a delivery of white millet into two portable grain transfer

augers, which were set up back-to-back at the rear of the business premises.

He was not given any specific directions or instructions by the director and had not previously engaged in such a transfer himself. The man's hand was caught in the auger and he sustained a degloving injury, which required surgery and has resulted in some permanent damage. Neither of the augers involved in the millet transfer were guarded and neither had an isolation switch.

The SAET convicted The Magill Store and imposed a fine of \$87,500 (after discount for early guilty plea) plus legal fees.

The director was convicted and imposed a fine of \$24,500 (after discount for early guilty plea) plus legal fees.

*21 September 2022*

### Kara Resources and Taurus Recruitment

#### *Martyn Campbell v Kara Resources and Taurus Recruitment*

A quartzite quarry operator and a labour hire company were fined a total of \$479,000 following the death of a worker in April 2020. Kara Resources, trading as Hallett Resources Truro, and Taurus Recruitment both pleaded guilty in the SAET for breaches of the *Work Health and Safety Act 2012*.

A 29-year-old man suffered fatal head injuries when he entered a cavity of a rock crushing machine and attempted to remove a metal blockage at the quarry near Truro, about 100km north-east of Adelaide.

SafeWork SA's investigation identified that the risk of injury was foreseeable, and the incident could have been avoided had the company had adequate training and safe work procedures in place.

Kara Resources failed to provide and maintain as far as is reasonably practicable:

- ◆ A safe system of work for the task, as it did not perform an adequate hazard identification and risk assessment process specific to the task

- ◆ 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 its business.

Taurus Recruitment failed to adequately consult, cooperate, and coordinate with the host employer to ensure that adequate hazard identification and risk assessments process were in place.

It also failed to ensure that the host employer provided and maintained adequate safe work method statements and documented safe work procedures in relation to the safe operation and safe removal of metal blockages.

The SAET convicted Kara Resources and imposed a fine of \$650,000 (reduced to \$455,000 after a 30 per cent discount for early guilty plea) plus legal fees.

Taurus Recruitment, the labour hire company that employed the worker, was also convicted and fined \$40,000 (reduced to \$24,000 after a 40 per cent discount for early guilty pleas) plus legal fees.

*25 November 2022*

### Allstar Asbestos Services Pty Ltd

#### *Glenn Farrell v Allstar Asbestos Services Pty Ltd*

An Adelaide asbestos removal company was fined \$150,000 after one of its workers fell through the roof of a veranda to his death.

The 58-year-old male employee of Allstar Asbestos Services Pty Ltd was working on a crawl board placed over asbestos roof sheeting, which in turn was resting on timber rafters forming a veranda to a residential dwelling in March 2021.

The rafter immediately below the worker snapped, causing him to fall approximately 2.5 metres through the asbestos sheet roofing onto a concrete slab below the veranda.

He suffered a fatal brain injury.

Allstar was charged under section 32 of the *Work Health and Safety Act 2012* (SA) following a SafeWork SA investigation.

A site inspection was conducted by Allstar's sole director and one other employee at the time, in which it was identified that:

- ◆ a crawl board should be used following concerns over the condition of some rafters above the veranda
- ◆ the placement of a single Acrow prop, a wooden bearer and timber prop under the fascia beam raised concerns
- ◆ Neither the Acrow prop, wooden beam or timber prop were positioned under the rafter that failed, resulting in the tragic incident
- ◆ The safe work procedure undertaken by Allstar identified the use of a harness, but one was not provided to the worker for his use at the time of the incident.

The SAET convicted Allstar and imposed an initial fine of \$500,000, which was reduced to \$300,000 following a 40 per cent discount for an early guilty plea plus legal fees.

The fine was further reduced to \$150,000 after taking into account Allstar's inability to pay the full amount due to its limited financial position, plus legal fees.

*14 December 2022*

### SA Support Services Incorporated

#### *Martyn Campbell v SA Support Services Incorporated*

A not-for-profit organisation providing accommodation and care services for young men with disabilities was fined \$72,000 after one of its staff was sexually assaulted whilst at work in Murray Bridge.

A SafeWork SA investigation found that SA Support Services Incorporated breached its duty to ensure the health and safety of workers it engaged while they were at work.

The SA Support Services staff member was working a night shift in June 2020, which required her to stay overnight at the residence of a client. A client from another SA Support Services residence entered the premises about 8pm and grabbed the support worker from behind, placing his right hand around her neck and his left hand around the left-hand side of her waist. The client then forcibly took the worker through the kitchen and living area

into the office area of the residence. He then attempted to remove some of the support worker's clothing but when the client living in the residence appeared in the doorway of the office, the attacker left.

In 2019 a child and adolescent psychiatrist had provided the opinion that the client suffered from an intellectual handicap, had a psychopathic-type personality disorder, posed a severe danger to others, and required a high level of supervision and support. SA Support Services knew of this risk but failed to adequately address it.

In November 2019, the draft risk plan in relation to the client was converted into a risk profile identifying a range of "behaviours of concern" and supports which could be provided. The risk assessment process was clearly inadequate to identify and address the risk of sexual and physical assault.

The SAET convicted SA Support Services Incorporated and imposed a fine of \$72,000 plus legal fees.

*21 December 2022*

### LC Investing Pty Ltd/As Basic Trailers

#### *Glenn Farrell v LC Investing Pty Ltd/As Basic Trailers*

An Adelaide trailer manufacturer was fined \$180,000 after a young worker lost five fingers in only his second week in the job.

The 18-year-old suffered partial finger amputations to both index and middle fingers and to his left ring finger while working with an inadequately guarded guillotine in November 2020.

Basic Trailers pleaded guilty to the guarding offence under Section 32 of the *Work Health and Safety Act 2012*.

The business was found to have failed to comply with its duty to

ensure the worker's safety, so far as was reasonably practicable, when he was operating a 3-metre long Hydraulic Swing Beam Sheer guillotine to cut steel checker plate.

The inadequate existing guard was hinged and balanced so it could be raised to a fixed position while the guillotine operated. Additionally, there were three gaps where a hand could easily pass under the guard in its fully closed position, and the rear of the guillotine was also unguarded.

The SAET convicted LC Investing Pty Ltd/As Basic Trailers and imposed a fine of \$300,000 fine (after discount for early guilty plea) plus legal fees.

*27 March 2023*

### **Port Augusta Steel Centre Pty Ltd and Geoffrey Glen and Julie Glen**

*Glenn Farrell v Port Augusta Steel Centre  
Pty Ltd and Geoffrey Glen and Julie Glen*

A steel fabrication business and two directors have been fined a total of \$200,000 following serious injuries to a young worker in September 2020.

In September 2020, a 16-year-old apprentice was crushed at work by heavy sheets of steel that fell suddenly from a failed storage rack.

The young worker was working with his supervisor to put away a delivery of steel sheets into the storage racks when the steel in the storage slot moved. The pressure of this movement caused the two posts to snap, with the steel falling onto him in an uncontrolled manner. The worker was pinned between the wall of the workshop shed and 30 sheets of steel weighing an estimated 1,200 kilograms. He sustained a broken femur and soft tissue injuries.

No risk assessment or hazard identification method was undertaken for this task, nor were there any procedures for the unloading of steel delivered to the workplace into storage racks. There was

no evidence of inspection or maintenance for the rack, and the safe working load of the storage rack was unknown.

Port Augusta Steel Centre Pty Ltd was charged with:

- ◆ failure to comply with their work health and safety duty
- ◆ failure to ensure, so far as was reasonably practicable, a safe system of work to provide and a safe system of work for the task, thus exposing their employees to risk of serious injury.

Geoffrey Glen and Julie Glen were charged with failing to comply with their obligations as working directors and exercise due diligence to ensure that the business complied with its health and safety duties.

The SAET convicted Port Augusta Steel Centre Pty Ltd and imposed a fine of \$134,000 (after discount for early guilty plea) plus legal fees.

Geoffrey Glen and Julie Glen were convicted and fined of \$33,000 each (after discount for early guilty pleas) plus legal fees.

*23 December 2022*

**Total: \$2,318,000**

# Enforceable undertakings

SafeWork SA, in its capacity as the work health and safety regulator, may enter into an enforceable undertaking (EU) as an alternative to prosecution through the courts for an alleged contravention of the *Work Health and Safety Act 2012*.

An EU is a written, legally binding agreement between SafeWork SA and the person who proposed the undertaking. The person is obliged to carry out the specific activities outlined in the undertaking. The activities may be substantial.

Benefits of an EU include:

- ◆ significant and ongoing commitments that aim to achieve improved WHS and compliance
- ◆ organisational reform
- ◆ communication with industry peers and the community generally about the consequences of unsafe work practices and the opportunities that putting in place safe work practices can bring.

The Regulator may prosecute a matter if an EU is entered into but not complied with.

In 2022–23 SafeWork SA entered into three EUs with an estimated total minimum spend of \$1,135,106.

### **Oz Minerals**

SafeWork SA accepted an EU from mining company Oz Minerals following an incident in 2020 at its Prominent Hill site.

On 29 October 2020, two unplanned explosions occurred about 4:15pm and underground mine workers reported blast fumes that sparked a mine emergency, resulting in all personnel being directed to refuge chambers. SafeWork SA was notified following the event and an investigation was initiated.

No one was injured in the incident and no mining equipment was damaged.

SafeWork SA accepted an EU from Oz Minerals with a total estimated spend of \$156,845.

The EU included the establishment of a hard-lock firing function for underground purposes, the procurement of additional wireless blasting hardware and the upgrading of the mains firing line to move to a segregated district model.

*23 August 2022*

**Total estimated minimum spend of undertaking: \$156,845**

### **Byrnecut Australia Pty Ltd**

SafeWork SA accepted an EU from underground mining contractor Byrnecut Australia following the same incident as above in 2020.

On 29 October 2020, two unplanned explosions occurred about 4.15pm and underground mine workers reported blast fumes that sparked a mine emergency, resulting in all personnel being directed to refuge chambers. SafeWork SA was notified following the event and investigation was initiated.

No one was injured in the incident and no mining equipment was damaged.

Byrnecut Australia entered into an EU with an estimated minimum spend of \$627,000, which included 16 work practice rectifications, and increase spending on safety.

The minimum spend includes the establishment of a training centre in Adelaide, modelled on its existing Perth centre, which opened in 2019.

*23 August 2022*

**Total estimated minimum spend of undertaking: \$627,000**

### Crane Services Pty Ltd

SafeWork SA accepted an EU from hire company Crane Services Pty Ltd following an incident in 2021.

The crane was being used on a job at Heathfield High when it slid off the outrigger timbers and eventually toppled over.

No one was physically injured, but the psychological impact of such a near miss can still be traumatic for people.

Crane Services Pty Ltd entered into an EU with an estimated minimum spend of \$351,261.

The undertaking included:

- ◆ the employment of a compliance officer to assist with onsite compliance and management of administrative controls

- ◆ implementing a GPS tracking and vehicle immobilisation system so only operators that have been signed off as competent are able to start vehicles
- ◆ developing a training and information session for crane supervisors on geotechnical ground conditions
- ◆ developing an animation video based on the incident and findings to share learning with industry
- ◆ sponsoring an individual to undertake the MATES in Construction Suicide Prevention Program ASIST.

*24 January 2023*

Total estimated minimum spend of undertaking: \$351,261

Total undertakings:  
**\$1,135,106**



# Education activities with industry

SafeWork SA's Education Team undertook a range of education activities with industry throughout 2022–2023.

These included:

- ◆ presentations on the role of SafeWork SA to health and safety representatives undertaking the Level 1 training course
- ◆ presentations to young workers, apprentices and supervisors to improve health and safety outcomes for young or inexperienced workers
- ◆ attendance at industry expos and forums
- ◆ industry engagement and partnerships across multiple sectors
- ◆ acting for the prosecution at a number of mock trials
- ◆ regional presentations
- ◆ educational webinars
- ◆ presentations and promotion of the free People at Work tool.



## Regional Field Days

Field days are a proactive opportunity to engage with key stakeholders and audiences in regional SA. The Education Team, WHS Advisors and WHS Support Officers attended a number of regional field days in 2022–23, including:

- ◆ Kangaroo Island Parndana Show (November 2022)
- ◆ South East Field Day – Lucindale (March 2023)
- ◆ SheepConnect SA – Hawker (March 2023).

Farmers, training providers, industry bodies, unions, businesses and community groups attend these field days. The regional field days are the main avenue to reach large volumes of regional businesses who interact with our staff to discuss work health and safety.

## Healthy Workplaces Service – building a positive and safe work culture

The Healthy Workplaces Service (HWS) is a joint initiative of Wellbeing SA, SafeWork SA, the Department for Industry, Innovation and Science, ReturnToWorkSA and the Office of the Commissioner for Public Sector Employment.

The service was launched in October 2022.

The HWS operates on the principle that ‘prevention is better than cure’ and aims to help employers take proactive steps to build a positive and safe work culture – before challenges arise. The service provides business and organisations of all sizes with;

- ◆ free and practical information and support to create a healthy, safe and thriving workplace
- ◆ tools to identify and address specific health and wellbeing issues within the workplace
- ◆ relevant resources and support to assist in providing a positive and safe work culture
- ◆ recommendations on quality and improvement in the workplace.

SafeWork SA's Paul Findlay was appointed WHS Advisor (Wellbeing) under a co-funding arrangement between SafeWork SA and Wellbeing SA. Paul provided advisory services to a number of South Australian businesses to assist them to build capability to implement an integrated health and wellbeing strategy within the workplace.

## Psychological Health and Psychosocial Risks Forum

A first responders forum was held in February 2023 in collaboration with ReturnToWorkSA and the Office of the Commissioner for Public Sector Employment.

The ‘Strengthening our response – A focus on first responder wellbeing’ forum was held at the Minor Works Community Centre.

The forum was attended by public sector agencies with an emergency response capability such as MFS, CFS, SES, SAPOL, PIRSA and SA Health.

SafeWork SA WHS advisor Jason Mavirkis presented on psychological health and psychosocial risks management and prevention with the aim of raising awareness and facilitating a nationally consistent understanding of this important topic.

An in-person session was also held in collaboration with ReturnToWorkSA and MATES in Construction on ‘Managing Psychosocial Hazards and Risks Workshop’ for the Civil Contractors Federation SA.

A public online workshop was delivered in collaboration with ReturnToWorkSA on Managing Psychosocial Hazards and Risks.



# Supporting health and safety



## People at Work

People at Work (PAW) is a validated Australian psychosocial risk assessment tool that features benchmarking.

The digital platform was launched nationally in 2021 by Heads of Workplace Safety Authorities (HWSA), of which SafeWork SA is a member.

SafeWork SA Executive Director Glenn Farrell sponsored the roll out of PAW within SWSA in May 2023 to improve the agency's organisational culture and to adhere to the 'regulator as exemplar' concept.

In preparation for the roll out of PAW across SafeWork SA, a communications and engagement plan was developed to promote PAW to staff and to encourage their engagement with the process.

A steering committee was also formed, providing a broad representation of staff from across the agency to guide the roll out of the project.

At the conclusion of the four-week PAW survey period, a survey response rate of 89.03 per cent was achieved. This high response rate reflected SafeWork SA staff's meaningful engagement with the PAW process.

Five priority areas were identified in the survey results, which are the primary targets of both the focus group and action planning phases of the five-step PAW process.

The PAW survey results were summarised and presented to staff once the survey had closed.

This was followed by focus group sessions co-facilitated by the SafeWork SA PAW Project Lead and an external co-facilitator.

Steps four and five of the process are expected to be completed in the second half of 2023.

As per best practice, it is anticipated that PAW will be rolled out across the agency every 12–18 months, demonstrating a commitment to continuous improvement and the psychological health and wellbeing of its staff.



## SAMERC

More than 80 mining industry workers and volunteers took part in a series of mine rescue challenges in the Far North of South Australia in October 2022.

Five teams competed across 11 categories including rope rescue, firefighting, underground rescue, first aid, road crash rescue, confined space rescue, team skills, breathing apparatus search and rescue, hazmat and industrial rescue.

The 2022 South Australian Mine Emergency Response Competition (SAMERC) was held at the Carrapateena Mine site from 14–16 October 2022.

The overall competition winner was presented with the SAMERC Perpetual Trophy, with trophies also awarded to the winners of each of the exercises as well as Best Team Captain and a SAMERC Chairman's Award awarded to the team that best demonstrates the values of the SAMERC competition.

Cadia Valley Mine from NSW defended its SAMERC title to again take out the overall award in 2022.



The competition is aimed at providing practical training experience in mine rescue operations with events held on the Friday afternoon and running 6am to 6pm on the Saturday and Sunday, ending with a presentation dinner on Sunday night.

Oz Minerals was the Principal Sponsor for the 2022 event, which was held as part of National Safe Work Month.

Premium sponsors included SafeWork SA and the South Australia Chamber of Mines and Energy.

## Premier's Awards in Energy and Mining

SafeWork SA was an official partner of the Premier's Awards for Energy and Mining in 2022. The Awards Presentation Dinner was held at a gala dinner on 8 December 2022.

The Premier presented awards across five categories including safety and wellbeing, sponsored by SafeWork SA.

Other categories to be recognised included Community, Environment, Innovation and Transformation, Young Achiever (under 30) and a new category – Young Indigenous Achiever (under 30).

The safety and wellbeing category recognises demonstrated excellence in the development and/or implementation of an innovative solution to identified work health and safety issues.

The 2022 winner was Santos for its 'How to drive around the world 500 times safely – the Santos story' initiative.

Wilco Technologies received a commendation for its Trajectaflex resin firing system project.

## Augusta Zadow Awards

The Augusta Zadow Awards have been run by SafeWork SA since 2005 providing grants to support applicants to undertake and help meet the costs of relevant work health and safety initiatives.

Presented during National Safe Work Month, the awards support initiatives, research, or further education that improve health and safety for women and young workers in South Australia.

The 2022 Awards were presented by the Governor of South Australia Her Excellency the Honourable Frances Adamson AC at a ceremony on 7 October at Government House.

The 2022 winners were:

- ◆ Paige Cross from AgInnovate for her proposal to create a series of new employee induction workshops for young agriculture workers

- ◆ Hayley Davies and Eva Jakob from Recovery Partners for their planned awareness campaign to raise awareness in the workplace of the burden carried by women suffering from endometriosis.

Each winner was granted \$12,500 towards their project.

Augusta Zadow was an advocate and safety champion for women's rights in the workplace as South Australia's "First Lady Inspector of Factories" in 1895. She was a woman ahead of her time, with many of the working conditions today, attributable to her advocacy.

A total of 17 applications were received for the 2022 awards, which the assessment panel reduced to four finalists before deciding on the two winning proposals.



## National Safe Work Month

### SafeWork SA celebrated National Safe Work Month in October 2022.

The overall theme in 2022 was 'Know safety, work safely' with weekly themes of injuries at work, mental health, managing work health and safety risks and safe and healthy work for all.

The SafeWork SA Communications team developed a range of resources to support this initiative, including website updates, media releases, campaigns, social media promotions, videos, webinars and internal activities.

A graphic was designed and used across AGD during the month and an electronic billboard was displayed atop the SA Power Networks building at 1 Anzac Highway.

A competition encouraging South Australian workplaces to organise their own National Safe Work Month activity was run and coincided with SafeWork SA's annual Augusta Zadow Awards.

The 2022 Organise Your Own Workplace Activity competition attracted 20 entries ranging from small businesses of less than 30 employees, to large companies with over 200 employees.

A public mock trial was run in conjunction with Local Government Risk Services at the Burnside Ballroom to provide insight into the WHS prosecution process and the South Australian Mines Emergency Response Competition was held at Carrapateena.

Between the SafeWork SA website and its social media channels, at least one piece of fresh content was published every workday during National Safe Work Month.

Internally, a Billion Steps Challenge was conducted to improve wellbeing and build team morale.

The combined National Safe Work Month items posted on the SafeWork SA website during the month attracted 6507 page views with an average time on page of around two minutes.

SafeWork SA's social media channels Facebook and LinkedIn continued to be key platforms to promote activities during the month.

There was a total of 36 posts during the month across the platforms, resulting in 26,600 impressions and 1,462 engagements.



safe work australia

[safeworkmonth.swa.gov.au](https://safeworkmonth.swa.gov.au)



For everyone's safety,  
**work safely**



## National Asbestos Awareness Week

SafeWork SA plays a crucial role in eradicating asbestos-related diseases in South Australia.

SafeWork SA enforces compliance with asbestos regulations using regulatory tools, including prohibition and improvement notices, licence suspension and cancellations, expiations and prosecutions.

National Asbestos Awareness Week was held from 21–27 November 2022.

The theme in 2022 called on Australians to Think Twice About Asbestos and encouraged home occupiers and tradespeople to do things the right way by ensuring proper and lawful disposal of asbestos.

Public events included an interactive forum jointly presented by SafeWork SA and Asbestos Coalition of South Australia to provide insights into discovery from the 2022 Asbestos Management campaign.

The Asbestos Diseases Society of South Australia commemorated victims of asbestos at the annual Memorial Day on Friday 25 November at Jack Watkins Reserve, Kilburn.

Also on 25 November, the Asbestos Victims Association (SA) held its annual memorial service at Pitman Park, Salisbury, to remember the locals who worked at the nearby James Hardie factory and were subsequently diagnosed with asbestos-related diseases.

Deaths from asbestos-related diseases in Australia each year are nearly four times greater than the annual road toll.

Asbestos is present in one in three Australian homes, as well as public and commercial buildings.





# Contributing to the national agenda



# Heads of Workplace Safety Authorities

Glenn Farrell, Executive Director, continued in his role as SafeWork SA's representative on the Heads of Workplace Safety Authorities (HWSA).

HWSA is made up of representatives from Work Health and Safety Regulators across Australia and New Zealand. They work together to promote and implement best practice in work health and safety in the areas of regulatory operational policy, education, compliance and enforcement.

HWSA is dedicated in its approach to protecting the health of workers, employers and others in the workplace, and promoting effective workplace health and safety initiatives.

HWSA held four regular meetings, an annual planning day and four extraordinary meetings. Most members were able to attend the meetings in person.

Key topics for HWSA included:

- ◆ psychosocial risks and hazards
- ◆ national campaign on vehicle roll-aways
- ◆ national forums for Inspectors, Investigators, and Enforceable Undertakings.

# Safe Work Australia

South Australia's representative to Safe Work Australia is SafeWork SA Executive Director Glenn Farrell.

Safe Work Australia is an Australian government statutory body established in 2008 to develop national policy relating to work health and safety and workers' compensation matters. Safe Work Australia is funded by Commonwealth, state and territory governments and works in partnership with governments, employers and employees to drive national policy development.

Safe Work Australia develops national policy to improve work health and safety and workers' compensation arrangements across Australia. It does not regulate work health and safety laws. The Commonwealth, states and territories retain responsibility for regulating and enforcing these laws in their jurisdictions. Safe Work Australia held five members' meetings and an extraordinary meeting with representatives from member states and territories, employer and employee organisations during 2022–2023. Key focus areas for discussion at these meetings included:

- ◆ completing the review of the National Work Health and Safety Strategy 2023–2033
- ◆ model Codes of Practice for Engineered Stone, Psychosocial Risks, Sexual Harassment and Tower Cranes
- ◆ increases to the penalty rates in the Work Health and Safety Act
- ◆ addressing the evidence gap for work-related diseases and exposures.

Safe Work Australia also publish annual safety and injury data to assist with and identify trends in workplace safety and injury.

# SA Asbestos Action Plan

South Australia is a signatory to the Asbestos Safety and Eradication Agency's National Strategic Plan for Asbestos Management and Awareness 2019–2023 (NSP).

The aim of the NSP is to eliminate asbestos-related disease in Australia by preventing exposure to asbestos fibres. The NSP sets out priorities and targets to assist national efforts to achieve this goal.

SafeWork SA plays an active role in formulating and implementing strategies to combat asbestos-related disease in South Australia.

The NSP was launched in November 2019 by the Asbestos Safety and Eradication Agency (ASEA). The South Australian Government has committed to implementing the NSP. In 2021, the Treasurer tasked SafeWork SA with forming the SA Asbestos Action Plan (SA AAP) strategic and working groups to support the implementation of the NSP in South Australia.

During the 2022–2023 financial year, the SA AAP Strategic Group met twice, including a presentation by ASEA on their heatmap project outcomes highlighting the likelihood of asbestos being in buildings within South Australia. The SA Asbestos Action Plan 2019–2023 was developed, approved and published in October 2022.

SafeWork SA has worked with the Department of Infrastructure and Transport to continue addressing the action items outlined in the Action Plan.

SafeWork SA is proud of the progress that is being made by the SA AAP and is already planning on the development of the next action plan.





# Influencing change



# Amendments to the Shop Trading Hours Act 1977

SafeWork SA assisted the Minister in delivering the Government's election commitment to make responsible amendments to South Australia's shop trading laws.

The summary of changes that apply to the Adelaide CBD and metropolitan area that came into effect from 1 November 2022 are:

- ◆ two more hours of Sunday trading to allow shops to trade from 9am to 5pm.
- ◆ Boxing Day trading from 9am to 5pm (excluding supermarkets).
- ◆ trading until midnight on Black Friday (late November) and three weeknights (to be gazetted each year) in the lead up to Christmas Day.
- ◆ trading on the 'additional public holiday' that occurs in years when certain public holidays fall on a weekend.
- ◆ tightening the Ministerial Exemption powers that now require the Minister to consult with both business and worker representatives before issuing an exemption.
- ◆ extending provisions that already applied to work on Sundays by confirming employees must voluntarily agree before being rostered to work on a public holiday.

## Shop trading hours exemptions

The amended shop trading laws now codify longstanding ministerial exemptions for additional Christmas trading hours.

Exemptions are still required upon application to the Minister for trading extended hours in support of special events or promotions.

The Minister granted the following exemptions under the *Shop Trading Hours Act* during 2022/23.

Rebel Sport Rundle Mall	Sat, 18 September 2022 trade until 6pm	In-store visit by Australian basketball player Patty Mills
Rundle Mall traders	Sat, 8 October 2022 trade until 7pm	In support of Adelaide Fashion Week events
CBD Tourist Precinct	Five Saturdays across February and March trade until 7pm	In support of extra CBD activity generated by the Fringe and Adelaide Festival

## Queen's National Day of Mourning

At the request of the Prime Minister, all state and territories agreed to proclaim a special public holiday for Thursday 22 September 2022, as a National Day of Mourning for Queen Elizabeth II. This required our Governor to make a Proclamation under section 4 of the *Holidays Act 1910*.

Further to the Proclamation, the Minister declared closure and exemption notices under the *Shop Trading Hours Act 1977* requiring non-exempt shops in the Adelaide CBD and metropolitan area, that are permitted to open on a public holiday, to remain closed until 12 noon. All non-exempt shops were allowed to trade from 12 noon to 9pm.

## Public Holidays Consultation

During January 2023, SafeWork SA, on behalf of the Minister, co-ordinated consultation through the Government's 'yourSAy' online consultation hub.

The consultation was primarily focused on the Government's commitment to amend the *Holidays Act 1910* to make Christmas Day a public holiday regardless of which day of the week it falls on. It also provided an opportunity for input on any other aspects of our public holiday laws that could help shape the Government's approach to amending the Act.

SafeWork SA has since provided the Minister with a summary of responses and a Bill is expected to be introduced to Parliament before the end of 2023.



A photograph of three people from behind, walking away on a paved path in a park-like setting. They are wearing orange high-visibility safety vests with reflective white stripes over dark blue shirts and dark trousers. The person in the middle is wearing sunglasses. The background shows trees, a grassy area, and a colorful building. A large blue diagonal overlay covers the top right portion of the image, containing the text.

# Our disclosures

# Conflicts of interest

SafeWork SA requires all staff to complete a declaration disclosing direct and indirect private interests, and real, potential and perceived conflicts of interest.

SafeWork SA requires all staff to complete a declaration disclosing direct and indirect private interests, and real, potential and perceived conflicts of interest.

This is done on an annual basis. Any changes of circumstances affecting these disclosures are required to be recorded within one week of their occurrence. New staff are required to complete a declaration on appointment.

In 2022–2023, 21 notifications of conflicts of interest were submitted and two conflicts of interest were closed.

Actual = 4 Staff

Potential = 4 Staff

Perceived = 13 Staff

Closed = 2 Staff

## Financial statements

SafeWork SA's financial statements for 2021–22 form part of the Attorney-General's Department Annual Report.

Further financial details are included in Budget Papers. This documentation is available publicly via the Attorney-General's Department website.

## Grants and subsidies

Organisation / Program	Actual 2022–23
Safe Work Australia	\$767,493
Asbestos Diseases Society of South Australia	\$50,000
Asbestos Victims Association	\$50,000
Mates In Construction	\$60,000
Augusta Zadow Awards	\$25,000
Sponsorships Program	\$9,696
<b>TOTAL 2022–23 GRANTS &amp; SUBSIDIES</b>	<b>\$962,189</b>



## Gifts and benefits

SafeWork SA employees must declare any gifts or benefits offered to them or received by them in the course of their work that affects, could affect, or could be perceived to affect, their carrying out their duties with impartiality.

All gifts and benefits are required to be declared, including those with a 'nil' value and those that are declined.

A total of five gifts and benefits were recorded during 2022–2023, including one instance of a declined gift.

Date given or received	Description of gift/benefit	Value	Gift Accepted Yes / No
19/8/2022	Invitation to Cement, Concrete and Aggregate Association innovation awards dinner	\$378.50	No
18/10/2022	Polo shirt, lunch bag, drinking flask from SA Mines Rescue Committee – Competition Prize	\$100.00	Yes
28/10/2022	Bottle of wine – TAFE SA Presentation gift for WHS Seminar	\$21.50	Yes
31/3/2023	Door Prize – Uber Eats voucher from Diligent – Door Prize at Governance Institute of Australia Public Sector Forum	\$100.00	Yes
12/5/2023	Door Prize – Haigh's Chocolate Basket – Mates in Construction Fund Raising Lunch	\$100.00	Yes

Accepted gifts in 2022–2023 comprised one Corporate Event, one gift of Hospitality, and two Other types of gifts.

Declined gifts in 2022–2023 comprised one Corporate Event.

# Internal reviews

An internal review allows an eligible person to seek review of certain decisions made as part of SafeWork SA functions. These include decisions of inspectors regarding work, health and safety matters, and decisions made by other SafeWork SA officers relating to licences, registrations and authorisations. SafeWork SA processed 19 internal reviews during 2022–2023.

## Internal reviews 2022–2023

Date of lodgement	Decision to be reviewed	Outcome	Date of decision
25/7/2022	A decision of SafeWork SA in relation to a licence, an accreditation, a registration, an induction, an authorisation or a determination to any of the WHS Regulations  <b>Seeking review of a high-risk work licence extension of time outside prescribed time</b>	Application rejected – outside of prescribed time	12/8/2022
29/8/2022	Issue of Prohibition Notice – section 195 – request stay  <b>Seeking stay of decision for Amusement ride for Royal Adelaide Show</b>	Stay not granted – <b>Decision escalated to External Review</b>	30/8/2022
29/8/2022	Issue of Prohibition Notice – section 195  <b>Non-compliance of Amusement ride for Royal Adelaide Show</b>	Decision confirmed  <b>Reviewer confirmed inspector's decision – Decision escalated to External Review</b>	6/9/2022
13/10/2022	Issue of Improvement Notice – section 191 – received outside prescribed time  <b>Issue of having first aiders in a 24/7 high risk workplace</b>	Application rejected as outside prescribed times – <b>no explanation given</b>	13/10/2022
17/10/2022	Issue of Prohibition notice – section 195 – requesting stay	Stay – granted	18/10/2022

Date of lodgement	Decision to be reviewed	Outcome	Date of decision
17/10/2022	Issue of Prohibition notice – section 195  <b>Activities accessing fixed vertical ladder until consulting with workers on an adequate safe system of work</b>	Decision varied  <b>Reviewer set aside inspector's decision and substituted that decision</b>	2/11/2022
4/11/2022	A decision of SafeWork SA in relation to a licence, an accreditation, a registration, an induction, an authorisation or a determination to any of the WHS Regulations  <b>Seeking review of a cancellation of Accredited Assessor</b>	Decision confirmed  <b>Reviewer confirmed delegates decision</b>	22/11/2022
8/2/2023	Issue of Improvement Notice – section 191  <b>Ingress/egress issues, managing the work environment and facilities</b>	Decision confirmed  <b>Reviewer confirmed inspector's decision – Decision escalated to External Review</b>	24/2/2023
24/2/2023	Issue of Improvement Notice – section 191 – received outside prescribed time  <b>Issue of having first aiders in a 24/7 high risk workplace</b>	Application rejected as outside prescribed times – no explanation given	28/2/2023
20/3/2023	Issue of Prohibition Notice – section 191  <b>A person conducting a business or undertaking (PCBU) to have a Structural Engineer do a full inspection to ensure all floor plating being used to cover voids is structurally sound, fit for purpose and safe for workers to work on or around</b>	Decision varied  <b>Reviewer set aside inspector's decision and substituted that decision</b>	31/3/2023
21/3/2023	Issue of Improvement Notice – section 191  <b>PCBU to review and amend (if necessary) procedures relating to notifying the Regulator as soon as they become aware of a notifiable incident</b>	Decision confirmed  <b>Reviewer confirmed inspector's decision</b>	31/3/2023
21/3/2023	Issue of Improvement Notice – section 191  <b>PCBU to develop and implement a system to ensure so far as is reasonably practicable that the site where an incident occurs is not disturbed until an Inspector arrives at the site or any earlier time than an Inspector directs</b>	Decision confirmed  <b>Reviewer confirmed inspector's decision</b>	31/3/2023

Date of lodgement	Decision to be reviewed	Outcome	Date of decision
21/3/2023	Issue of Improvement Notice – section 191  Use of approved current candidate and assessor Notice of Assessment Instruments on portal	Decision confirmed  Reviewer confirmed inspector's decision	6/4/2023
13/4/2023	Issue of Improvement Notice – section 191  PCBU to ensure an adequate number of workers are trained to administer first aid at the workplace, or that workers have access to an adequate number of other persons who have been trained to administer first aid.	Decision confirmed  Reviewer confirmed inspector's decision – Decision escalated to External Review	26/4/2023
16/4/2023	Issue of Improvement Notice – section 191  Seeking that additional parties are named in the Improvement Notice to ensure that the responsibility and accountability for delivery of services in support of employer is clear.	Decision confirmed  Reviewer confirmed inspector's decision	28/4/2023
17/4/2023	Issue of Improvement Notice – section 191 – received outside prescribed time  Ingress/egress issues, managing the work environment and facilities	Application granted	20/4/2023
17/4/2023	Issue of Improvement Notice – section 191  Ingress/egress issues, managing the work environment and facilities	Decision confirmed  Reviewer confirmed inspector's decision – Decision escalated to External Review	1/5/2023
31/5/2023	Issue of Improvement Notice – section 191  Relating to engagement of independence of asbestos assess when engaging the licensed asbestos removalist	Decision varied  Reviewer confirmed inspector's decision and varied notice	21/6/2023
8/6/2023	Issue of Improvement Notice – section 191  The person with management or control of the workplace, or of the structure or plant, must ensure that all asbestos that is likely to be disturbed by the demolition is identified and so far as reasonably practicable, that the asbestos is removed before demolition is commenced	Decision confirmed  Reviewer confirmed inspector's decision	20/6/2023





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