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**From:** Fred Katf[redacted]
**Sent:** Tuesday, 24 November 2015 5:30 PM
**To:** SI Feedback
**Subject:** Submission for Review of Self Insurance Licensing Framework

Attention [redacted]

Please find the following comments as part of the review into the self-insurer licencing framework. In particular, the comments have been made specifically in relation to the questions relating to 'Workplace Health and Safety':

2.11 Do any factors make self-insurers a greater risk to maintaining a safe workplace compared with other employers? Please describe any relevant factors and how they could be mitigated.

Self insurers are not at a greater risk as they have appropriate systems in place. Many studies have occurred to point that have safe systems of work – defined procedures and processes greatly mitigate the potential for incidents. The whole idea of audits is to verify the documented procedures are implemented in a number of sites.

The move in WHS/OHS circles is not only on systems but on culture. Cultural development is the new age of safety which is further driving incident rates. A majority of the self-insured organisations have the systems (because of auditing requirements) some have the cultural. A measure of an organisations safety culture as well as the systems would give a really good indicator.

2.12 Are OHSMS audits improving WHS outcomes? How might this be improved?

OHSMS themselves improve safety. Auditing of OHSMS provides the compliance check to verify these OHSMS are implemented and sufficient. Improvements? I personally feel the regulator needs to be the regulator and not the auditor. This whole review is on the auditing cycle and not a major question of who. Who should do the auditing?

2.13 How should high WHS performance be defined?

The better performing self insurers measure the culture of the organisation on an annual basis or at least every 2 years. This with the auditing regime would define how well an organisation is performing. These are the true lead indicators and take away the focus of lag indicators such as LTIFRs.

2.14 What other indicator or compliance activities (such as prosecutions or infringements) could be considered to determine and manage WHS performance throughout a licence term?

There are very few prosecutions these days due to legislative changes and case law. SafeWork do a handful of prosecutions and these are for smaller organisations that are unable to show they did everything reasonably practicable. As for infringements – these were hardly ever used as well. There is improvement and prohibition notices but all of these are lag issues. If we want to reward good performers there it should be on measuring the positive KPIs and not the negative ones.

3.10 How could OHS management system (OHSMS) audits be changed to improve their effectiveness in lifting WHS performance?

As stated above by measuring the safety culture of an organisation, either as part of the audit or separately could improve the quality and assess the pulse of an organisation. Effectiveness is always hard to measure.

Overall, I believe the stress is around the regulator coming to audit for a week. There are financial audits, quality audits, environment audits and none of these are done by the regulator. Queensland outsource the audits and the regulator verifies and manages the auditors for compliance. This not only frees the regulators time but does not create the stress an audit. It would seem the Queensland division of workers comp and WHS is now the same as NSW. We will have one department (SafeWork NSW) auditing for another department (SIRA).

Also the development of the NAT ( National OHS Self Insurers Tool) was on the basis that multi-state self-insured organisations could be audited by the various states at one time and not each year in another state. I am not in a multi-state self insurer and have never worked for one but I am not sure if this has ever occurred.

I am happy to discuss any of my comments further if required.

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