

SafeWork SA

information > advice > support



2021–2022 Annual Activity Report



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:

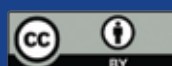
- ◆ the spiritual, social, cultural and economic practices of Aboriginal people come from their connection to traditional lands and waters
- ◆ maintaining cultural and heritage beliefs, languages and laws are of ongoing importance to Aboriginal peoples today
- ◆ Aboriginal peoples have made and continue 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 am delighted to present the SafeWork SA Annual Activity Report for 2021–22.

The last year presented wide and varied challenges for our Agency, and the broader community, as we continued to navigate an ever-changing work environment due to COVID-19 and associated restrictions. As we exit the COVID restrictions era, we have seen the workplace environment change due to the pandemic, with more home and flexible working arrangements. Many say this environment was inevitable. Many of us now blend office and home working, which has presented new risks to work and workplaces.

We have adapted our delivery strategy to ensure we kept our team healthy while retaining a response capability for notifiable incidents. This ensured we always had the capacity to respond to events, even during lockdown periods. The success of this change was wholly attributable to the responsiveness of our staff who continue to have a 'can do' attitude. Thank you to every person for your contribution to a successful year.

Our organisational reform program advances into a business-as-usual continuous process improvement methodology, where change is the norm, and we consistently strive to be an effective and impactful Regulator. A milestone for this year was the finalisation and closure of the recommendations from our 2018 Evaluation Report by the Independent Commissioner Against Corruption. We embraced the report in 2018 and wove each recommendation into the fabric of our Agency.

It has taken us several years to complete, but we have eventually finished it, resulting in thoughtful, meaningful and sustainable change to enable us to serve the South Australian community, workers and workplaces. There are too many people to thank who were involved in this work, but the reform lead, Prema Osborne, is to be singled out for her leadership in this area. Thank you, Prema.

With a new incoming Labor Government, SafeWork SA moves back to the Attorney-General's Department reporting to the Hon Kyam Maher MLC, Minister for Aboriginal Affairs, Attorney-General, Industrial Relations and Public Sector. We look forward to working with our new Minister to implement the Government's industrial relations agenda, including changes to shop trading hours, psychosocial hazards and the inclusion of industrial manslaughter into my portfolio.

Lastly, as always, my thanks to the team at SafeWork SA who deliver outstanding work in challenging circumstances. Our successes are borne from the work you do and the manner in which you do it. We continue our vocation of helping to keep South Australian workplaces safe and my sincere thanks to every one of you for contributing to that vision.



Martyn Campbell

Executive Director, SafeWork SA



SafeWork SA

information ► advice ► support

About us

South Australia's work health and safety regulator

As 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.

OUR VISION Making South Australian workplaces safe

OUR VALUES Professionalism, Respect, Integrity, Service

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 of those laws.



Transition to Attorney-General's Department

SafeWork SA began its transition back to the Attorney-General's Department immediately after the change of Government following the state election on 18 March 2022.

This followed four years as a business unit of the Department of Treasury and Finance, accountable to the previous Treasurer.

SafeWork SA was part of the Attorney-General's Department (AGD) prior to the election of the former Liberal government in 2018.

The return to AGD brings SafeWork SA into the portfolio of the Minister for Public Sector and Industrial Relations, the Hon Kyam Maher MLC.



Our leadership team

Martyn Campbell

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.

As well as the head of SafeWork SA, Martyn is a board member for Safe Work Australia, representing South Australia. He is also the Chair of the Heads of Workplace Safety Authorities for Australia and New Zealand, a core member of the federal government Sex Discrimination Commissioner's Respect@Work Council and Secretary-General of the International

Association of Labour Inspection, the global professional body and labour and safety regulators.

He has over 30 years' experience working in investigation, regulatory compliance and health and safety at senior executive level in the UK and Australia. Initially a detective in the UK police working on national homicide training and development, he later qualified in law working in the field of regulatory compliance and risk in health and safety, working across Asia Pacific.

Martyn has an Honours Degree in Law, a Masters in Law and a Masters in Occupational Health and Safety. He is currently a PhD Candidate in a WHS discipline.

Glenn Farrell

Director, Compliance and Enforcement

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. They ensure 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.

Prema Osborne

Director, Workplace Education and Business Services

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. The directorate is also responsible for corporate and governance services.

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

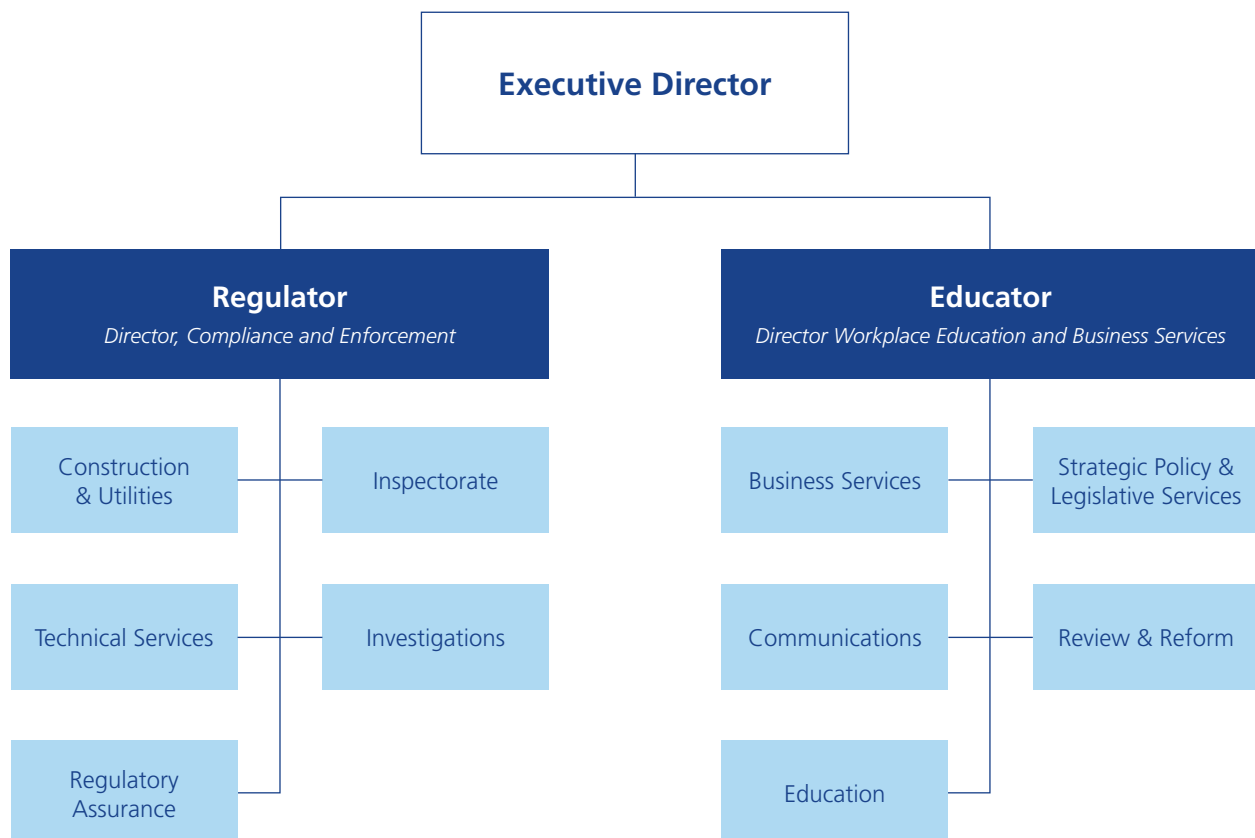
The Director, Workplace Education and Business Services oversees SafeWork SA's reform program and implementation of the recommendations arising from the Independent Commissioner Against Corruption report on the regulatory arm of the agency.

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 work health and safety 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.

Total funding \$23,190,000

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 \$23,415,000

Prescribed Percentage 99.04%

Service Fee (0.96%) \$225,000



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 (Fees) Revocation Regulations 2020
Dangerous Substances (Dangerous Goods Transport) Regulations 2008
Explosives Act 1936
Explosives Regulations 2011
Explosives (Fireworks) Regulations 2016
Explosives (Fees) Revocation Regulations 2020
Explosives (Security Sensitive Substances) Regulations 2021
Petroleum Products Regulation Act 1995
Petroleum Products Regulations 2008

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

Election commitments

The Labor Government committed to a series of legislative changes and funding initiatives in the Industrial Relations portfolio following its March 2022 state election victory. The election commitments that are part of to SafeWork SA's portfolio are:

- ◆ Amend the *Shop Trading Hours Act 1977* to extend Sunday trading hours by allowing shops to open at 9.00am; and to permit shops outside the Adelaide CBD to also trade on Boxing Day (26 December).
- ◆ Consult with workers, unions and businesses to expand the portable long service leave system—modelled on Construction Industry Long Service Leave. Work with the arts sector to investigate the establishment of a portable long service leave scheme for artists.
- ◆ Undertake a root and branch review of the practices and processes of SafeWork SA to improve workplace safety, deliver prompt action on safety concerns, support improved physical and mental wellbeing in our workplaces and ensure a genuine voice for workers in complaint and resolution processes.
- ◆ Create consistency in the state system for domestic and family violence leave while expanding the Objectives of the Fair Work Act (SA) to include gender equity.
- ◆ Provide \$400,000 over four years to the Asbestos Victims Association of SA Inc and Asbestos Diseases Society of SA Inc. for advocacy and education programs that seek to increase awareness of dust diseases, reduce risk and create a safer community.
- ◆ Work widely across industry—with employers, business groups, unions, and Group Training Organisations—before introducing laws that will apply where an employer acts recklessly and their actions are the primary cause of an employee's death. The penalty will fit the crime with maximum prison term of up to 20 years along with significant financial penalties for companies.
- ◆ Introduce Wage Theft legislation to create criminal penalties for persistent and deliberate underpayment of workers, including wages and superannuation.
- ◆ Introduce a serious legislative reform program in relation to domestic violence that includes both mental health first aid training and an understanding of domestic violence in Work Health and Safety education.
- ◆ Restore state government funding for MATES in Construction, which works to reduce suicides in the industry
- ◆ Recognise the importance of workers and their representatives having a voice on bodies that oversee work and training—starting with the South Australian Skills Commission.

The following commitments commence from April 2022.



MATES in Construction

In May 2022, the South Australian Government committed to restore funding to MATES in Construction SA by allocating funds in the 2022–23 State Budget.

The funding is being delivered by SafeWork SA. It will provide \$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

The South Australian Government this year committed to provide funding to the Asbestos Victims Association of SA and Asbestos Diseases Society of SA for advocacy and education programs.

The Government will provide \$50,000 each to the AVA and the ADSSA, on an annual basis, for advocacy and education programs that seek to increase awareness of dust diseases, reduce risk, and create a safer community. The funding will be split equally between both groups.

The Asbestos Victims Association of SA (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 Asbestos Diseases Society of SA (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.

Retail trading hours amendments

SafeWork SA is implementing the 2022 state election commitment to extend shop trading hours on Sundays and on 26 December.

Cabinet approved the drafting of a bill to amend the *Shop Trading Hours Act 1977*. There has been consultation with key stakeholders and the public about the proposed amendments to trading hours in South Australia and on the draft bill, the Shop Trading Hours (Extension of Hours) Amendment Bill 2022.

When the bill is finalised it will be introduced into Parliament and once passed, the amendments will come into operation on a date fixed by proclamation. SafeWork SA will communicate the changes to stakeholders and publish information on its website and social media channels.

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. 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). If a meeting runs over one hour, members are paid for a full two hours (\$103). If a meeting runs between two and four hours, members are entitled to the full sessional fee of \$206.00. 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.

Meeting dates

The IRCC met once during 2021–22 on 10 November 2021.

Members of the IRCC as of 30 June 2022

Name	Representing
Hon Kyam Maher MLC*	Statutory Requirement
Natasha Brown	Public Service Association of SA
Owen Webb	Australian Hotels Association (SA Branch)
Peter Herman Lamps	Australian Workers' Union (SA Branch)
Erma Ranieri	Commissioner for Public Sector Employment
Jessica Brooke Rogers	Communications, Electrical and Plumbing Union (SA)
Charlie Condo	Housing Industry Association (SA)
Christopher David Morey	Motor Trade Association of South Australia
Leah Joy York	Australian Education Union (SA Branch)
Kendall Jane Crowe	Business SA
Amanda Louise Green*	Australian Industry Group
Blythe Ormesher*	Shop, Distributive and Allied Employees' Association (SA)
Dale Allan Beasley*	SA Unions

* The Hon Kyam Maher MLC replaced the Hon Rob Lucas MLC as IRCC Chair following the State Election on 18 March 2022.

* Amanda Louise Green replaced William Frogley on 17 March 2022.

* Blythe Ormesher replaced Monique Gillespie on 23 June 2022.

* Dale Allan Beasley replaced Angus Story on 17 March 2022.

Meeting Agenda

Topics discussed at the 10 November 2021 meeting:

- ◆ COVID-19 pandemic
- ◆ South Australian Asbestos Action Plan
- ◆ Industrial Relations Minister's Meeting (September 2021) - Update
- ◆ Silicosis
- ◆ Reconciliation Action Plan.



Measuring our
performance

Our performance

SafeWork SA's education and compliance activities in 2021–2022 continued to be affected by the COVID-19 pandemic. Site visits and compliance campaigns conducted by work health and safety inspectors and advisors during the period were undertaken in accordance with government restrictions and SafeWork SA's COVID-19 procedures. SafeWork SA inspectors and investigators continued to respond to matters involving serious incidents and fatalities.

Feedback

SafeWork SA welcomes both positive and negative feedback, including complaints, from business and the community in regard to 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 2021–2022 SafeWork received complaints and feedback from 38 people — 10 positive reports and 28 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
Professional behaviour	Staff attitude	Failure to demonstrate values such as empathy, respect, fairness, courtesy, extra mile and cultural competency	1
Professional behaviour	Staff competency	Failure to action service request; poorly informed decisions; incorrect or incomplete service provided	3
Professional behaviour	Staff knowledge	Lack of service specific knowledge; incomplete or out-of-date knowledge	
Communication	Communication quality	Inadequate, delayed or absent communication with customer	1
Communication	Confidentiality	Customer's confidentiality or privacy not respected; information shared incorrectly	
Service delivery	Systems/ technology	System offline; inaccessible to customer; incorrect result/information provided; poor system design	1
Service delivery	Access to services	Service difficult to find; location poor; facilities/ environment poor standard; not accessible to customers with disabilities	
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	2
Policy	Policy content	Policy content difficult to understand; policy unreasonable or disadvantages customer	
Service quality	Information	Incorrect, incomplete, outdated or inadequate information; not fit for purpose	
Service quality	Access to information	Information difficult to understand, hard to find or difficult to use; not plain English	
Service quality	Timeliness	Lack of staff punctuality; excessive waiting times (outside of service standard); timelines not met	1
Service quality	Safety	Maintenance; personal or family safety; duty of care not shown; poor security service/premises; poor cleanliness	
Service quality	Service responsiveness	Service design doesn't meet customer needs; poor service fit with customer expectations	7
No case to answer	No case to answer	Third party; customer misunderstanding; redirected to another agency; insufficient information to investigate	3
TOTAL			24



Additional Metrics	Total
Number of positive feedback comments	10
Number of negative feedback comments	4
TOTAL NUMBER OF FEEDBACK COMMENTS	14
% complaints resolved within policy timeframes	68%

Complaint analysis

An analysis of complaint data for the 2021–22 financial year indicated that 31.8 per cent of the complaints received were in regard to service responsiveness and process.

A deep dive of those complaints revealed complainant's expectations where not satisfied with some information given to them. Particularly the limitations of providing information into Work Health and Safety investigations with the Act's confidentiality provisions. The executive team conducted a training session during the latter part of 2021–22 on the correct application of providing information to

SafeWork SA clients and the need for transparency of process. This has seen a reduction in these areas of complaints and freedom of information requests.

It is noted that there is a 50 per cent reduction in complaints regarding professional behaviour from 2020–21 financial year, due to more comprehensive training and implemented processes and procedures.

Our performance – Educator



Total views on
SafeWork SA website:
2,633,740

Unique page views:
2,161,087

Average time on page:
1 minute 49 seconds

Asbestos SA website:

Total views:
37,630

Unique page views:
30,287

Average time on page:
1 minute 58 seconds



Licence renewals processed:
42,424



Customer service calls answered:
38,328



Views on Asbestos website:
37,630



Education, engagement
and support activities:
10,915



Customer service
emails answered:
38,638



Total social media posts:
519

Facebook posts
218

LinkedIn updates
176

Twitter tweets
125

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 41,042 calls in 2021–22.

Staff answered 76 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 38,000 emails from the public.

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.	
TOTAL	41,042

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 42,000 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	54	15	WHS
Asbestos assessor	6	12	WHS
Asbestos removal	23	68	WHS
Blasters	323	246	Explosives
Classification of explosives	N/A	26	Explosives
Dangerous goods driver	538	326	DGT
Dangerous goods vehicle	1,062	154	DGT
Dangerous substances storage	4,100	271	DS
Design registration	N/A	118	WHS
Employment agents	93	37	EAR
Explosives	910	110	Explosives
Gas fitting work	128	125	DS
High risk work	20,374	9,890	WHS
Major hazard facility	11	0	WHS
Petroleum products	229	56	PP
Plant registration	1,519	1,107	WHS
Pyrotechnics	47	7	Fireworks
Security sensitive ammonium nitrate	70	7	SSAN
Shop trading (in relation to petroleum, motor spirits and lubricants)	175	39	STH
Other	2	120	
TOTAL	29,664	12,760	

Our Performance – Regulator



Compliance and
Enforcement visits:
4,573



Letters of warning:
53



Improvement notices issued:
1,829



Expiation/infringement
notices issued:
6



Prohibition notices issued:
433



Closed within six months:
89%

In 2021–2022, SafeWork SA received:

- ◆ 115 reports of workplaces failing to adhere to COVID-19 requirements
- ◆ 183 reports of workplace bullying
- ◆ 165 reports of unsafe asbestos practices
- ◆ 548 notifications of serious injuries
- ◆ 633 notifications of dangerous incidents.





Reforming the
way we work



ICAC evaluation

SafeWork SA continued to address the recommendation contained in the 2018 evaluation of the practices, policies and procedures of the regulator arm of SafeWork SA conducted by the Hon Bruce Lander QC, Independent Commissioner Against Corruption (the Commissioner).

SafeWork SA created an executive-led steering committee to provide strategic executive governance over the implementation of each recommendation, consisting of the executive team of SafeWork SA and senior executives from the Department of Treasury and Finance, Consumer and Business Services and the Environmental Protection Authority. The Steering Committee was established in May 2019 and continued until 23 June 2022. In this period the committee met 17 times. The Steering Committee agreed to close the ICAC Evaluation project at the end of the 2022 financial year.

SafeWork SA advised the current Commissioner of the completion of the recommendation in July 2022.

The structured implementation of projects to address the recommendation has resulted in significant improvements and changes to its operations.

ICAC recommendations

Rec. No.	Recommendation	Project description
1	That SafeWork SA changes its policies regarding communication between the educator arm and the regulatory arm to ensure that the regulatory arm is provided with all information about work health and safety risks or potential breaches of the WHS Act.	<p>Communication between the Educator and Regulator</p> <p>Implementation of clear interaction model between the Educator and Regulator.</p> <p>The interaction model was developed and supported by a Policy and Procedure that determined the principles of interaction between the Educator and Regulator.</p> <p>The Policy and Procedure determined:</p> <ul style="list-style-type: none"> ◆ the role and function of the Regulator and Educator ◆ the sharing of information between the Regulator and Educator ◆ when matters are to be referred from the Educator to the Regulator ◆ the process for a referral of a matter from the Educator to the Regulator. <p>The trial of the interaction model was undertaken for six months from August 2021 to February 2022. The trial aimed to assist in determining whether the proposed model meets the intention of the recommendation. The trial model maintained a separation between the Educator and Regulator but required matters identified that presented an immediate or imminent risk of serious injury, would immediately be referred by the Educator to the Regulator for action.</p> <p>Matters that the Educator identify require action by a PCBU will be referred to the Regulator in cases where the PCBU does not adequately rectify them.</p> <p>The trial was evaluated and it was determined that SafeWork SA will adopt the change in operating model.</p> <p>COMPLETED</p>

Rec. No.	Recommendation	Project description
2	That SafeWork SA improves the systems of communication between the Help Centre and the inspectorate to ensure that Help Centre staff are able to quickly and effectively contact members of the inspectorate.	<p>Internal communications framework</p> <p>Implementation of internal communications framework that will identify how to manage communication within the agency.</p> <p>The framework includes the various channels of communication, their intended purpose, and the roles and responsibilities of staff in accessing and sharing information.</p> <p>COMPLETED</p> <p>Internal Communications Policy developed and implemented in October 2020.</p>
3	That SafeWork SA develops and implements a strategic plan.	<p>Strategic Plan</p> <p>Implementation of a SafeWork SA Strategic Plan.</p> <p>Inaugural Strategic plan developed and launched on 19 March 2019.</p> <p>Strategic Plan for 2023 – 2027 was set to launch in October 2022.</p> <p>COMPLETED</p>
4	That SafeWork SA conducts a functional analysis of all of the work that the organisation should undertake, with a view to identifying the core business functions of the organisation.	<p>Workforce plan</p> <p>Implementation of a workforce plan for SafeWork SA that will include a functional analysis component.</p> <p>COMPLETED</p>
5	That SafeWork SA makes a clear statement on its website about what action it will take in respect of certain risks, incidents and complaints.	<p>Statement for website</p> <p>A statement prepared in consultation with relevant SafeWork SA teams and published on the SafeWork SA website.</p> <p>COMPLETED</p>

Rec. No.	Recommendation	Project description
6	<p>That SafeWork SA creates, implements and maintains a complete governance framework by:</p> <ul style="list-style-type: none"> ◆ establishing all of the systems, structures and documents necessary for good governance ◆ documenting the way in which each of those systems, structures and documents interacts with the other systems, structures and documents ◆ identifying the person or persons responsible for each component of the governance framework and ◆ being accountable for the ongoing operation of the governance framework. 	<p>Governance framework</p> <p>Implementation of a new Governance Framework.</p> <p>The Governance Framework:</p> <ul style="list-style-type: none"> ◆ establishes all the systems, structures, and documents necessary for good governance ◆ documents the way in which each of those systems, structures and documents interact with the other systems, structures, and documents ◆ identifies who is responsible for each component of the governance framework ◆ establishes accountability for the ongoing operation of the Governance Framework. <p>COMPLETED</p>
7	<p>That, following the establishment of an appropriate governance framework, SafeWork SA prioritises the creation of a policy framework which:</p> <ul style="list-style-type: none"> ◆ details the process for the identification, creation, consultation, approval and implementation of every policy document ◆ establishes a system for the regular review of each policy document ◆ sets out the manner in which policy documents will be stored and how and who may have access to the policy documents ◆ identifies the hierarchy of policy documents and how they relate to each other ◆ allocates responsibility for each task specified in the policy framework and ◆ indicates who has authority to approve new policy documents and implement changes. 	<p>Policy Framework</p> <p>Implementation of a policy framework which establishes a system to manage all policies and procedures in SafeWork SA.</p> <p>The framework provides a detailed structure for creating, reviewing, and approving policy documents.</p> <p>COMPLETED</p>

Rec. No.	Recommendation	Project description
8	That SafeWork SA establishes a central repository for policy documents accessible by all staff which contains only current, accurate and approved policy documents. Draft documents and earlier versions of documents should be stored elsewhere.	Central repository Implementation of a central repository for all current policy documents. COMPLETED
9	That SafeWork SA improves its triaging practices by: <ul style="list-style-type: none"> ◆ conducting random audits of triaging decisions to increase oversight ◆ identifying those matters that are not within SafeWork SA's statutory jurisdiction ◆ identifying those matters that could be best dealt with by some other agency and requesting the reporter to direct the matter to that agency and ◆ documenting a clear process for triaging and providing instruction and education to team leaders to ensure consistency in the manner in which matters are triaged when they reach team leaders. 	Triaging procedure Implementation of a triaging procedure. The procedure sets out the roles, responsibilities and processes applicable to the triaging of reported complaints or notifiable incidents in accordance with the various Acts administered by SafeWork SA. COMPLETED
10	That SafeWork SA establishes clear guidelines regarding the minimum standard of information which is to be recorded about an inspection, including the information which is to be recorded where the inspector has made a decision not to issue a notice.	Minimum standard of information This recommendation was addressed by changes to SafeWork SA's case management system to ensure a minimum amount of information is collected about a site visit. Changes were also made to ensure inspectors include the reasons why they decided not to issue a notice. COMPLETED
11	That SafeWork SA requires its inspectors to prepare inspection reports in electronic form rather than in hardcopy.	Electronic inspection reports Implementation of a process to ensure inspection reports are prepared in electronic copy, with hard copy inspection reports phased out. COMPLETED

Rec. No.	Recommendation	Project description
12	That SafeWork SA requires inspectors to keep an accurate and complete record of all of the statutory powers that the inspectors have exercised (including by reference to the specific sections and sub-sections) and the reasons for exercising those powers. The record is to be stored electronically in a form which allows data to be easily extracted.	<p>Record of statutory powers</p> <p>This recommendation was addressed by creating mandatory fields to record use of statutory powers in SafeWork SA's case management system.</p> <p>COMPLETED</p>
13	That SafeWork SA requires inspectors to upload information directly relevant to a workplace inspection to the appropriate electronic system within two business days after the completion of the inspection unless there are exceptional circumstances.	<p>Upload of information within two business days (see InfoNet improvement project)</p> <p>This recommendation was addressed by developing changes to SafeWork SA's case management system.</p> <p>COMPLETED</p>
14	That SafeWork SA requires, on an annual basis and within one week of a change of circumstances, all staff to sign a statutory declaration disclosing direct and indirect private interests and real, potential and perceived conflicts of interest. SafeWork SA should also require new staff to sign such a statutory declaration on appointment.	<p>Conflict of interest</p> <p>Review and implementation of a conflict of interest framework.</p> <p>Conflict of Interests must be declared:</p> <ul style="list-style-type: none"> ◆ annually by all SafeWork SA staff ◆ by new staff on commencement with SafeWork SA, and ◆ when a staff member's circumstances change (e.g., they intend to commence outside employment, or they identify a new/undeclared relevant personal relationship or financial interest). <p>COMPLETED</p>
15	That SafeWork SA establishes its own gifts and benefits policy which requires all staff to report all gifts and benefits offered, accepted or rejected on its own register. The register should be made available to the public for inspection at any time.	<p>Gifts and benefits register</p> <p>The establishment of a gifts and benefits register.</p> <p>COMPLETED</p>

Rec. No.	Recommendation	Project description
16	That SafeWork SA ensures that when allocating new case files, to the extent possible, the inspector who is to be allocated the new case file was not the last SafeWork SA inspector to attend at the particular workplace.	Workload allocation and management Implementation of a new process for allocating workload to inspectors and investigators and management of those workloads. COMPLETED
17	That SafeWork SA changes its practices to ensure that its proactive activities are driven by intelligence it has received; an assessment of the risks; and research regarding the manner in which SafeWork SA will assist workplaces to achieve long term adherence to work health and safety laws.	Intelligence proactive campaign The implementation of a framework for intelligence proactive campaigns. Also addresses recommendation 18. COMPLETED
18	That SafeWork SA conducts a greater proportion of its proactive workplace visits as unannounced visits.	See recommendation 17. COMPLETED
19	That SafeWork SA establishes a quality assurance program which includes: <ul style="list-style-type: none"> ◆ on a quarterly basis: <ul style="list-style-type: none"> ◆ an audit conducted by the inspector's team leader of a selection of the notices or inspection reports prepared by each inspector ◆ a review conducted by a small group of team leaders of a selection of notices or inspection reports which have been audited by a different team leader ◆ each team leader accompanying each inspector in his or her team on a workplace visit ◆ an audit of all of the work undertaken by randomly selected staff members exercising discretionary statutory powers during a one-month period. 	Quality assurance program Implementation of a quality assurance program. The program has been developed that includes on a quarterly basis an audit of notices and inspection reports prepared by inspectors. COMPLETED

Rec. No.	Recommendation	Project description
20	That SafeWork SA implements a system for identifying the location of inspectors during working hours by installing Global Positioning System navigation into SafeWork SA's fleet of government vehicles.	<p>GPS installation</p> <p>Installation of a Global Positioning System (GPS) on each SafeWork SA fleet car.</p> <p>COMPLETED</p>
21	That SafeWork SA sends two inspectors to each workplace inspection. Pairs should be regularly rotated and inspectors from different teams or regulatory agencies should attend together where appropriate.	<p>Two-up visits</p> <p>Implementation of a framework to determine when a two-up site visit by inspectors occurs.</p> <p>COMPLETED</p>
22	That SafeWork SA provides inspectors with body worn cameras for use when attending workplaces.	<p>Body cameras</p> <p>SafeWork SA trialled the use of body cameras for inspectors and investigators for a three-month period from September-December 2020.</p> <p>The trial involved the use of body cameras at all site visits and when exercising a statutory power.</p> <p>A group of volunteer inspectors and investigators assisted in the trial to enable SafeWork SA to assess the value of providing body worn cameras to all Regulator field staff.</p> <p>The trial has been evaluated and it was determined that SafeWork SA will adopt the use of Body worn Cameras for use in certain circumstances.</p> <p>COMPLETED</p>
23	That SafeWork SA prepares its own annual report for tabling in Parliament which reports on its operations, including the exercise of statutory powers, the number of internal and external reviews conducted and the outcomes of those reviews.	<p>Annual Report and additional report</p> <p>SafeWork SA reports into its head agency's Annual Report.</p> <p>An additional report is published by SafeWork SA annually on its website detailing financial year activities.</p> <p>COMPLETED</p>

Rec. No.	Recommendation	Project description
24	That SafeWork SA continues to develop a collaborative investigation approach which allows investigators to draw on the expertise of inspectors.	Internal expert register Implementation of a register of internal experts to assist SafeWork SA in identifying suitable persons to assist in complex incidents, investigations and prosecutions. COMPLETED
25	That SafeWork SA requires investigators to keep an accurate and complete record of all of the statutory powers that the investigators have exercised (including by reference to the specific sections and sub-sections) and the reasons for exercising those powers. The record is to be stored electronically in a form which allows data to be easily extracted.	See recommendation 12. COMPLETED
26	That SafeWork SA puts in place a process or procedure whereby at the commencement of an investigation the investigator appointed to carry out the investigation be accompanied by an inspector on at least the first visit to the workplace.	Initial response procedure Implementation of an initial response procedure. The procedure sets out the actions SafeWork SA Inspectors, and Investigators, will take in responding to notifiable incidents and accidents. COMPLETED
27	That SafeWork SA provides investigators with body worn cameras for use when attending workplaces.	See Recommendation 22. COMPLETED
28	That SafeWork SA implements the 16 recommendations contained in the CSO Advice applicable to SafeWork SA's practices, policies and procedures, to the extent that those recommendations have not already been implemented.	Completion of CSO recommendations Implementation of recommendations contained in the CSO advice. COMPLETED

Rec. No.	Recommendation	Project description
29	<p>That SafeWork SA reviews its evidence management practices in its regional offices with a view to ensuring that:</p> <ul style="list-style-type: none"> ◆ all offices have an evidence storage facility which is secure ◆ access to each evidence storage facility is restricted and ◆ all dealings with evidence stored in the facility are documented in accordance with the standard operating procedure. 	<p>Evidence management practice</p> <p>Implementation of an evidence management framework to ensure appropriate management of evidence with a focus on storage.</p> <p>COMPLETED</p>
30	<p>That SafeWork SA develops standard processes for all recruitment and selection which meet the mandatory minimum requirements for the South Australian Public Sector and include additional pre-employment screening as determined through an assessment of the risks associated with the role.</p>	<p>Recruitment and selection</p> <p>Implementation of a structured recruitment process for SafeWork SA.</p> <p>COMPLETED</p>
31	<p>That SafeWork SA provides recruitment training to all staff who are, or will be, members of a recruitment panel for a role within SafeWork SA.</p>	<p>Recruitment and selection training</p> <p>Training provided to staff who are involved in the recruitment and selection process.</p> <p>COMPLETED</p>
32	<p>That SafeWork SA rotates new staff recruited to inspector roles through the separate industry teams as part of the inspector induction program.</p>	<p>Rotation of new inspectors</p> <p>Implementation of a rotation schedule for all new inspectors to undertake following their initial foundational training.</p> <p>New Inspectors rotate through the teams in the Compliance and Enforcement Directorate along with the Help Centre to assist in their learning and experience in the various industry-based teams.</p> <p>COMPLETED</p>

Rec. No.	Recommendation	Project description
33	<p>That SafeWork SA provides training as part of its inspector induction program as well as to all existing inspectors and investigators which addresses:</p> <ul style="list-style-type: none"> ◆ grooming and capture ◆ managing competing pressures at workplaces and ◆ private interests and conflicts of interests. <p>Private interests and conflicts of interest training should be provided to all staff.</p>	<p>Training for staff</p> <p>Implementation of a training package for grooming and capture for inclusion in the new inspector program. All inspectors and advisors from the Educator arm are required to undertake this training.</p> <p>Training packages addressing managing completing pressures, private interests and conflicts of interests have been implemented throughout SafeWork SA.</p> <p>COMPLETED</p>
34	<p>That SafeWork SA ensures that, during the field-based development phase of the inspector induction program and for the first six months following the unconditional appointment of an inspector under the WHS Act, each new recruit or inspector receives constructive comments within 48 hours about the inspection reports and notices that the new recruit or inspector has prepared.</p>	<p>New inspector feedback from managers</p> <p>Incorporated into the new inspector training and will be a requirement of Managers or Team Leaders to provide feedback.</p> <p>COMPLETED</p>
35	<p>That SafeWork SA provides management training to all existing managers and team leaders and to any persons who commence in a management role within SafeWork SA.</p>	<p>Team Leader training</p> <p>Four cohorts of Team Leaders have completed their Team Leader training program.</p> <p>Manager training is well established and is ongoing.</p> <p>The training is based on the leadership skills required in leadership and management roles but tailored to the safety requirements of SafeWork SA. The Manager and Team Leader Training modules have been developed and tailored to SafeWork SA's needs.</p> <p>These programs remain an ongoing requirement for all new Managers and Team Leaders in the future.</p> <p>COMPLETED</p>

Rec. No.	Recommendation	Project description
36	That SafeWork SA provides relevant training to all staff who commence in a new role within SafeWork SA, including those staff who have moved from another role within SafeWork SA.	Onboarding Implementation of a structured induction (onboarding) process for SafeWork SA. COMPLETED
37	That SafeWork SA provides written debriefs and regular training to assist staff members to learn from the outcomes of: <ul style="list-style-type: none"> ◆ investigations and prosecutions ◆ experiences in court ◆ internal and external reviews and ◆ other comments received by SafeWork SA. 	Debrief and learning framework Implementation of a framework that debriefs and train staff to assist them to learn from outcomes. COMPLETED Functional Working Group A formal debriefing function has been established to share learnings and improvements. COMPLETED
38	That SafeWork SA improves the audit capacity of its electronic systems by incorporating a robust audit system into any upgrades to the existing InfoNET and Joget systems, as well as making a robust audit system a prerequisite for the procurement of any future software that captures or holds sensitive information.	Audit capacity of electronic systems A review of the functionality of SafeWork SA's case management system was undertaken. As the system cannot provide the functionality or flexibility required, SafeWork SA is preparing to replace the system to ensure it can provide a modernised service to the public. COMPLETED
39	That SafeWork SA provides all staff with training about the importance of maintaining the confidentiality of sensitive information; the appropriate way of dealing with sensitive information; and the manner in which potential misuse of sensitive information should be reported.	New training – Confidential and sensitive information Development of a mandatory training package for all staff. COMPLETED



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 developed 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 developed 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.

Deep Dives

SafeWork SA continued to progress the remaining recommendations from the Deep Dives business improvement initiative that was created in 2018 as part of our reform program. The objective of a Deep Dive is to gather information on operating differences, and areas of improvement, in SafeWork SA teams.

Recommendations relate to a wide range of identified improvements to each team's operations including the use of systems, file management and reviews, training, development or updating of procedures and recruitment processes.

Implementation of the final recommendations from the Deep Dives is progressing with just over 5 per cent remaining for closure.





Staff development and training

SafeWork SA has continued its comprehensive training program for staff. We have further defined core training requirements and introduced new training courses that contribute to the capability and development of SafeWork SA staff.

Leadership program for managers

SafeWork SA's Leadership Program for Managers continued in 2021–22.

The program commenced at the beginning of the 2022 calendar year with the aim of creating a high performing leadership team. Participation is mandatory for all managers.

Course content is 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 developed this year focused on previously identified areas for improvement and those considered crucial to being an effective leader.

Training module topics include:

- ◆ Empathic leadership
- ◆ Getting the best out of people
- ◆ How to be your best as a leader
- ◆ Managing through crisis.

The program offered individual coaching session that focused on building insight, challenge their thinking and individual development.

The program is structured to create an environment that enables managers to utilise and embed the skills they learn in their day-to-day practices.

Leadership program for team leaders

In 2021 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 future 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.

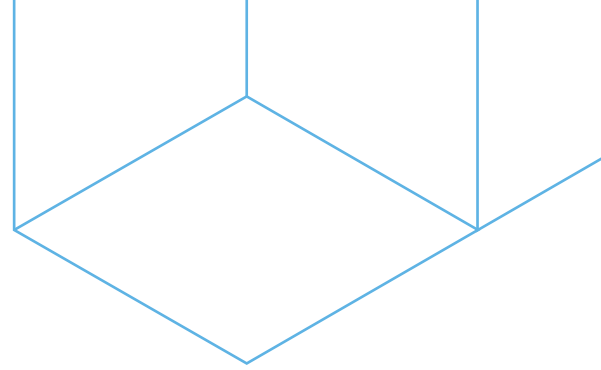
The program syllabus includes follow up assessments that allow participants to demonstrate what they have learned. Each module has a dedicated focus.

Training module topics include:

- ◆ Building good relationships
- ◆ Setting people up to succeed
- ◆ Managing people
- ◆ Creating one SafeWork SA.

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

To date, three cohorts of staff have completed this program (2019, 2020 and 2021). A fourth cohort is currently undertaking the program.



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 being necessary such as field notes and physical evidence management training.

Inspector Foundation Course

The Inspector Development Program commences with the 10-week Inspector Foundation Course. The program contains 14 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 2021–2022, two Inspector Foundation Courses were conducted with 22 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 Foundation 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 a subject matter expert from SafeWork SA to ensure accurate and consistent information is delivered to participants.

Technical Training includes modules such as Construction work, Asbestos, Electrical hazards, Machine guarding, Elevated work platforms, Amusement devices and Hazardous chemicals. In 2021–2022, two Technical Training courses were delivered.

Investigations management training

Investigations management training is an important component of the Inspector Foundation Course and aims to introduce inspectors and investigators to the concept of investigative interviewing. 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.

Course methodology is based on an information sharing model interspersed with storytelling, case scenarios, discussions and videos. Assessments are based on participation in role plays.

The partnership with Charles Sturt University to deliver the Investigations management



course concluded at the end of 2021. The final Investigations Management training that was part of the partnership with CSU was delivered in November 2021.

In 2022, an interim investigative interviewing course was successfully developed and delivered within the Inspector Foundation Course. This course was delivered by staff internal to SafeWork SA in June 2022.

Field notes training

Field notes refresher training continued to be delivered in 2021–2022 as a mandatory training program for all new and existing Inspectors. The training program provides participants with opportunities to practise and perfect techniques for writing field notes.

Field notes refresher training is regarded as an important component of SafeWork SA's training program as field notes are part of the decision record for any enforcement actions. They also form a vital reference for statements that need to be completed or could be referred to when an inspector is a witness in a court proceeding.

Physical evidence management training

Physical evidence management training was delivered in the first quarter of 2022 providing new and updated procedures relating to evidence. Seven half-day sessions were delivered in total. This training was mandatory for staff in the Compliance and Enforcement Directorate and included information on the new Physical Evidence Storage Procedure.

Information and scenarios about collecting and managing evidence were provided and discussed. The outcome of this training was to ensure consistent and practical approaches to evidence collection techniques are lawful and robust.

Critical competency record

During the year-long IDP, inspectors are required to complete their Competency Record (CCR). This sets out a range of competencies and related tasks that inspectors and investigators must work through. Through 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 and recognised as being relevant and effective. The agency is reliant on our own internal staff, who are chosen based on their personal abilities skills and knowledge, to deliver training. Many staff are involved in delivering training in both the Foundation Course and technical training which focuses on the specific skills that our employees need to know to perform their various roles. Our staff are the experts and take pride and satisfaction in sharing their knowledge, skills and experience with others in the agency. We acknowledge the great work undertaken by our staff and dedicated training coordinator, in developing and delivering our training packages.

Body Worn Camera trial

An evaluation of SafeWork SA's Body Worn Camera trial in late 2020 was undertaken to assist in determining whether the ongoing use of body worn cameras could support the compliance and investigation activities of SafeWork SA.

The trial was conducted in response to two recommendations contained in the Independent Commissioner Against Corruption (the Commissioner) report, *Evaluation of the Practices, Policies and Procedures of the Regulatory Arm of SafeWork SA* (The Report).

The Report recommended:

That SafeWork SA provides inspectors and investigators with body worn cameras for use when attending workplaces

The trial involved the use of body cameras at all site visits and at any time a statutory power may be exercised.

The evaluation was finalised in September 2021 and it was determined that there are benefits to implementing the use of body worn cameras including:

- ◆ Protecting the safety of inspectors and investigators by reducing the likelihood of aggressive or inappropriate behaviour against them
- ◆ To manage and prevent grooming and capture behaviours
- ◆ Reducing unfounded complaints, and enabling complaints to be easily investigated and resolved by reviewing relevant footage.

In February 2022, a decision was made to implement body worn cameras for use by inspectors in certain circumstances including:

- ◆ Attendance at a workplace in response to a Critical Event, including any follow up visits or activities undertaken following the initial response
- ◆ Attendance at a workplace in response to a same day service including any follow up visits or activities undertaken following the initial response
- ◆ Attendance at a workplace where it is known that the client is aggressive or sufficient information by a complainant suggests the same
- ◆ Attendance at a workplace where there is limited information available about the client
- ◆ Attendance at a workplace where the inspector has been appointed to resolve a dispute that arises about the exercise or purported exercise by a work health and safety (WHS) entry permit holder of a right of entry under the *Work Health and Safety Act 2012*.

Body worn cameras may also be used for routine matters, part of proactive compliance activities and where an inspector determines a need for a body worn camera to be used.

It is anticipated that the body worn cameras will be implemented in the first half of 2023.

Total Brain tool

As part of SafeWork SA's wellness program, SafeWork SA launched a four-week trial in May 2022 of a new app that assists staff in managing their mental health through developing brain function.

Total Brain is a web browser or app on a smart phone or tablet and allowed staff to manage and monitor their mental health through online tools, games and insights that target four brain functions.

The tool is developed with academic and psychological research at its base.

The tool was trialled across several teams in SafeWork SA, with approximately 80 people participating.

Staff were encouraged to use the tool each day, starting with a benchmark assessment of the four areas, with check-in points throughout the trial to see how they developed. The data could only be accessed by individuals using the app.

The ongoing use of the tool was assessed, based on feedback from staff it was determined that SafeWork SA would not progress the tool further.



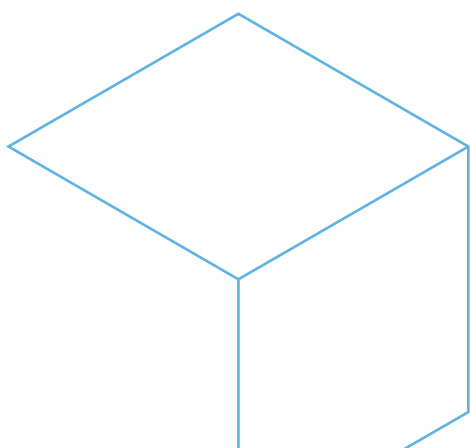
360-degree feedback

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

In 2021–22 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.



Mansfield review

On 18 May 2022, the Government appointed former Federal Court judge, the Hon John Mansfield AM QC, to undertake an independent review into SafeWork SA's investigation into the death of Mrs Gayle Woodford.

On 23 March 2016 Mrs Gayle Woodford was abducted from her home in Fregon, South Australia and taken to a remote location in the Anangu Pitjantjatjara Yankunytjatjara Lands where she was raped and murdered by convicted murderer Dudley Davey, who received a life sentence for the crimes.

On 15 July 2022 Justice Mansfield delivered his report to the Hon Kyam Maher MLC, Minister for Industrial Relations on his review into SafeWork SA's investigation into the death of Mrs Gayle Woodford and the adequacy of its engagement with the Woodford family.

The Review considered:

- ◆ SafeWork SA's engagement with Mrs Woodford's family during its investigation.
- ◆ SafeWork SA's investigation gave rise to a reasonable prospect of conviction for an offence contrary to the *Work Health and Safety (WHS) Act*.
- ◆ Recommendations as to any other matters that may arise during the course of the inquiry.



Justice Mansfield concluded that:

1. SafeWork SA's investigation into whether Mrs Woodford's death, following the Coroner's Report of 15 April 2021, gave rise to a reasonable prospect of conviction for an offence contrary to the WHS Act was adequate, and was a comprehensive and careful investigation;
2. The engagement of SafeWork SA with Mr Keith Woodford and his family during that investigation into a possible offence under the WHS Act:
 - a. The engagement was generally as extensive as permitted by section 271 of the WHS Act, and in that context was adequate, but in the period from 15 April 2021 to 28 June 2021 there should have been some communication about the commencement of the investigation;
 - b. From the perspective of the Woodford family, the engagement was not adequate but their perspective was coloured both by their expectation that the investigation would lead to a prosecution, and by a misunderstanding that arose as to the significance of the earlier investigation conducted by SafeWork SA in 2018;
3. It is appropriate to consider amending section 271, and appropriate to consider whether to amend sections 231 and/or 232 of the WHS Act.

The Minister has provided a copy of the Review to his Industrial Relations Ministerial counterparts and Safe Work Australia, advising that the Government is reviewing the provisions identified in the Review to determine whether more information can be provided to families during investigations, and to ensure the time frames for bringing a prosecution provide a fair opportunity for families to be kept informed.

Wellbeing group

SafeWork SA's Wellbeing Group encourages all SafeWork SA staff to help create and participate in activities that improve physical and mental health, promote social wellbeing and build relationships between staff from all areas of the agency.

In 2021–22, the group continued to develop and deliver wellbeing initiatives for agency staff.

Events included:

- ◆ Corporate Cup: SafeWork SA had teams participate in the 2021 and 2022 Corporate Cup, a 16-week running or walking fitness program that aims to build health, wellbeing and camaraderie within the agency
- ◆ Loud Shirt Day and Bake off was celebrated in June 2022
- ◆ Lunch and learn, finance: Super SA provided a lunch and learn seminar providing simple tricks on how to save for the future
- ◆ Breast cancer awareness morning tea and fundraiser: an event that raises funds for research, prevention and support services for those affected by breast cancer
- ◆ Reverse advent calendar: staff had a chance to donate non-perishable food to foodbank just in time for Christmas
- ◆ Bring your dog to work day: all staff were given the opportunity to bring their beloved pet dogs to work for a day
- ◆ Push-up challenge: all staff were encouraged to step up to the challenge to support and fundraise for Youth Mental Health and raise suicide awareness
- ◆ White Ribbon Day: staff came together for a White Ribbon Day morning tea to help promote a safe and respectful workplace culture. White Ribbon Day aims to bring communities all over Australia together and say 'no' to violence against women
- ◆ Recycling coffee pods initiative was introduced, and designated Nespresso recycling boxes were placed in staff kitchens
- ◆ Wednesday walking groups: a group was established to raise awareness for wellbeing ahead of the Corporate Cup
- ◆ R U OK Day: a morning tea was held at SafeWork SA to support this important mental health initiative
- ◆ Cupcake day: to support the RSPCA.





Prioritising
safety

Responding to COVID-19

Secondment of staff in response to the pandemic

SafeWork SA staff continued to contribute to the whole-of-government response to the COVID-19 pandemic in 2021–2022.

SafeWork SA nominated 5 per cent of its workforce to assist a range of government agencies, when required, with delivering critical services. Eight SafeWork SA vehicles were also provided.

During the period, nine SafeWork SA staff assisted in various roles, including:

- ◆ assistance at testing stations
- ◆ delivering care packages.

Retail trading exemptions

SafeWork SA administers the *Shop Trading Hours Act 1977*. The Minister has the power to grant special exemptions to shop trading hours under this Act.

A series of special retail trading exemptions were declared by the Treasurer, who was the Minister responsible for the Act, during the height of COVID-19 restrictions in response to advice from SA Health. Consistent advice from SA Health was that additional shop trading hours helped facilitate social distancing, which in turn helped stop the spread of COVID-19.

Temporary changes to shop trading hours were implemented in two ways:

- ◆ by way of temporary exemption granted by the Treasurer under section 5 the Act (for a maximum period of up to 30 days)
- ◆ by way of Directions under the *Emergency Management Act 2004*, for example to allow shops that provide essential goods and services to open when other shops were directed to close.

These measures provided the community with greater access to essential shops and services, particularly supermarkets.

SafeWork SA facilitated these exemptions by providing administrative support, communicating with key retail stakeholders and publishing information on the SafeWork SA website.

Customer service

In February 2022, SafeWork SA reopened its Customer Service Centre after its closure in response to the COVID-19 pandemic in March 2020.

Our Customer Service Centre at Keswick is open between 9am and 5pm Monday through Friday to the public for general, licensing and other WHS enquiries.

Compliance and enforcement activities

In 2021–2022, SafeWork SA received 115 reports of workplaces failing to adhere to COVID-19 requirements. These included reports of workplaces not enforcing social distancing and employers not providing adequate personal protective equipment, such as face masks, gloves and hand sanitiser.

SafeWork SA recognised the challenges confronting business owners during the pandemic.

Accordingly, our inspectors focused on providing advice and assistance in workplaces, rather than on punitive measures.

Any matters identified by inspectors in the workplace during the period were resolved through voluntary compliance, rather than through issuing notices. SafeWork SA inspectors continue to work with business owners and employers to educate them on their work health and safety responsibilities during the pandemic.

This included:

- ◆ providing educational information and materials
- ◆ providing advice on the work health and safety risks associated with COVID-19
- ◆ raising awareness of work health and safety control measures available for workplaces.

These measures help to ensure the wellbeing of workers and the community.

Supporting staff wellbeing

There was one COVID-19 lockdown, in July 2021, in South Australia during the 2021–22 financial year following a spike in cases. There was also a four-week period in December 2021 following the introduction of the Omicron variant into the state that public servants were advised to work from home.

Prior to the COVID-19 pandemic, SafeWork SA established working from home processes. This previously established process helped the agency again transition to work-from-home arrangements relatively seamlessly and had little or no impact on staff wellbeing.

Throughout the pandemic, SafeWork SA provided regular updates and notifications on changes and whole of Government strategies to ensure all staff knew what was happening and what current SA Health guidelines to follow.

The second half of the year saw the transition of life and work start to return to normal. Close contact isolation rules ended in April 2022, and preparation for flu season became the health focus. SafeWork SA provided flu shots for all interested employees in May 2022.

Safety alerts

Safety alerts are issued in response to workplace incidents and provide industry with information regarding key risks and hazards for equipment, workplaces and work situations.

SafeWork SA publishes safety alerts on its website and distributes them via social media channels. In 2021–22 SafeWork SA published 17 safety alerts.



Asbestos found in imported gaskets

The Australian Border Force examined two gaskets in a consignment of after-market parts and components imported from China destined for use in construction plant.

The two gaskets were compatible with models of Komatsu and Shantui bulldozers.

The gaskets were sampled and tested and found to contain chrysotile asbestos.

SafeWork SA reminds importers, especially of motor vehicles and parts, that Australia has zero tolerance for asbestos. Products with any level of asbestos, regardless of age, are prohibited for import into or use in Australia. It is the responsibility of importers to ensure that imported goods do not contain asbestos.



Workers injured in separate trench collapses

Two separate incidents in July 2021 where workers were trapped when trenches collapsed sparked a safety alert about the hazards and risks associated with excavation work.

On 6 July 2021, a worker was injured after a trench collapsed while removing earth around and under existing services to allow the installation of an electrical conduit.

A second incident occurred on 12 July 2021 when a worker was injured after a trench collapsed while using a jack hammer.

SafeWork SA Executive Director Martyn Campbell said 'ground collapse is one of the primary risks which need to be controlled in excavation work as it can happen quickly and without warning, giving workers virtually no time to escape'.

SafeWork SA also developed new guidance information on preventing trench collapse to help manage the risks of ground collapse, associated with excavation work.



Demolish safely and abolishment of electrical services

In August 2021, SafeWork SA was notified of a demolition site where abolishment of electrical services had not occurred.

Developers, builders and demolition businesses were then urgently reminded to ensure permanent disconnection of electricity supply had occurred prior to demolition commencing.

It followed a complaint to SafeWork SA notifying that the electrical service line was still connected to the pole while the house was being demolished.

Inspectors attended site and discovered the electrical service line was illegally disconnected from the house and was left lying on the ground in a live state, creating a risk to workers and the public.

South Australian Power Networks (SAPN) attended the site and made the area safe, including the removal of the electricity meters.



Critical injury after worker receives hose whip

On 14 August 2021, a worker received serious internal injuries after being struck in the stomach by a flexible hose.

'Hose whip' describes the uncontrolled and rapid motion of the flexible rubber hose on the end of a concrete placement boom or other concrete delivery lines.

The incident led to SafeWork SA producing guidance on controlling the risks associated with hose whip.

Inspectors also undertook a state-wide campaign on High-Risk Construction Work (HRCW) from September 2021.



Student injured after shackle failure at playground

SafeWork SA reminded businesses that own playground equipment to ensure the equipment is regularly inspected and maintained following a school playground incident.

In August 2021, SafeWork SA received notification of a serious incident involving a student at a school.

The student sustained facial injuries, requiring extensive surgery, after a 'D' shackle pin broke resulting in the student falling from a swing.



Crush risk when operating stabilisers on truck mounted cranes

On 5 September 2021 SafeWork SA received notification of a Notifiable Incident in an underground mine.

An underground worker sustained fatal crush injuries while operating a truck mounted vehicle loading crane. The worker was in the process of setting up the crane's outriggers.

A safety alert was issued to remind all mine operators to develop, implement and maintain safe systems of work to control the risk of operating mobile plant in an underground mine.



Workers seriously injured after falling through fragile roofing

SafeWork SA is reminding contractors about the importance of managing risk of falls.

SafeWork SA reminded contractors inspectors about the importance of managing risk of falls after two serious injuries.

The first incident occurred when a worker fell through polycarbonate roof sheeting while dismantling a shed at a residential property. The worker sustained fractures to their back, ribs and shoulder.

The second incident occurred when a worker fell through polycarbonate roof sheeting while installing solar panels on a single storey residential house. The worker sustained a fracture to their skull.

Falls from height continue to be the second leading cause of injury to workers. In 2021, SafeWork SA undertook a compliance campaign on managing risk of falls in residential construction. Of the 97 sites visited, 103 prohibition notices and 83 improvement notices were issued due to poor management of fall risks.



Three serious fall injuries in two weeks at residential sites

SafeWork SA urged construction workers to eliminate the risk by doing all or some of the work on the ground or from a solid construction after three workers fell from heights at residential building sites in October 2021.

A worker was installing roof fascia/flashings on 26 October when they fell approximately 2.5 metres onto the concrete ground. They were airlifted to the Flinders Medical Hospital with a serious head injury.

Earlier in the month, two workers sustained serious injuries after falling through fragile roofing material on a residential site.

All three incidents were the result of a fall less than three metres and could have led to fatal injuries. In 2020, 90 per cent of serious injuries associated with a fall occurred below three metres.



Fatality following quad bike rollover

In November 2021, SafeWork SA reminded businesses that own and operate quad bikes to ensure plant is regularly inspected and maintained and fitted with Roll Over Protection (ROP) or Crush Prevention Device (CPD).

The safety message followed an incident involving a quad bike on a farm.

The man sustained fatal injuries after the quad bike he was riding rolled onto him while he was crossing a paddock late at night performing duties on a farm.

Quad bikes are the leading cause of death on Australian farming properties.

To help protect quad bike users, the Australian Government introduced a new safety standard, the Consumer Goods (Quad Bikes) Safety Standard 2019. The Standard sets out requirements for new quad bikes and imported second-hand quad bike. From 11 October 2020 quad bike suppliers must comply with the safety standard.



Aftermarket modifications caused major defect

An aftermarket modification to a heavy vehicle resulting in a major defect of its lifting equipment sparked a SafeWork SA safety alert in November 2021.

The lifting equipment showed significant structural cracking, exposing workers and members of the public to a serious risk of injury.

SafeWork SA advised heavy vehicle operators to ensure lifting equipment is rated as per the recommendations of the Original Equipment Manufacturer (OEM).

Lifting equipment must also be serviced, maintained and repaired as per the recommendations of the OEM, or a competent person.

Modifications to any plant must be in accordance with relevant recognised published technical standards.



Unlicensed operator tips vehicle loading crane while lifting load

A vehicle loading crane overturned during the unloading of a stillage containing electrical conduits on 15 November 2021, prompting a SafeWork SA warning.

An investigation found that the truck-mounted crane was overloaded in the stability area of its load chart. The operator also did not hold a high-risk work licence for the classes of work being undertaken.

SafeWork SA reminded employers that craneage is a high-risk work activity requiring workers to possess the appropriate high-risk work licences including crane and dogging.

Only competent, suitably qualified, trained, instructed and supervised workers are to participate in crane operations.



Importance of anchorage systems with inflatable amusement devices

Following the tragic death of six students while playing on a bouncy castle at a school in Tasmania in December 2021, SafeWork SA reminded operators, owners and those in control of land-borne inflatable amusement devices of critical risks that must be appropriately managed.

All land-borne inflatable devices must be appropriately anchored, in accordance with the manufacturers' specifications. The manufacturers' operations manual should provide clear instructions on how to securely anchor an inflatable device onto turf or a hardstand (for example, asphalt or concrete) and the maximum wind speed for which the anchoring system is rated.

Where the inflatable's anchorage system is not known or has been determined to be inadequate, the owner or operator must obtain specifications from a competent person.



Danger of explosion when modifying storage drums

A farm worker sustained serious burns while cutting into a steel drum using oxy-acetylene equipment, sparking a SafeWork SA safety alert in January 2022.

The worker was working alone at the time of the incident.

SafeWork SA urges people to remember that even drums that have been empty for a very long time can contain enough residual substance to explode and/or emit hazardous vapour when exposed to heat.

Rinsing drums with water does not guarantee vapours are purged.

Before making the first cut, look for the hazard diamond symbol to see if the container was used to store flammable liquid or gas.

Never weld, grind or do any other hot work activity near empty drums. Do not use drums as a welding or work platform.



Three serious falls from ladders in six weeks

SafeWork SA issued a safety alert in January 2022 to remind the construction industry to assess whether a ladder offers the highest level of protection to workers after a person was killed and two were seriously injured in falls less than two metres.

On 19 January 2022, SafeWork SA received notification that a worker suffered fatal head injuries when they fell to the floor while installing ceiling joists from a ladder within a warehouse. SafeWork SA is currently investigating the incident.

In the weeks leading up to the incident, two other workers received serious injuries after falling from height.

Duty holders were reminded to consider reasonably practicable control measures to manage the risk of falls from heights, particularly providing adequate information, training and supervision when workers are required to use ladders.



Nail gun horror month

Four nail gun injuries to apprentice carpenters in February 2022 prompted a SafeWork SA reminder to employers in the residential construction industry.

Carpenters should only use bump fire nail guns once adequately trained and deemed competent to use them.

On 25 February 2022, SafeWork SA received notification that a fourth-year apprentice received a penetration wound to his upper right thigh when he shot himself with a nail while kneeling. The apprentice required emergency services to bring him down from a scaffold before being treated at the Royal Adelaide Hospital.

A second incident occurred when a first-year apprentice was constructing wall frames on the ground when he tripped on the frame and the nail gun fired a nail, penetrating his right thigh above the knee.

A third incident occurred when a second-year apprentice received a penetration wound to his right index finger after the nail struck a knot while building a wall frame.

Earlier in the month, a first-year apprentice was climbing a ladder when the nail gun actuator was triggered, firing a nail into the left knee.



Portable field bin spring loaded lever handles continue to be a serious injury risk

SafeWork SA Inspectors attended an incident involving a worker who was struck in the head by the spring-loaded arm that raises and lowers the wheels on a portable field bin.

Due to heavy rains, the circular base of the field bin had sunk in the paddock which appears to have created a 'suction-effect' on the base of the bin. When the worker attempted to raise the wheels of the bin, the handle, which was under spring tension, sprung back rapidly with high force striking the worker in the head.

During the bin raising stage the operator must position themselves out of the way of the detachable lever in case it releases or kicks back.

A locking pin must be installed into the bin axle for transportation.

While this is a required action, it may place the operator directly in line with the tensioned detachable lever, should the operator lose control of the detachable lever and/or the bin moves.



Risk of amputation when using horizontal panel saws

SafeWork SA issued safety advice after inspectors attended two separate incidents where workers were seriously injured while using manual horizontal panel saws.

The first incident occurred while a worker was cutting thin veneer edge strip on a panel saw. The saw blade guard had been removed as it was seen as a distraction while cutting the thin veneer edge strip. The worker accessed the exposed saw blade and sustained serious lacerations to two fingers.

The second incident involved the cutting of cleats from off-cut pieces of timber on a panel saw. The worker was standing next to the saw blade when it is believed that the off-cut section was pulled into the saw blade whilst the sliding feed table was returned for the next cut. The worker's hand got pulled over the saw blade and they sustained partial amputation of two fingers.

With both incidents, the workers were cutting small items on the horizontal panel saw and worked over the saw blade which inadvertently brought them closer to the saw blade. Both workers reported to be experienced and competent trades people.

To reduce the occurrence of incidents and injuries when operating a panel saw, users should determine whether the panel saw is fit for purpose, especially when the task involves the cutting of smaller items, as other types of plant may be more appropriate and safer to use.

A risk assessment of all tasks involving the use of a panel saw should also be undertaken by identifying hazards, assessing risks, and identifying suitable controls to eliminate or minimise the risks to health and safety.

Compliance campaigns and audits

Asbestos Audits

In 2021–2022, SafeWork SA implemented three asbestos audits in support of the national strategic plan's (NSP) priority to improve asbestos awareness to influence behavioural change and the NSP target that all regulators have in place and have implemented asbestos compliance programs.

The aim of the asbestos audit was 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.

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

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



There are **170 asbestos licence holders** in South Australia:

- ◆ Class A – Friable Asbestos
15 licenses
- ◆ Class B – Non-Friable (Bonded) Asbestos
76 licenses
- ◆ Asbestos Assessor
79 licenses

Asbestos management

Between 15 March 2022 and 30 June 2022, SafeWork SA undertook an agency-wide compliance campaign focused on asbestos management and the management of asbestos prior to demolition and refurbishment commencing.

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 95 audits of workplaces during the campaign, resulting in 72 Improvement Notices being issued for the following reasons:

- ◆ 31 no asbestos register
- ◆ 9 no asbestos management plan
- ◆ 11 no labels indicating presence of asbestos
- ◆ 7 asbestos material not maintained
- ◆ 6 asbestos register not maintained
- ◆ 3 asbestos register not available
- ◆ 5 subsequent notice issued to prepare an asbestos management plan.



58% of audits identified non-compliance

Asbestos management – demolition or refurbishment

To support the asbestos management campaign, the SafeWork SA undertook audits 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 61 licensed asbestos removal sites and performed a total of 111 compliance audits across multiple duty holders.

These included:

- ◆ 52 persons who commissioned the work
- ◆ 27 licensed asbestos removalists
- ◆ 33 licensed asbestos assessors.

A total of 47 statutory notices were issued, consisting of 11 prohibition notices and 36 improvement notices. The top five notices issued were:

- ◆ 11 independence of licensed asbestos assessor
- ◆ 6 workers wearing a tight-fitting respirator not being fit tested
- ◆ 6 no asbestos register or register no reviewed prior to demolition or refurbishment
- ◆ 5 health monitoring
- ◆ VET certificate not available at the removal area.



62% of audits undertaken met compliance

Safe work method statements for high-risk construction work

Between 1 September 2021 and 30 November 2021, SafeWork SA inspectors completed phase 2 of a compliance program focused on Safe Work Method Statements (SWMS). This program was conducted in response to a recommendation contained in the Safe Work Method Statements 2020 Audit Report.

High Risk Construction Work (HRCW) includes 18 activities identified in the Regulations as having significant potential for serious harm based on historical national injury data. Safe Work Method Statements (SWMS) for HRCW are a key strategy relied upon to reduce this toll.

During the period of 1 September 2021 to 30 November 2021, SafeWork SA inspectors completed campaign-related compliance activities at 92 construction sites across the three construction industry subdivisions:

- ◆ 45 construction services (commercial)
- ◆ 27 heavy and civil engineering construction (civil)
- ◆ 20 building construction (residential)

These audits also included 51 construction projects where a principal contractor was in management and control of the workplace:

- ◆ 36 commercial
- ◆ 13 civil
- ◆ 2 residential

The audit consisted of four parts:

- ◆ SWMS preparation
- ◆ SWMS compliance
- ◆ construction project – duties of contractor
- ◆ construction project – duties of principal contractors.

A total of 106 statutory notices were issued, consisting of 88 prohibition notices and 18 improvement notices.

The largest areas of non-compliance related to a failure to prepare a SWMS before commencing HRCW and a failure to have adequate control measures in place to manage a risk of a person falling more than three metres.

Elevating work platforms (EWP) and managing risks of silica exposure are high risk construction work activities.

Inspectors issued



4 prohibition and 6 improvement notices associated with EWPs and



4 improvement notices for silica exposure.

Managing risk of falls in residential construction

Between 1 March and 31 August 2021, SafeWork SA undertook a compliance campaign focusing on managing risk of falls in residential construction.

The campaign was undertaken as a result of a recommendation made in the Safe Work Method Statements Campaign 2020 audit report. The report identified serious safety concerns in the residential construction sector with managing work health and safety (WHS) hazards and risks associated with a fall from height.

The objectives of the campaign were to:

- ◆ Measure compliance in the residential construction sector against managing risk of fall regulations
- ◆ Ensure that person(s) with management and control of the workplace met their shared work health and safety obligations and responsibilities.

SafeWork SA Inspectors conducted 96 site visits and 146 compliance audits during the campaign. These focused on 88 contractors, 50 persons with management and control of the workplace (typically a builder) and eight builders.

The audits included 34 construction projects where a principal contractor was in management and control of the workplace.

The audits of these workplaces resulted in 235 statutory notices being issued in response to non-compliance. These included 102 prohibition notices and 83 improvement notices associated with a failure to manage the risk of a fall. A further seven prohibition notices and 41 improvement notices were issued for other non-compliances identified on site.



135 elevated workplaces identified by inspectors



Compliance at South Australian events

South Australia's major events calendar continued to be impacted by the COVID-19 pandemic in 2021/2022. Many large-scale events did not go ahead, including the Royal Adelaide Show in 2021.

This had a significant impact on South Australian and interstate operators who had already travelled to South Australia prior to the cancellation of these events.

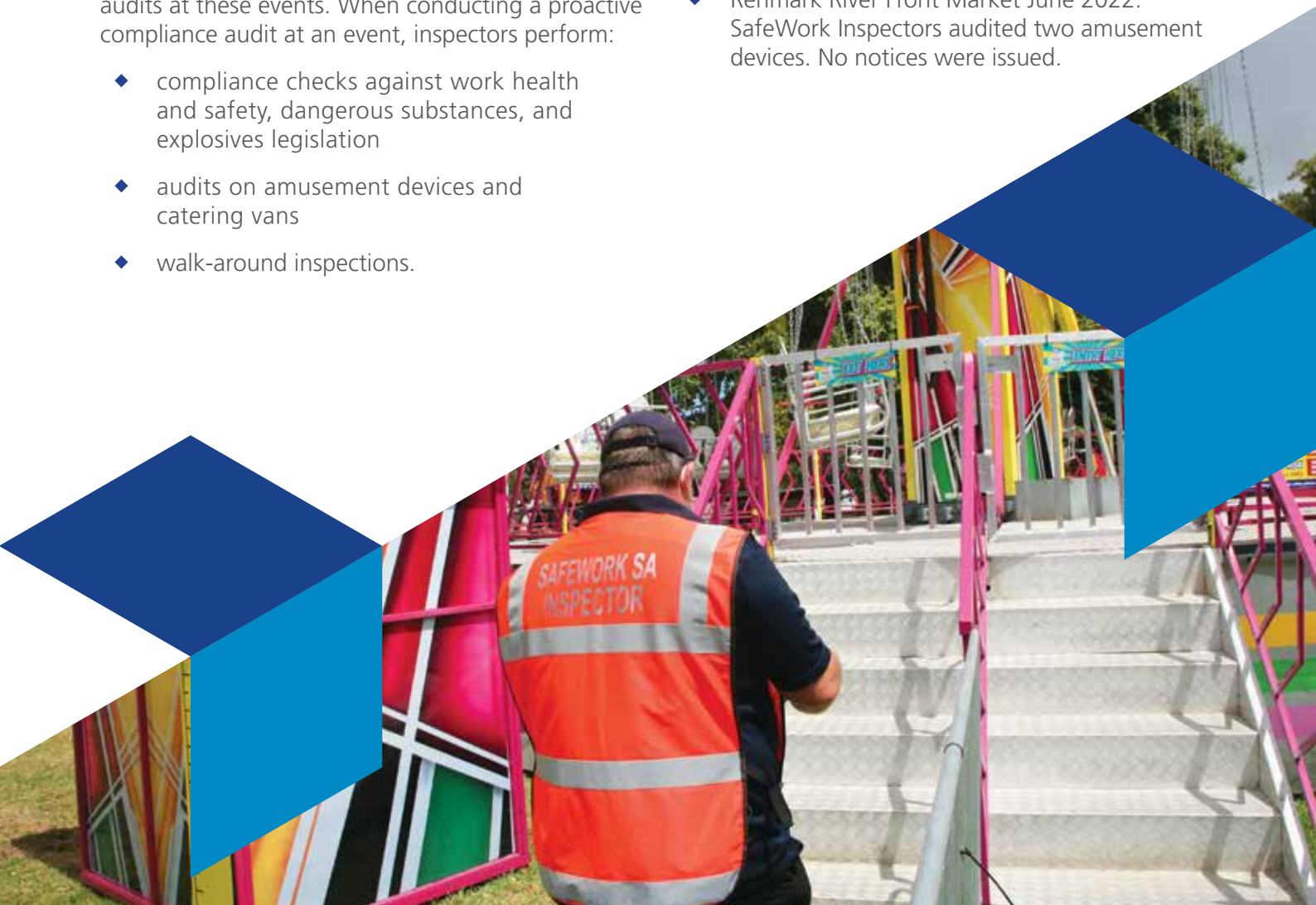
These operators were allowed to stage smaller events to protect their livelihoods and to support the wellbeing of the South Australian community.

Inspectors undertook pre-show engagement with operators to provide them with information regarding their work health and safety obligations and to ensure the safety compliance of amusement devices. Inspectors also conducted internal engagement with engineers to coordinate SafeWork SA's approach to conducting compliance audits at these events. When conducting a proactive compliance audit at an event, inspectors perform:

- ◆ compliance checks against work health and safety, dangerous substances, and explosives legislation
- ◆ audits on amusement devices and catering vans
- ◆ walk-around inspections.

Inspectors conducted compliance audits at six events in 2021–22:

- ◆ Whyalla Show, August 2021: SafeWork SA Inspectors audited 11 amusement devices, no notices were issued
- ◆ Adelaide Family Carnival August/September 2021: SafeWork SA inspectors audited 15 amusement devices and issued two improvement notices
- ◆ Mt Gambier Show: SafeWork SA Inspectors audited one amusement device, no notices were issued
- ◆ Nova's Not the Royal Adelaide Show: SafeWork SA inspectors audited 26 amusement devices and issued three prohibition notices
- ◆ Garden of Unearthly Delights (Adelaide Fringe – February to March 2022): SafeWork SA inspectors audited 12 amusement devices and nine catering vans, three prohibition notices were issued
- ◆ Renmark River Front Market June 2022: SafeWork Inspectors audited two amusement devices. No notices were issued.





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 2021–22, there were seven convictions recorded in the South Australian Employment Tribunal for work health and safety matters, with fines totalling \$883,000.

In 2021–22 there were also seven Enforceable Undertakings entered into with an estimated total minimum spend of \$1,087,648.

SafeWork SA publishes all successful prosecutions and Enforceable Undertakings on its website.

Matt's Carpentry Pty Ltd

Martyn Campbell v Matt's Carpentry Pty Ltd and Matthew Pincin

Matt's Carpentry Pty Ltd and Matthew Pincin pleaded guilty in the South Australian Employment Tribunal (SAET) for breaches of section 32 of the *Work Health and Safety Act 2012* (SA).

In December 2018, an apprentice carpenter fell from a height over three metres onto a concrete surface from the first floor of a residential building.

The worker was undertaking wood framing on the first floor of a residential building.

The worker was walking backwards unrolling some building material and fell through an unprotected and uncovered void, where a stairwell was to be installed.

The injured worker was hospitalised with spinal injuries requiring surgery and a fracture of the pelvis.

Matt's Carpentry Pty Ltd was charged with failing to:

- ◆ provide and maintain a safe working environment
- ◆ ensure a safe system of work for the task undertaken
- ◆ perform an adequate risk assessment and identify the hazard of working near an unguarded void
- ◆ ensure appropriate control measures were in place to eliminate or reduce the risk of fall.

Matthew Pincin, as the director and supervisor, was charged for failing to:

- ◆ ensure appropriate hazard and risk assessment processes were in place for the task to be undertaken.

Both the company and director's failures exposed the worker to a risk of serious injury or death.

The SAET convicted Matt's Carpentry Pty Ltd and imposed a fine of \$90,000 (after discount for early guilty plea) plus legal fees.

Matthew Pincin was convicted and imposed a fine of \$21,000 (after discount for early guilty plea) plus legal fees.

23 July 2021

City Demolitions and Earthmoving Pty Ltd

Martyn Campbell v City Demolitions and Earthmoving Pty Ltd

City Demolitions and Earthmoving Pty Ltd pleaded guilty in the South Australian Employment Tribunal (SAET) for breaches of section 32 of the *Work Health and Safety Act 2012* (SA).

In March 2019, a worker suffered serious injuries when struck by a falling ramp of a low loader trailer while performing work inside the drop zone of its 230kg ramps. The ramps suddenly fell due to a failure of the hydraulic ram system, after their safety chain restraint system had been loosened

so that the worker could open a storage box located between the ramps.

The worker suffered severe traumatic injuries including fractures to his spine, pelvis, ankles, legs and ribs.

City Demolitions and Earthmoving was charged with one workplace safety offence of failing to provide, so far as was reasonably practicable, safe plant and a safe system of work, thereby exposing him to a risk of death.

The SAET convicted City Demolitions and Earthmoving Pty Ltd and imposed a fine of \$133,000 (after discount for early guilty plea) plus legal fees.

30 July 2021

J.M.A Engineering Pty Ltd

Martyn Campbell v J.M.A Engineering Pty Ltd

J.M.A Engineering Pty Ltd pleaded guilty in the South Australian Employment Tribunal (SAET) for breaches of section 32 of the *Work Health and Safety Act 2012* (SA).

In March 2019, a worker suffered crush injuries to their hand when it became caught in a de-coiler machine.

J.M.A Engineering Pty Ltd exposed workers to a risk of serious injury by failing to ensure, so far as was reasonably practicable:

- ◆ a safe system of work for the task by not completing an adequate hazard

identification and risk assessment process specific to the use of the de-coiler roller (including the application of protective layers to the roll)

- ◆ a safe working environment by not adequately guarding the rollers during the operation of the de-coiler roller
- ◆ workers maintained a safe distance from the pinch point of the de-coiler machine.

The SAET convicted J.M.A Engineering Pty Ltd and imposed a fine of \$66,000 (after discount for early guilty plea) plus legal fees.

9 September 2021

F Laucke Proprietary Limited

Martyn Campbell v F Laucke Proprietary Limited

F Laucke Proprietary Limited pleaded guilty in the South Australian Employment Tribunal (SAET) for breaches of section 32 of the *Work Health and Safety Act 2012* (SA).

In October 2020, a worker suffered fatal injuries when they were crushed and asphyxiated in a pneumatic slide-gate.

Workers were periodically required to access the inside of the surge bin of a pellet press to clean and maintain it. It was possible for a worker to access the interior of the surge bin through an access hole at the top of the bin. This access hole was covered by a hatch that was not interlocked and could be opened without tools. Materials were fed into the surge bin from two other bins located above the surge bin. The flow of materials between the bins was controlled by a pneumatic slide-gate. When the pneumatic slide-gate was open, it would move to cover the access hole.

It was possible for a worker to remotely operate parts of the pellet press, including the pneumatic slide-gate, from a control room. It was also possible for a worker to access the interior of the surge bin while the pneumatic slide-gate was operational. There was a risk that a worker's head, neck and/or

body may be struck and/or crushed by the pneumatic slide-gate whilst accessing the interior of the surge bin.

On the day of his death, the worker attempted to clean the build-up of mash at the bottom on the surge bin. As per instructions, the workers asked the press operator to close off the airline to the hydraulic gate. Unfortunately, closing off the air supply had failed to isolate the slide gate and prevent it from activating.

F Laucke Proprietary Limited exposed workers to a risk of serious injury or death by failing to ensure, so far as was reasonably practicable:

- ◆ a safe work environment as it was possible for a worker to access the inside of the surge bin while the pneumatic slide-gate was operational
- ◆ a safe system of work for the task, as they did not perform an adequate hazard identification and risk assessment process which properly identified and assessed the above mentioned risk.

The SAET convicted F Laucke Proprietary Limited and imposed a fine of \$650,000 (reduced to \$390,000 after discount for early guilty plea) plus legal fees.

22 February 2022

Woodlands Hill Fabrication

Woodlands Hill Fabrication Pty Ltd and Bartyn Dall both pleaded guilty in the South Australia Employment Tribunal (SAET) for breaches of their duties under section 32 of the *Work Health and Safety Act 2012* (SA).

In October 2018, a worker of Woodlands Hill Fabrication received serious injuries, including the loss of both legs, as a consequence of electricity arcing across to the elevating work platform (EWP) that he was working on.

The worker was in the process of lubricating the platform of the EWP when the platform was raised underneath an active overhead power line by Bartyn Dall, who was operating the EWP at the time.

SafeWork SA's investigation found that:

- ◆ no risk assessment had been carried out prior to commencing the task
- ◆ there were no safe systems of work
- ◆ there were no safety procedures
- ◆ the worker had not received adequate information, instructions and training in the use of the EWP.

The SAET convicted Woodlands Hill Fabrication Pty Ltd but did not issue a pecuniary fine noting the business is no longer trading and has no assets.

A conviction was also recorded against Bartyn Dall the sole director and operator of Woodlands Hill Fabrication Pty Ltd. Mr Dall was ordered to pay a fine of \$40,000, which was reduced to \$28,000 following an early guilty plea.

9 March 2022

Angus Roberts

Martyn Campbell v Angus Roberts

Angus Roberts pleaded guilty in the South Australian Employment Tribunal (SAET) for breaches of section 32 of the *Work Health and Safety Act 2012* (SA) and reg 342(1) of the *Work Health and Safety Regulations 2012* (SA).

In September 2019 Mr Roberts, a refrigeration mechanic, and the owner of the business he was working at sustained burns when a flammable substance caught fire. The business premises also received fire damage.

Mr Roberts was replacing a refrigeration condenser of a food display unit when he mistakenly used propane gas to charge the new condenser. While attempting to remove

the propane some escaped in gas and liquid form. It ignited and caused a sudden fire.

The defendants admit that they did not have safety protocols in place and had not carried out a proper risk assessment. He also admits to decanting the chemical substances into smaller canisters which he failed to label or label correctly.

The SAET convicted Mr Roberts and imposed a fine of \$50,000 (reduced to \$33,000 after discount for early guilty plea) for the s32 offence and \$3,000 (reduced to \$2,000 after discount) for the reg 342 offence. Mr Roberts must also pay legal fees and the Victim of Crime levy.

16 March 2022

Infuse Bottling Company Pty Ltd

Martyn Campbell v Infuse Bottling Company Pty Ltd

Infuse Bottling Company Pty Ltd was sentenced in the South Australian Employment Tribunal (SAET) on 18 May 2022, after being found guilty of failing to ensure the health and safety of its workers and failing to comply with a Prohibition Notice.

The bottling plant was purchased from a vendor in China who was required to install the plant to Australian Standards. The vendor sent installers from China who did not have the correct trade qualifications and did not complete the installation to Australian Standards.

An independent electrical contractor conducting work on the premises observed that the cabling did not meet Australian Standards. The contractor brought this to the attention of the Production Manager.

It was recommended that a full audit of the QPM2 electrical wiring be carried out before the line was energised.

An audit report was provided to the Infuse Bottling Company which identified the plant as being unsafe. On 26 February 2019, the electrical contractor locked out the electrical switch pad for the bottling line until the wiring could be brought up to Australian Standards.

Despite the lock out, the company continued to use the bottling line and exposed their employees to risk of injury or death.

On 16 April 2019, SafeWork SA issued the company a Prohibition Notice on the bottling plant. Infuse Bottling Company told the SafeWork SA Inspector that it had spoken to the installers about the electrical concerns and had been assured that the bottling line was safe to operate.

The bottling line had been used extensively between the lock out on 26 February 2019 and the issuing of the Prohibition Notice on 16 April 2019.

Despite the bottling line being subject to a Prohibition Notice, Infuse Bottling Company continued to use it.

Infuse Bottling Company Pty Ltd pleaded guilty in the SAET to all three offences.

The SAET convicted Infuse Bottling Company Pty Ltd and imposed fines of \$135,000, \$10,000 and \$50,000. This was reduced to a total \$136,500 after a 30 per cent discount for early guilty plea plus legal costs. The Magistrate further reduced the fine to \$120,000 plus legal costs due to financial hardship.

25 May 2022

Total: \$883,000



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.

An enforceable undertaking (rather than a prosecution) will only be accepted if it delivers tangible benefits for workers, industry and the community as a whole and resolves the issue that led to the EU.

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 enforceable undertaking is entered into but not complied with. SafeWork SA entered into seven enforceable undertakings in 2021–2022.

R M Williams

SafeWork SA accepted an enforceable undertaking from boot manufacturer and retailer R M Williams following an incident in 2020.

On January 16, a worker was operating the Silpar Heeler machine within the footwear department. Not wanting to stand idle, the worker picked up a new style of boot from the line and proceeded to ask a colleague to show him how to cut the Vibram sole. The colleague showed the worker the process, and the worker proceeded to cut the Vibram sole. During this operation, his right hand slipped causing his right index finger to enter the direct path of the rotating blades.

The injury sustained by the worker was a traumatic amputation of the right index finger. Subsequently, the injured worker is suffering from post-traumatic stress disorder.

SafeWork SA alleged that R M Williams failed to provide a safe system of work that accounts for the variations in the task when

different sole materials are being trimmed/cut by an operator of the Silpar Heeler. It also alleged a failure to provide adequate information, training, instructions, or supervision that accounts for the variations in the task when different sole materials are being trimmed/cut by an operator of the Silpar Heeler.

RM Williams entered into an enforceable undertaking with an estimated minimum spend of \$186,247.

Following the incident, R M Williams has consulted extensively with workers and eliminated the operation in which the alleged contravention occurred.

R M Williams has already taken steps to prevent any recurrences of incidents of a similar nature and is committed to implementing necessary safety improvements.

4 August 2021

Total estimated minimum spend of undertaking: \$186,247

San Remo Macaroni Company

San Remo allegedly failed to comply with its health and safety duties twice on 19 June 2019.

The allegations followed a serious injury to a worker when his hand came into contact with the cutting blades of the curly lasagne machine while attempting to clear a blockage.

The first alleged contravention involved a failure to ensure that the cutting blades of the machine were properly guarded. The second allegation was that San Remo failed in its duty to provide a safe system of work for the task of clearing blockages.

SafeWork SA accepted an enforceable undertaking from San Remo with a total estimated minimum spend of \$185,097.

The undertaking included the employment of a dedicated preventative maintenance coordinator, engage independent consultants to roll out a series of training courses for staff, and a safety bonus award system for staff to prevent lost time workplace injuries.

13 September 2021

Total estimated minimum spend of undertaking: \$185,097

Build Tec Group

Development and construction company Build Tec Group entered into an enforceable undertaking with SafeWork SA after a worker was injured on a building site in September 2019.

The worker was performing works including concreting the floor of level 5 at a construction site when a Deltacore panel fell through to level 4. Consequently, the worker also fell through to level 4 and sustained a dislocated shoulder and laceration near the eye.

The total estimated minimum spend of the undertaking is \$404,500. It includes a

\$361,000 upgrade to Build Tec Group's WHS management system and working with the MBA to develop new methodology on the install of precast flooring systems.

Build Tec Group also agreed to donate \$15,000 to MATES in Construction to help it deliver its free industry training sessions into suicide awareness and a further \$7,500 to Cancer Council SA.

24 September 2021

Total estimated minimum spend of undertaking: \$404,500

Xiaojie Hu

As a director of Infuse Bottling Company, Xiaojie (Pauline) Hu took receipt of a prohibition notice from SafeWork SA on 16 April 2019 to stop using a bottling line at its site.

Unbeknown to Ms Hu, the bottling line continued to be used for a period of time to complete a job following the issue of the prohibition notice.

The company was also prosecuted in relation to certain alleged failings.

An enforceable undertaking was entered into with Ms Hu against the backdrop of

Infuse Bottling pleading guilty to offences under the WHS Act.

Enforceable actions under the EU included safety and leadership training for relevant staff, and advertorial articles in the Adelaide Chinese News and South Australian Wine Industry Association newsletter discussing the risks associated with imported products and machinery and the need to meet Australian standards.

29 September 2021

Total estimated minimum spend of undertaking: \$9,449

**Total undertakings:
\$1,087,648**

Beston Pure Dairies

SafeWork SA agreed to an enforceable undertaking with Beston Pure Dairies following an alleged contravention of the *Work Health and Safety Act 2012* (SA) on 13 December 2019.

The end of production cleaning team based at the company's Jervois plant was preparing to clean and sanitise the mozzarella cheese line when a worker removed a fitting at the base of an incline cheese auger.

The auger remained energised and the auger screw was still in motion when the worker placed his arm inside, resulting in the arm being entangled and severed. The forearm and hand were successfully reattached.

Beston carried out a risk assessment immediately after the incident and developed a safe work procedure for the cleaning of the auger. It also provided refresher training to its Jervois employees.

Beston also developed 16 new positions to address identified WHS gaps.

As part of the EU, Beston spent more than \$115,000 on additional electrical work beyond the scope of the notices.

11 November 2021

Total estimated minimum spend of undertaking: \$204,325

Timco

Timber supplier Timco entered into an enforceable undertaking with SafeWork SA after a truss plant operator sustained a crush injury to their right hand while operating a jig machine on 31 January 2020.

The EU included the creation of a WHS support role for a minimum of 12 months, training for staff and an upgrade of safety labels.

A safety alert about the incident was also to be included in the Timber Trader News and the company agreed to spend \$3,500 on a community lunch at the Mitre 10 Port Elliot store, which it owns.

10 December 2021

Total estimated minimum spend of undertaking: \$81,630

Koch Farming

A 2800-hectare farm north of Adelaide entered into an enforceable undertaking following an incident when a worker was overrun by loader.

The worker sustained fractures to his pelvis, rib and toes in the incident as well as multiple cuts and bruises.

Koch Farming disposed of the loader and registered with the Safe Ag Systems safety and training program following the incident.

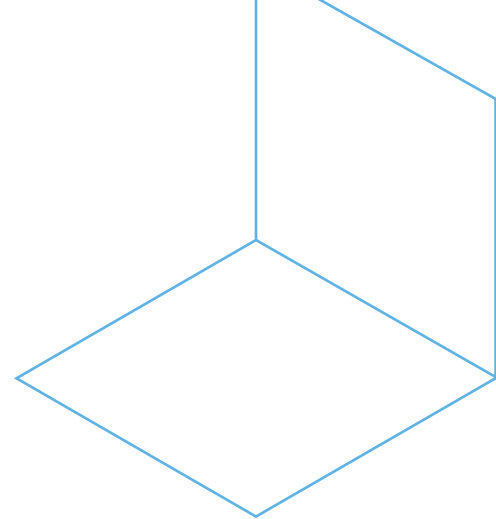
It also spent more than \$80,000 on rectifications outside of the EU.

As part of the EU, Koch Farming agreed to spend \$13,000 on a work health and safety management system audit of the farm by a competent WHS Auditor.

It also agreed to produce a short video outlining the incident to bring focus to farm safety and to donate \$1,000 to the Hamley Bridge Football Club.

15 March 2022

Total estimated minimum spend of undertaking: \$16,400



Education activities with industry

SafeWork SA's education team undertook a range of education activities with industry throughout 2021–2022.

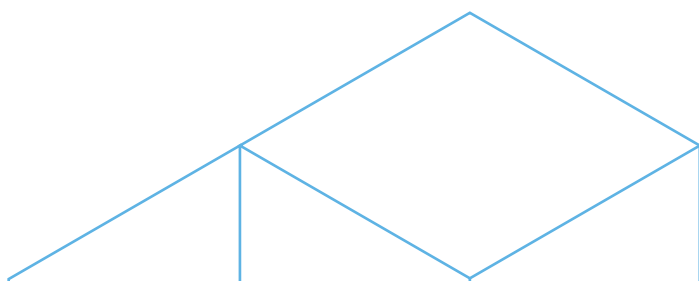
These included:

- ◆ presentations on the role of SafeWork SA to health and safety representatives undertaking Level 1 training courses
- ◆ presentations to young workers, apprentices and supervisors to improve health and safety outcomes for young or inexperienced workers
- ◆ attended or presented at industry expos and forums
- ◆ industry engagement and partnership across multiple sectors
- ◆ regional presentations
- ◆ educational webinars
- ◆ presentations and promotion of the free People at Work tool.

Yorke Peninsula Field Day in September 2021

Field days are a proactive opportunity to engage with key stakeholders and audiences in regional SA. Stakeholders such as 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, in providing our shopfront for them to visit us to discuss health and safety. Due to COVID-19 several field days across South Australia were cancelled.

Two WHS Advisors attended the three-day event distributing our Farmers' Guidebook, Top 10 Tips to Mental Health posters and Livestock Handling Guidelines brochures.



Workplace Sexual Harassment National Forum – influencing positive change

The 'What is next?' panel discussion was held on day two of the two-day Workplace Sexual Harassment National Forum in November 2021. The panel was facilitated by Martyn Campbell and included WHS Advisor Jason Mavrikis as a panellist together with ComCare and SafeWork NSW. The forum focused on workplace sexual harassment risks, management and prevention with the aim of raising awareness about the Respect@Work Report findings and facilitating a nationally consistent understanding of this important topic.

Falls from height awareness campaign

Following a number of workplace incidents, SafeWork SA's Education team and Construction and Utility team collaborated on a safety campaign to raise awareness on the dangers of working at height. On 22 April 2022, SafeWork SA held two webinars in partnership with the Master Builders Association (MBA) and the Housing Industry Association (HIA) on managing the risk of falls in residential construction with 70 people in attendance.





Supporting health
and safety

Augusta Zadow Awards

The Augusta Zadow Awards are SafeWork SA's flagship grants program.

Run annually since 2005, the awards provide grants to help meet the costs of a work health and safety initiative from an annual pool of \$25,000.

The awards are designed to support initiatives, research or further education that improve health and safety for women and young workers in South Australia.

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.

She 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 and was 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 as a factory inspector to monitor working conditions for women and children.

Augusta is buried in the West Terrace Cemetery. Her gravestone was built with 1,000 threepenny subscriptions from factory workers.

In recognition of her work, SafeWork SA's Augusta Zadow Awards help meet the costs of a work health and safety initiative that benefits working women, research or further education.

Her Excellency, the Honourable Frances Adamson AC, Governor of South Australia announced the 2021 recipients at a ceremony held on 15 October at Government House.

There were two winners in 2021:

- ◆ Stephanie Schmidt from ACT for Ag was awarded \$15,000 to develop a program that improves the psychological flexibility and wellbeing of farmers
- ◆ Flinders Health and Medical Research Institute, Appleton Institute and SA Ambulance Service received \$10,000 for their research project focusing on sleep problems among young paramedic workers.

A total of 21 applications were received for the 2021 awards and the feedback from the assessment panel was that the applicants presented to a very high standard.





National Safe Work Month

National Safe Work Month is an annual event held during October. This is an important month in SafeWork SA's calendar. The theme in 2021 was *Think safe. Work safe. Be safe.*

During the month, SafeWork SA held a series of events, activities and workshops and produced a variety of resources to highlight work health and safety matters.

SafeWork SA also actively engaged with South Australian workplaces and partner organisations to promote work health and safety activities and events throughout the month on its social platforms.

Events in 2021 included a series of webinars and the popular Organise Your Own Workplace Activity, which received a record 41 entries.

Entries were assessed against a judging matrix which considered originality and relevance to health and safety promotion. Two gold, two silver and two bronze awards in the form of Drakes Supermarket vouchers were presented to the best entries.

National Safe Work Month has been held since 2009 after workplace deaths in Australia reached a peak of 310 in 2007.

Asbestos Awareness Week

Asbestos Awareness Week is a nationwide, week-long campaign dedicated to raising awareness of the dangers of asbestos and providing advice on managing the health risks that come with it.

The Asbestos Safety and Eradication Agency sets the theme each year, with the theme for 2021 'Think twice about asbestos'.

Held from November 22–28, the campaign challenged complacency by reminding home renovators and tradespeople that the danger of asbestos is far from over.

Asbestos is still present in millions of homes, as well as public and commercial buildings, across Australia that were built before 1990.

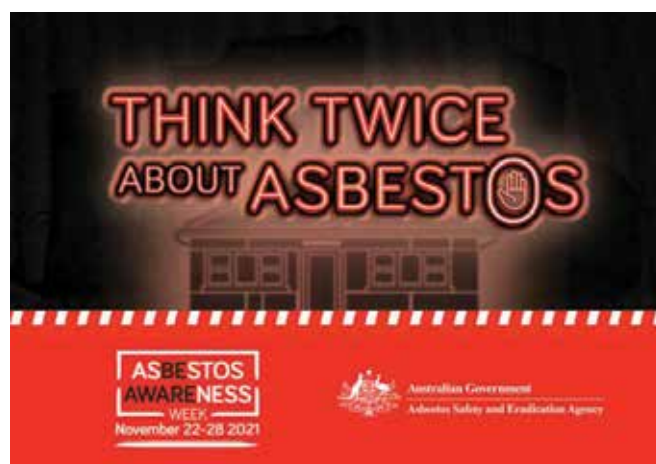
SafeWork SA is one of hundreds of organisations working towards an Australia free of asbestos-related diseases.

National Asbestos Awareness Week 2021 included a management of asbestos webinar on 24 November with a focus on asbestos registers, managing demolition and refurbishment work and asbestos management plan.

The week also announced SafeWork SA's forthcoming asbestos compliance campaign, which was held in 2022.

SafeWork SA also promoted information and resources on its website and through a series of posts across social media channels and in its eNews.

Promotions included links to asbestos information resources on the SafeWork SA website and on the asbestos.sa.gov.au website, which is managed by SafeWork SA.



Premier's Awards for Energy and Mining

SafeWork SA was an official partner of the Premier's Awards for Energy and Mining in 2021.

The Awards Presentation Dinner was held at the Hilton Adelaide on 11 November 2021.

In 2021, the awards celebrated 10 years of innovation, recognising and showcasing the leading-edge technology and best practice in South Australian Energy and Mining sectors.

SafeWork SA's involvement in the awards included the adjudication, judging and presentation of the Health and Safety category. The winner of this category was:

- ◆ Adbri for its Safety Step Change program developed with a full organisation-wide commitment to improve safety to make the workplace the safest it can be for the long term
- ◆ BHP received a commendation for its Step Up For Safety campaign introduced to Olympic Dam early in FY21 as a response to the increasing Total Recordable Injury Frequency at the site.

SAMERC

The South Australian Mines Emergency Response Competition (SAMERC) is designed to test the skills and knowledge of teams who would be called on to respond to a mine emergency.

The 11th annual SAMERC competitions were held before a public audience at Terramin Angas Zinc Mine and Processing Facility, Strathalbyn, in October 2021.

SafeWork SA was a Premium Sponsor of the event.

The events were held over three days in October with six rescue teams competing from mines in South Australia and New South Wales including Prominent Hill and Carrapateena (Oz Minerals), Olympic Dam Team 1 and Team 2 (BHP), SIMEC Mining from Whyalla and Cadia Valley Gold Mine (NSW).

Awards were presented across 10 categories with Cadia Valley Gold Mine claiming the overall perpetual trophy.



Prominent Hill was awarded the inaugural Chairman's Award for the team that best demonstrates the value of SAMERC's aims through training, desire to learn, seeking knowledge and feedback from adjudicators, teamwork and building relationships within the community.

More than 100 people took part in the event including adjudicators, team members and volunteers.



Contributing to the
national agenda

Heads of Workplace Safety Authorities (HWSA)

The Executive Director of SafeWork SA, Martyn Campbell, assumed the role of Chair of the Heads of Workplace Safety Authorities (HWSA) on 1 July 2020, expiring on 30 June 2022. The appointment was extended for another two-year term.

The Director Compliance and Enforcement, Glenn Farrell, is SafeWork SA's representative to HWSA. SafeWork SA provides secretariat services to support the administration of 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 three regular meetings and two extraordinary meetings. Most meetings were virtual, although the HWSA members were hosted by SafeWork SA in Adelaide in April 2021. The April meeting was their first face-to-face meeting since Martyn became the HWSA Chair.

Key topics for HWSA included:

- ◆ rider safety in the gig economy
- ◆ amusement device safety
- ◆ Bully Zero Culture of Excellence
- ◆ recommendations from the Respect@Work Report.

Respect@Work Council

As HWSA Chair, Martyn Campbell was invited to become a member of the Respect@Work Council. The council has been established to bring together key government regulators and policy makers responsible for sexual harassment policies and complaints to improve coordination, consistency, and clarity across existing legal and regulatory frameworks.

Safe Work Australia

South Australia's representative to Safe Work Australia is SafeWork SA Executive Director Martyn Campbell.

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 2021–2022.

Key focus areas for discussion at these meetings included:

- ◆ review of the National Work Health and Safety Strategy 2022–2032
- ◆ finalising the Review of the Workplace Exposure Standards
- ◆ guidelines and codes of practice to address COVID-19
- ◆ guidance material on improving ventilation in indoor workplaces
- ◆ progressing the recommendations from the 2018 Review of the Work Health and Safety Laws.

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

International Association of Labour Inspection (IALI)

The International Association of Labour Inspection (IALI) is the peak association for labour inspectorates. The association was formed in 1972 and is celebrating its 50th anniversary during 2022.

SafeWork SA is the IALI Member with Martyn Campbell representing SafeWork SA. In July 2021, Martyn was elected as Secretary General of IALI, joining the Executive Committee in managing the international association. Martyn will hold the position for a term of three years. SafeWork SA provides secretariat services to support the administration of IALI.

IALI has held two virtual meetings during 2021/2022 and endorsed the IALI Three Year Plan 2021–2024. The action plan includes six Action Areas:

- ◆ **IALI – the professional association**
Objective: to provide the professional foundation for building strong, modernised and effective labour inspection worldwide
- ◆ **IALI as influencer**
Objective: to promote the profession and interests of labour inspection through development of spheres of influence
- ◆ **IALI as partner**
Objective: to build IALI's participation in both formal and informal partnerships and alliances with related organisations and in specific projects to promote decent work around the world

- ◆ **IALI as catalyst**

Objective: to act as a catalyst for the development of regional cooperation in labour inspection

- ◆ **IALI as facilitator and communicator**

Objective: to provide information for members and to facilitate member initiatives to improve their labour inspection service

- ◆ **IALI as source of technical expertise**

Objective: to provide a resource for accessing technical expertise in labour inspection.

IALI hosted, as part of the OSH+Asia Conference 2021, a webinar on the 'Roles of Labour Inspectorates in respect of Migrant Workers'.

Review of National Assessment Instruments

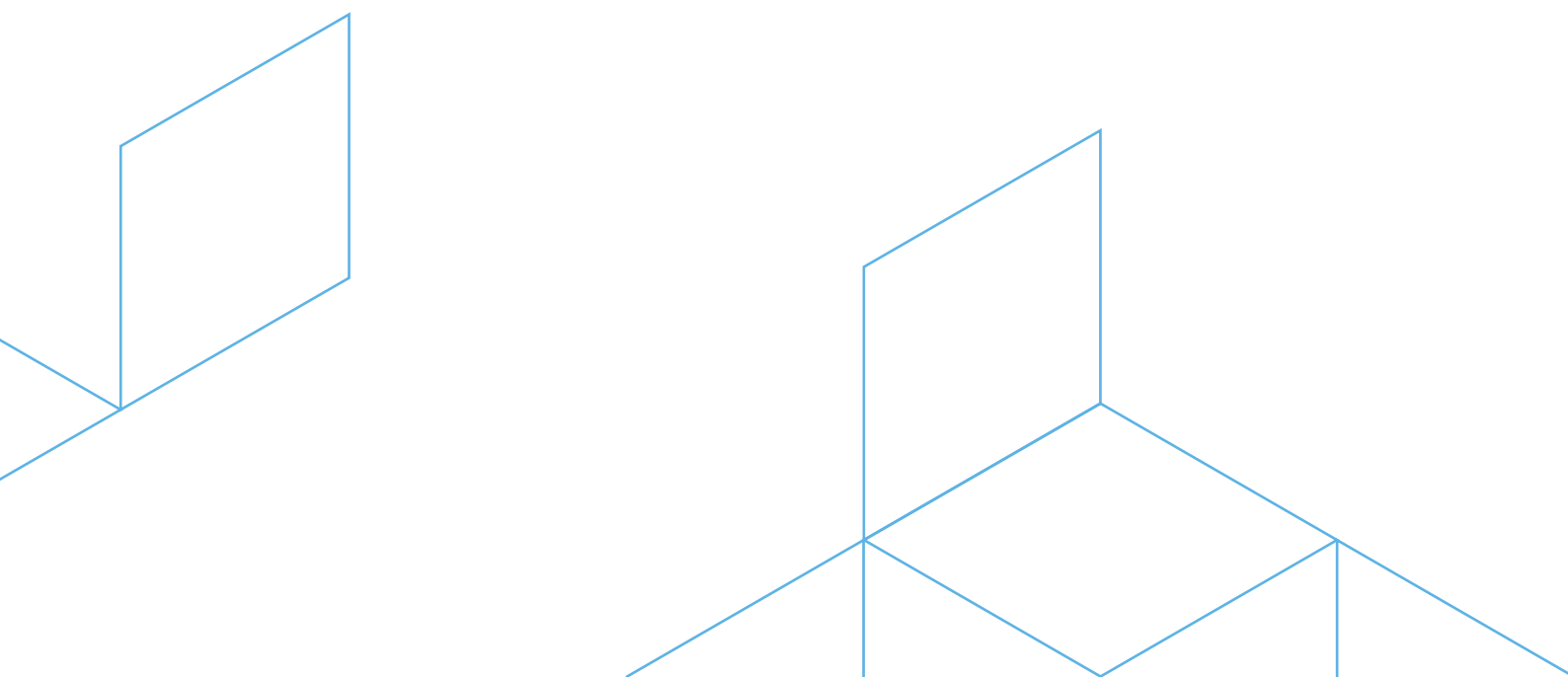
In 2020, SafeWork SA contributed to a national process to review the National Assessment Instruments and their accompanying guide for assessors. The National Assessment Instruments provide the framework for assessing the competencies of candidates seeking high risk work licences.

The guide for assessors ensures consistency of assessment by accredited assessors and registered training organisations across all states and territories. There are 29 National Assessment Instruments that are endorsed by Safe Work Australia and administered at the jurisdictional level by states and territories.

The review was conducted in line with strategies to ensure nationally consistent and coordinated approaches to health and safety frameworks across Australia.

In 2020–21, 13 National Assessment Instruments were revised and released, with review of the remaining ones nearing completion. The remaining 16 National Assessment Instruments were revised and released in 2021–22 for use by accredited assessors.

SafeWork SA has worked with accredited assessors and registered training organisations in South Australia affected by the implementation of the new versions to inform them of the changes.



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 Strategic and working groups to support the implementation of the NSP in South Australia.

During the 2021–22 financial year, the South Australian Asbestos Action Plan (SA AAP) Strategic Group met twice and the working group met three times.

SafeWork SA has worked hard to develop the SA AAP. Working in collaboration with the Department for Infrastructure and Transport, SafeWork SA was able to determine the actions needed by Government agencies to meet the NSP.

Strategic actions were allocated to lead agencies, with timelines and KPIs included based on the ASEA reporting framework. Actions were broken down into short, medium and long-term goals to help agencies achieve the actions allocated to them.

In May, SafeWork SA attended the Asbestos Safety & Management Conference 2022, with the agency's Executive Director and Manager, Construction and Utilities Team presenting *Leading the charge and removing the obstacles – South Australia's implementation of the National Strategic Plan*. This was a successful symposium where key stakeholders shared their experiences in advancing the NSP.

SafeWork SA is proud to report that the SA AAP has been scheduled for approval by the Strategic Group on 26 August 2022.

SafeWork SA undertook an information gathering exercise to better understand how asbestos is being managed by individual agencies across government assets and infrastructure. This process:

- ◆ advanced the SA AAP Working Group's understanding of how asbestos is managed by agencies working outside the Department for Infrastructure and Transport (DIT) asbestos management framework
- ◆ identified agencies with the appropriate skills and experience to form a sub-group to support and facilitate the implementation of specific strategic actions identified under the SA AAP.



Silicosis

Crystalline silica is a natural mineral found in construction materials such as concrete, bricks, tiles, hebel, mortar and engineered stone. When these materials are ground, cut, drilled, sanded, loaded or demolished, inhaling the dust can cause deadly lung and respiratory diseases such as silicosis.

In February 2022, SafeWork SA developed and published new guidance on Respiratory Protective Equipment (RPE). Poor fit or failure to train workers in the use of RPE when working with hazardous substances such as asbestos and silica dust can result in serious health conditions if these substances are inhaled.

SafeWork SA Executive Director Martyn Campbell has confirmed 'selecting the incorrect RPE for the task or RPE that does not fit correctly is ineffective and may give the wearer a false sense of protection'.

In June 2022, in collaboration with stakeholders, industry and union partners, SafeWork SA published new guidance on managing the risks of silica dust across the construction industry. To assist the construction industry in minimising the risk of occupational exposure, SafeWork SA is supporting the South Australian Construction Safety Alliance (SACSA) respirable crystalline silica initiative.

Lead exposure

While lead has largely been phased out of the domestic/residential arena, occupational exposure to lead remains a concern in South Australia. Lead may impact workers in certain industries including:

- ◆ manufacture or recycling of automotive batteries
- ◆ construction, demolition and refurbishment
- ◆ metal refining and recycling
- ◆ firing ranges
- ◆ classic car mechanics working with components including radiators and exhaust systems.

While some employers in these industries are familiar with their regulatory responsibilities regarding lead, others are less informed and require education and assistance in navigating these responsibilities.

As of July 2021, the blood lead levels at which workers must be removed from lead risk work was reduced. Subsequently, SafeWork SA has received increased notifications of lead risk work and removal of workers from lead risk work in 2022 when compared to previous years.

This has prompted SafeWork SA to launch a 12-month campaign focusing on lead risk work in South Australia. The aim of the campaign is to assess compliance with regulatory requirements throughout South Australia in relation to lead risk work and to provide education to employers who are less familiar with their responsibilities in this field.

Reports will be released regularly throughout the campaign which runs from July 2022 to June 2023 inclusive.

Explosives legislation

Reform of explosives legislation in South Australia

SafeWork SA administers the *Explosives Act 1936* (Explosives Act) and its supporting regulations.

The Explosives Act is primarily designed to prevent misuse of explosives and reduce the risk of explosive-related damage to people and property. It applies to occupational and non-occupational activities, with requirements for licences or permits for people and businesses dealing with explosives.

In South Australia, the explosives industry impacts a wide variety of other industries including transport (road, rail, air and maritime), mining, quarrying, agriculture, policing, manufacturing, construction, demolition, drilling, entertainment, pyrotechnics, automotive, aircraft, sport shooting and rocketry.

The Explosives Act came into effect in 1936 and although it has been amended over time, it is recognised that reforming the legislation would positively impact business and the community.

Four National Policy Proposals, developed by Safe Work Australia and agreed to by Work Health and Safety Ministers, created a framework for nationally consistent regulation of explosives in the following key areas:

- ◆ definition of explosives
- ◆ licensing framework
- ◆ authorisation process and automatic recognition
- ◆ notification categories and administrative process.

SafeWork SA is overseeing the drafting of new explosives legislation for South Australia. In consultation with stakeholders, SafeWork SA is working Parliamentary Counsel to finalise a bill to be introduced into Parliament. New nationally consistent explosives legislation in South Australia will reflect contemporary industry standards and practices and ensure consistency with laws in other states and territories. The new legislation will enable businesses to operate efficiently in South Australia, while continuing to maintain the safety of South Australian workers and the public.

South Australian Government Explosives Reserve

SafeWork SA oversees the operation of the South Australian Government Explosives Reserve.

The operation of a reserve is required by law under the *Explosives Act 1936*.

The current reserve was established in 2008 and is a whole-of-government facility. The reserve is used to safely store and destroy expired explosives (including flares and fireworks) and explosives that have been seized and confiscated by SafeWork SA and South Australia Police. It performs an essential function for the South Australian community.

SafeWork SA completed 31 destruction burns at the reserve during 2021–2022 resulting in 8,204kg of explosive material being destroyed.



Influencing
change

Shop trading hours exemptions

SafeWork SA administers the *Shop Trading Hours Act*. The Minister has the power to grant special exemptions to shop trading hours under this Act.

The Minister declared several exemptions under the *Shop Trading Hours Act* during 2021–22, in addition to those granted for Christmas trading.

Exemptions were declared to provide retailers and shoppers in the suburbs the same opportunities on certain public holidays as those provided in the Adelaide Central Business District.

This occurred for:

- ◆ Labour Day (4 October 2021)
- ◆ Australia Day (26 January 2022)
- ◆ Adelaide Cup (14 March 2022)
- ◆ Easter Monday (18 April 2022)
- ◆ Anzac Day (25 April 2022)
- ◆ Queen's Birthday (13 June 2022).

Christmas holiday period trading

The Minister granted a special exemption to allow retailers in metropolitan Adelaide the opportunity to trade additional hours over the Christmas holiday period. Retailers were also provided the opportunity to open until midnight on 26 November 2020 for the Black Friday sales.

Boxing Day trading has proved to be popular in Adelaide in the past three years. The Minister granted permission for retailers in suburban Adelaide to trade on Boxing Day in 2021, in line with CBD trading. All retailers across Adelaide were permitted to trade from 9am to 5pm. When Boxing Day falls on a Sunday, the

public holiday moves to the following Monday. This has the potential to create an additional day of retail closures in suburban Adelaide, which occurred in 2020. Retailers across Adelaide were permitted to trade from 9am to 5pm on the Monday public holiday, as has been the case in the past.

2021 Christmas trading hours in the Greater Adelaide Shopping District

Friday 26 November	until 12 midnight
Sunday 28 November	9am to 5pm
Monday 29 November	until 9pm
Tuesday 30 November	until 9pm
Wednesday 1 December	until 9pm
Friday 3 December	until 9pm
Sunday 5 December	9am to 5pm
Monday 6 December	until 9pm
Tuesday 7 December	until 9pm
Wednesday 8 December	until 9pm
Friday 10 December	until 9pm
Sunday 12 December	9am to 5pm
Monday 13 December	until 9pm
Tuesday 14 December	until 9pm
Wednesday 15 December	until 9pm
Thursday 16 December	until 12 midnight
Friday 17 December	until 12 midnight

Saturday 18 December	until 6pm
Sunday 19 December	9am to 6pm
Monday 20 December	until 9pm
Tuesday 21 December	until 9pm
Wednesday 22 December	until 9pm
Thursday 23 December	until 12 midnight
Friday 24 December	until 9pm
Saturday 25 December	CLOSED
Sunday 26 December	9am to 5pm
Monday 27 December	9am to 5pm
Tuesday 28 December	9am to 5pm
Wednesday 29 December	until 9pm
Thursday 30 December	until 9pm
Friday 31 December	until 9pm
Saturday 1 January	until 5pm
Sunday 2 January	9am to 5pm
Monday 3 January	9am to 5pm



Our disclosures

Conflicts of interest

SafeWork SA requires all staff to complete a statutory 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 statutory declaration on appointment.

In 2021–2022, 11 notifications of conflicts of interest were submitted and one conflict of interest was closed.

Actual = 1 staff

Potential = 5 staff

Perceived = 5 staff

Closed = 1 staff

Financial statements

SafeWork SA's financial statements for 2021–22 form part of the Department of Treasury and Finance Annual Report.

Further financial details are included in Budget Papers. This documentation is available publicly via the Department of Treasury and Finance website

Grants and subsidies

Organisation / Program	Actual 2021/22
Safe Work Australia	\$741,000
Augusta Zadow Awards	\$25,000
Sponsorships Program	\$21,000
TOTAL 2021–22 GRANTS & SUBSIDIES	\$787,000

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 14 gifts and benefits were recorded during 2021–2022. Two instances of declined gifts were recorded.

Date given or received	Description of gift/benefit	Value	Gift Accepted Yes / No
12/7/2021	Invitation to a celebratory cocktail event marking 60 years construction	\$100.00	No
19/7/2021	Bluetooth speaker	\$20.00	Yes
14/9/2021	Hard copy book titled <i>Leaders who Lead</i>	\$21.50	Yes
16/9/2021	Chocolate presented as a thank you gesture	\$14.50	Yes
17/9/2021	Annual Gala Dinner	\$150.00	No
17/9/2021	Annual Apprentice Awards Dinner	\$150.00	Yes
11/10/2021	Ticket to President's Lunch	\$140.00	Yes
5/11/2021	Conference Dinner	\$100.00	Yes
9/11/2021	Three wall calendars	\$60.00	Yes
20/12/2021	2022 calendar mouse pad	\$5.00	Yes
17/1/2022	Book <i>Valuable Change</i>	\$50.00	Yes
24/5/2022	Chocolate presented as a thank you gesture	\$10.00	Yes
24/5/2022	Lunch	\$220.00	Yes
27/5/2022	Dinner	\$30.00	Yes

Accepted gifts in 2021–2022 comprised three corporate events, two gifts of hospitality, and seven other types of gifts.

Declined gifts in 2021–2022 comprised of two corporate events.

Internal reviews

An internal review allows an eligible person to seek review of certain decisions made as part of SafeWork SA's 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 20 internal reviews during 2020–2021.

Internal reviews 2021–2022

Date of lodgement	Decision to be reviewed	Outcome	Date of decision
9/7/2021	Issue of Improvement Notice – section 191 Contravention to s19 of the Act and reg 39 of the regulations regarding contractor induction	Decision set aside and substituted with another decision Improvement notice issued to revise control methods and training.	22/7/2021
21/7/2021	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 Seeking review of a cancellation of a Class B Asbestos Licence	Decision confirmed Reviewer confirmed delegates decision – Decision escalated to External Review	2/8/2021
13/8/2021	Issue of Improvement Notice – section 191 Reference in notice disputing the term high risk construction work in a safe work method statement (SWMS)	Decision confirmed Reviewer confirmed inspectors decision	27/8/2021
22/9/2021	Issue of Improvement Notice – section 191	Decision varied	5/10/2021
22/9/2021	Issue of Prohibition Notice – section 195	Decision varied	5/10/2021
22/9/2021	Issue of Improvement Notice – section 191 Disputing Notices and Prohibition notices re Exclusion zones for elevating work platforms (EWP)	Decision confirmed Decision varied to replace the words of EWP to boom type	5/10/2021

Date of lodgement	Decision to be reviewed	Outcome	Date of decision
8/12/2021	Issue of Improvement Notice – section 191 Relating to rope swings and what contraventions have been breached	Decision confirmed Reviewer confirmed inspector's decision	21/12/2021
8/12/2021	Issue of Improvement Notice – section 191 Multi-storey carpark safety and risk assessments	Application Rejected – outside prescribed times. Application submitted on compliance due date	14/12/2021
17/12/2021	Issue of Improvement Notice – section 191	Decision confirmed	24/1/2022
17/12/2021	Issue of Improvement Notice – section 191	Decision set aside	24/1/2022
17/12/2021	Issue of Improvement Notice – section 191	Decision confirmed	24/1/2022
17/12/2021	Issue of Improvement Notice – section 191	Decision confirmed	24/1/2022
17/12/2021	Issue of Improvement Notice – section 191 Arising from audit of playgrounds and nature parks – soft falls levels and securement of log steps	Decision confirmed Reviewer confirmed inspector's decision	24/1/2022
28/2/2022	Issue of Improvement Notice – section 191 Failure of type B hoarding to stop a falling object	Decision set aside Inspector failed to clearly articulate the particulars of the alleged contravention	16/3/2022
1/3/2022	Issue of Prohibition Notice – section 195 Annual inspection of an amusement device	Decision confirmed Reviewer confirmed inspector's decision	14/3/2022
14/4/2022	Issue of Improvement Notice – section 191 Related to signage on pallet racks	Decision set aside Inspector failed to consider correct Australian standard	26/5/2022

Additional

External reviews 2021–2022

10/8/2021	Review of Decision – cancellation of Asbestos licence	Affirming decision	26/10/2021
31/1/2022	Review of decision – Application rejected – outside prescribed times	Affirming decision	24/2/2022

SafeWork SA

information ► advice ► support



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