



JOHN OWENS
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Quarterly Newsletter – August 2017

Joining the Dots

2017 has been an exciting year so far for JOPL. We launched our new website in April, and Philip Groves became our General Manager.

2017 marks the beginning of a new direction for us. The WHS Act 2011 was a big change for the safety industry, and it has only been in the past 12 months that its real impacts have been felt. From million dollar WHS prosecutions, to a transformation in auditing expectations, the HSEQ world is changing rapidly.

‘Empowering your business’ is our new company motto. It reflects the reason why I founded JOPL in 1995. We are here to give you the support to navigate your business through an ever-complicated maze of risk and legal requirements. We look forward to supporting you in the second half of 2017 and beyond.

John Owens
Director

Mindfulness in the Workplace

SafeWork Australia tells us that over \$480,000,000 is paid in worker compensations for mental health illness in Australia each year. Psychological workplace safety has been a growing concern in Australian workplaces, but this figure shows it is a drastically significant problem. The cost noted above does not include sick leave taken, lost productivity, interpersonal conflicts, client retention issues, and a host of other side effects of poor mental health in the workplace. It is a problem employers must address. *[Continued on page 2]*

Case Note: Safe Work NSW v Pickles Auctions Pty Ltd [2016] NSWDC 111.

A worker was tragically crushed to death when a forklift’s load slipped and fell. The cause of the incident was attributed to: The wrong forklift was used; supervisors were not actively involved (they had gone to locate the correct forklift); and there was no process to manage ‘out of the ordinary’ safety issues (unusual sized loads).

There are two key risk factors when it comes to managing an existing safety system. The first is new, or young workers, who don’t know how to do their job safely and don’t understand the workplace. The second is when something unusual happens and existing safety systems can’t identify or manage the new risks.

What can we do? Legislation requires employers to understand the risks of their business. The best way to do this is through a risk register.

Talk to us about developing your risk register.

Psychological wellbeing in the Workplace


According to LinkedIn, businesses which ranked in the top 10 best Australian workplaces in 2017 all had one thing in common: they promoted psychological wellbeing.

Examples include:

- Nestle has 'bring your pet to work' days. Animals have been proven to reduce stress which in turn leads to better mood levels, happier workplace atmosphere and increased work performance (a happy worker is a productive worker).
- PwC Australia has meditation spaces and treadmill meetings. Meditation spaces are rooms in which you can go to practice mindfulness to de-stress, relax and feel better emotionally. During meetings, you can choose to attend while working-out on a treadmill. Exercise can be viewed as a form of mindfulness as it helps the body release endorphins (blocking pain and increasing feelings of happiness and positivity).
- Westpac Group has wellness centres. Westpac recognises that physical and psychological health are interconnected. They have built wellness centres for their employees that run free health services in many areas, such as: physiotherapy, massage, Pilates, nutrition, yoga and meditation. Having these services encourages healthiness, happiness and workplace interaction.
- DeLoitte Australia runs Tai Chi Tuesdays for their workers. As well as encouraging employees to build fruitful relationships, Tai chi sessions have proven benefits, such as: Better moods, lower blood pressure, reduced stress levels, improved posture, muscle strength, balance and flexibility. [SOURCE: LinkedIn, 2017]

Every business is different

Every employee is different



When fostering psychological wellbeing in the workplace, a tailored approach is best.

Contact JOPL for support in finding what works best for you

Auditing: A Changing Context

The safety industry has long been focused on auditing to Australian/International standards. It's an easy way to 'standardise' our approach to safety, and provides a format for our safety management systems. Headings typically include leadership, planning, training, risk management, and monitoring/improvement.

However, as one of our clients aptly put it: being certified to an Australian Standard is a bit like having a driving licence. You go through all the hoops and pass the test, but that doesn't automatically mean you are a good driver. I don't think any of us need any convincing on that topic!

It's the same with safety. Your business can go through all the hoops and be certified to the highest possible standards of excellence, but fail on the most basic (and legally critical) steps. Often, consultants cannot recognise these gaps, because they do not have wider legal/risk understanding. This is our point of difference.

This coincides with a very different climate of safety enforcement. The courts, when dealing with WHS prosecutions, are taking full advantage of their criminal jurisdiction and, just like a criminal law case, they are demanding high standards of evidence.

The 'strict liability' context of WHS law means employers must defend themselves. When a serious injury or incident occurs, a business must demonstrate that it did nothing wrong, that it tried its best to avoid injury/incident. This is not easy, and, as we touched on above, a certified safety system, on its own, is no defence!

As a result, we have introduced a new product: a legislative compliance audit. It is not designed to replace more traditional safety (AS4801) auditing, but rather to provide a cost effective 'health check' for your safety system. Will **YOUR** system support you if things go wrong?

Over the next few months we will build on this discussion, looking at key topics relating to legislative compliance:

- Understanding risks in the workplace
- Training workers effectively
- Making consultation useful
- Monitoring safety.

Stay tuned!

John's Joke

Q : What do you get when you put 100 safety managers in a basement?

A: A wine cellar

For more information on any of the topics discussed in this newsletter, or to discuss how we may support you and your business navigate safety, environment, quality, and risk management, please contact us.

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