



Chamber of Commerce
& Industry Queensland

Industry House
375 Wickham Terrace
Brisbane Qld 4000

T 07 3842 2244
F 07 3832 3195
info@cciq.com.au

Hotline 1300 138 470
Employer Assistance
Line 1300 135 822

21 May 2012

Safe Work Australia
Attn: Australian Strategy Public Comment
PO Box 641
Canberra ACT 2601
Submitted via email: AustralianStrategy@SafeWorkAustralia.gov.au

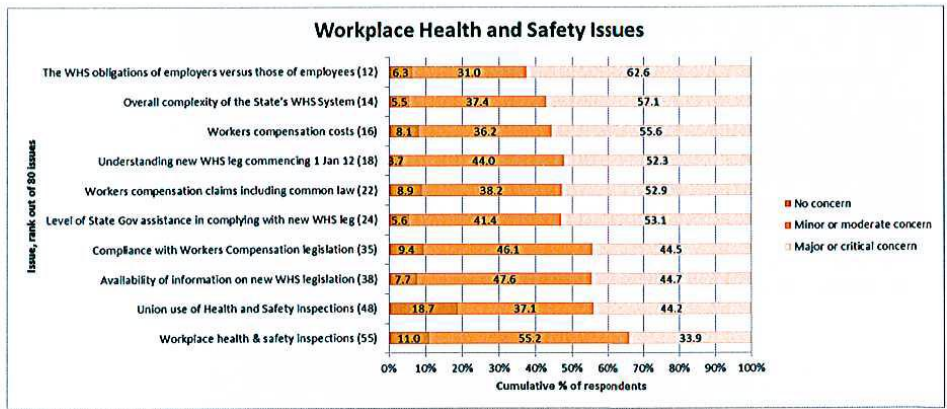
To Whom It May Concern,

The Chamber of Commerce and Industry Queensland (CCIQ) welcomes the opportunity to provide feedback to Safe Work Australia on the draft Australian Work Health and Safety Strategy 2012-2022. CCIQ is supportive of providing stakeholders with the opportunity to have their say on the national strategy which aims to improve the health and safety of all Australian workers and support organisations to better prevent and manage workplace risks over the coming 10 years. CCIQ would like to provide the below feedback for consideration during the finalisation of the Strategy.

Key WHS concerns of the Queensland business community

In early 2012, CCIQ undertook an extensive survey of over 1,000 Queensland businesses to obtain feedback on key issues moving forward. More than 50% of survey respondents expressed major or critical concern regarding the following WHS issues:

- The WHS obligations of employers versus those of employees;
- Overall complexity of the State's WHS system;
- Workers' compensation costs and claims;
- Understanding of the new WHS legislation commencing 1 January 2012;
- Level of State Government assistance in complying with the new WHS legislation.



Source: CCIQ Big 3 Election Survey (2012)

Attention is required to these areas which are of concern to businesses.

Support for harmonisation and national consistency

CCIQ remains strongly supportive of implementing a national model of workplace health and safety in every jurisdiction around the country. In principle, a nationally consistent model will reduce red tape, unnecessary complexity and cost, especially for employers who operate across jurisdictions. It should allow obligation holders to spend more time and effort on reducing risks and the practical implementation of safer workplace practices and systems instead of having to focus efforts on compliance with complex and inconsistent legislation.

Queensland was one of the first jurisdictions to implement the model laws, which commenced 1 January 2012 as originally planned. However, despite ongoing consultation between Governments, industry, unions and other stakeholders, the implementation of the new system throughout the country has been significantly flawed with substantial delays experienced in many jurisdictions and several still failing or refusing to implement the new laws.

CCIQ sees it as important that the national strategy includes a focus on ensuring there is a nationally consistent model implemented in every jurisdiction in the country. Despite the progress in Queensland, there is little benefit for businesses if the model is not adopted nationally.

Reducing the compliance costs and burdens faced by businesses

Queensland businesses remain concerned about the overall complexity and cost associated with understanding and complying with the WHS system, regulations and Codes of Practice.

CCIQ remains supportive of a nationally harmonised system, however is not supportive of increasing the regulatory requirements already placed on Queensland businesses, particularly if those requirements are impracticable and/or do not result in identifiable safety outcomes. Furthermore, CCIQ is not supportive of substantially increasing the current requirements and compliance costs on businesses in order to achieve arbitrary targets (ie a 30% reduction in the incidence rate of claims due to body stressing).

CCIQ believes that in many circumstances, the current requirements rely on prescriptive processes that do not allow businesses to be proactive in achieving improved safety outcomes for their organisation and their employees. Furthermore, there are increasing difficulties relating to the practical application of these regulations and Codes of Practice across very different and diverse businesses and industry sectors.

Strong support is provided for actions under the national strategy that aim to simplify the current system. Reducing regulatory requirements and ensuring they remain outcome-focused while also implementing proactive and incentive based approaches will encourage businesses and employees to adopt best practice methods to reduce injuries/illnesses and deliver improved safety outcomes within workplaces. The introduction of more outcomes based and flexible policy requirements rather than heavily prescriptive approaches would also likely facilitate more practical and efficient ways to achieve the desired outcomes under the national strategy. CCIQ believes this is more likely to achieve the desired long term results in the majority of workplaces.

Enhancing the responsibility of employees in achieving workplace health and safety outcomes

One of the key concerns consistently raised by Queensland businesses are the WHS obligations of employers versus employees. Many businesses raise concerns regarding the lack of accountability by employees for their own actions and arising WHS outcomes. There are many reports of claims for incidents that are shown to have occurred due to the fault of an employee as a result of ignoring safety instructions provided by the employer.

CCIQ is strongly supportive of a partnership-based approach to ensuring healthy and safe workplaces. However there is also a strong need for a national strategy that aims to enhance the responsibility and accountability of employees in relation to their own actions and in achieving positive workplace health and safety outcomes within their organisations.

Identified national priorities

CCIQ is supportive of the national strategy focusing on those industries which contribute to the highest numbers of deaths, injuries and illnesses, and on those work-related diseases/disorders that result in the highest illnesses. Developing targets and implementing actions in these areas are likely to go a long way towards reducing overall workplace injuries and illnesses.

CCIQ would like to stress the following in relation to identified national priority industries and diseases/disorders:

- Strong engagement and involvement is required by relevant state and territory governments, and key industry stakeholders in establishing targets and implementation plans;
- Support is provided for industry-driven initiatives as these are often found to deliver the best outcomes;
- Proactive activities are strongly supported over additional regulatory and compliance requirements placed on businesses.

Other considerations

CCIQ is also supportive of:

- **Review and Evaluation:** Publicly released annual reports on the progress towards the goals and objectives of the national strategy should be supported. Industry stakeholders should be provided with the opportunity to respond to these reports and provide feedback on further directions/actions that could be taken to achieve the desired goals. CCIQ is also supportive of reviewing the strategy after 5 years to ensure the identified priorities remain appropriate and actions are positively working towards the desired results;
- **Enhanced information and awareness campaigns:** It is essential to increase awareness and understanding regarding WHS issues. Support is required to help businesses comply with the new regime. Information and education campaigns are strongly supported over prosecution and enforcement. CCIQ is supportive of strategies to enhance awareness, including through the education system. Furthermore, increasing the accessibility of free/affordable online tools and training could prove beneficial in increasing skill levels and awareness;
- **Incentives:** The provision of incentives would act as a good strategy for reducing the number of workplace injuries and illnesses. For example, a significant reduction in workers' compensation premiums for reducing incidents and claims within a particular business would create a further catalyst for change in workplaces. At present the correlation between the two is not strong.

CCIQ is keen to work with Safe Work Australia and the Queensland Government to see improved work health and safety outcomes without increases in regulatory burdens and compliance costs on businesses. If you have any questions regarding this correspondence, please do not hesitate to contact either myself or CCIQ Senior Policy Analyst Leanne Connell on (07) 3842 2237.

Yours Sincerely



Nick Behrens
General Manager, Advocacy
Chamber of Commerce and Industry Queensland