

# The why, how and who of WHS



Department of  
Primary Industries

## Why are we having this conversation?



**Primary production is the most dangerous industry to work in. Full Stop.**

Over the last 5 years, Primary production was responsible for more work deaths than any other industry. This is despite being a very small industry, employing only 3% of the Australian population. Older workers account for over a third of the fatalities but younger workers are more likely to make a serious injury claim.



1<sup>st</sup>

highest number  
of fatalities:  
40 per year

2<sup>nd</sup>

highest fatality rate:  
14.6 deaths per 100,000  
workers



3<sup>rd</sup>

No. of serious claims:  
2,745 per year

highest frequency rate  
8.8 fatalities, accidents, etc  
per million hours worked

### What are our legal obligations?

Under WHS laws, we have a legal obligation to ensure those who come to work for us leave in the same condition they arrived in.

This includes full time, part time and casual employees as well as contractors. We also have an obligation to our visitors. The overall aim of the legislation and regulations is to ensure people are not injured or killed in the workplace.

We can all agree this isn't an unreasonable ask.



**Easy To Do WHS**  
A small business toolkit



### So what do we have to do?

As a business owner or manager, we need to demonstrate that we are showing genuine intent to provide a safe workplace, consult with workers and have systems in place to make unsafe environments and tasks SAFER.

Fear of not getting it right is not an excuse not to start. Safe Work Australia, SafeWork NSW and industry bodies and groups provide information, support and tools to start your WHS journey.

A system that has been developed with genuine intent, and may be a work in progress, is better than no system at all!

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# How do we get started?

**The most valuable thing a business owner can instil in their workplace is a culture, or mentality, of "Safety First". Productivity or profitability should never be put before safety... The element of a WHS system that truly keeps everyone in the business safe, is the DOING. The conversations, the actions, the attitudes, the "buy in" and beliefs.**  
**Are you talking the talk, or walking the walk...?**

## Culture is the **key**

- Permission to down tools when someone feels unsafe is the key.
- A consistent effort to provide a safe workplace is the key.
- Genuine support to work safely is the key.



## What about the paperwork?

**Don't get caught up by the paperwork but paperwork plays 2 vital roles:**

1. It provides guidance to ensure integrity and repeatability of the process
2. It provides evidence of intent.

However, if WHS paperwork merely 'exists' and is not actioned **it does not make people safe.** The procedures, guidelines and processes must be communicated and agreed upon and reflect what happens in the day-to-day running of the business.



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# Who has to do what?

**Short answer... everyone has a responsibility... The three classifications below are dictated by WHS legislation and all have specific roles and responsibilities:**

## OFFICERS

“Removed” Managers

OFFICERS are “removed managers” including managing directors, company secretary and board members appointed as a director or officer of a corporation. They:

- have influence over decisions that affect the business or undertaking of the corporation or entity, including financial and administrative decisions
- must show due diligence in the development and implementation of WHS in the business
- can instruct other officers or directors about the business or undertaking of the corporation or entity
- are a liquidator or trustee of the business or undertaking
- can be held personally liable in the case of negligence.

## PCBU

Person conducting a business or undertaking

A PERSON conducting a business or undertaking (PCBU) is a broad term used throughout WHS legislation to describe all forms of modern working arrangements, which we commonly refer to as businesses. They:

- must “make it happen”
- consult with workers to implement WHS programs
- provide a safe workplace
- assess the health and safety risks to employees and others in the workplace
- organise safe systems of work
- provide adequate information, instruction, training and supervision to employees
- provide facilities and amenities for the welfare of workers.

## WORKER

Including employees and contractors

A WORKER, including employees and contractors, is anyone who performs paid work in any capacity for an employer, business or organisation. However, the term can also include unpaid workers such as volunteers or work experience students. They:

- participate in regular farm safety inspections, hazard audit and risk assessment
- comply with the WHS policies of the business and directions given relating to protecting the health and safety of people in the workplace
- protect the health and safety of themselves and others in the farm workplace
- cooperate with the business’s WHS requirements
- report hazards that require attention to ensure the health and safety of people in the workplace
- suggest improved methods to control risk.

## The why, how and who of WHS

# Summary

In this factsheet we have discussed the why, how and who of WHS... **the WHEN is up to you!**



### WHY

- To ensure people aren't injured or killed in the workplace
- We operate in one of the most dangerous industries!
- We are legally required to!

Easy to do  
WHS



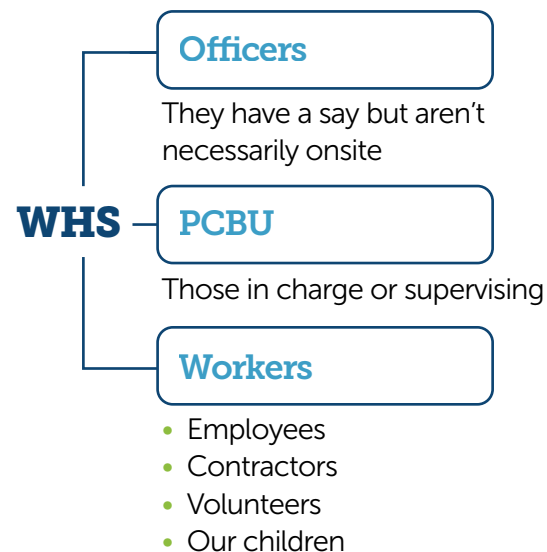
### HOW

- Establish a culture of "safety first"
- Keep your workplace safe... identify hazards, manage the risk
- Show due diligence including but not limited to induction, emergency planning, training
- Consult and engage your team in the development and implementation of the system.



### WHO

We all have a role to play



WHS  
Responsibilities



### WHEN

**It's simple:**

Whenever you need to ensure the safety of your team!

- At the start!
- Annually...
- Seasonally...
- Monthly...
- Weekly...
- Daily...
- Ongoing...
- Now!