

CONSTRUCTION SAFETY SEMINARS

Wednesday, 23 October 2013

Q&A

1 WORKING SAFELY WITH PLANT

Managing the risks of Moving Plant on Construction Sites



2 IMPROVING SITE SAFETY — THROUGH PEOPLE

Competencies framework for safety critical positions



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Seminar 1 – Q & A

WORKING SAFELY WITH PLANT

MANAGING THE RISKS OF MOVING PLANT ON CONSTRUCTION SITES

Presenters

Graham Coyle, Federal Construction Management

Neil Storey, Safework Australia

Anthony Noakes, WorkSafe ACT

Stephen Charles, WorkCover NSW

Martin Tunstead, John Holland Group

Matthew Turner, Plant Assessor Pty Ltd

Keith Montgomery, Riverina Plant Operators School Pty Ltd

Seminar 1 Questions

Working Safely with Plant

Managing the risks of Moving Plant on Construction Sites

1. Model WHS Laws

Neil Story, SafeWork Australia

Q Guna Seelan, Director – Engineering, Land Development Agency

Definition of moving plant - is a concrete truck delivering to site defined as a moving plant? Delivery trucks such as concrete trucks and tucks delivering gravel, is that defined as moving plant? Is the same thing applicable to a ute?

A Yes, it involves powered mobile plant. A truck is self-propelled and has an operator. We can rely on the road regulation process to manage a lot of the risks we have to look at. Registration will only happen if the vehicle has met certain standards, inspected and as it is road registrable we won't be particularly worried about the piece of plant as it has already met a lot of standards then we are going to manage it on site as a piece of mobile plant. All road registered vehicles fall into the category. There are a number of regulatory processes. Registration is the one that ensures road worthiness. Managing it on site is covered by WHS laws. This also applies to workers' vehicle once they are on your site. They are managed under the regulations as moving plant, whether they are driver-operated vehicles or mobile cranes. A worker driving their private vehicle onto a construction site is the same thing, it needs to be managed under the same regulations to ensure risk control.

Q Debbie Strachan – O'Neil and Brown Plumbing

What is the logic behind the requirement for high risk licenses, where forklift drivers are required to be licensed but not scraper drivers and others in earth moving area?

A All I can say is that it is history. History-bound primarily, again I mentioned that the harmonisation process wasn't the best practice process, it was just to get a starting point. What we did was we looked at what was being licensed across all jurisdictions within the country and made a big map of that, and identified elements which were the same (which came out to be the licensing standard) and then a decision needed to be made whether the remaining items licensed were made to be licensed nationally or not.

There were two main considerations there. Firstly, we did a risk assessment of all those operations including the impact on other workers and the public. We also considered current licensing arrangements. In the case of load-shifting equipment such as scrapers, front end loaders, bulldozers etc. they were assessed as being medium risk with limited public impact. For example, scrapers typically operate on

closed or well controlled construction sites. Licensing was also operating only in one or two states. So overall it was determined that operators needed to be competent but requiring a license was unlikely to reduce risk.

In comparison, forklifts operate in a wide range of environments with many workers and the public exposed.

2. People & Plant: WorkSafe ACT Requirements

Anthony Noakes, WorkSafe ACT

Q Peter Warn, High Risk License Assessor and Trainer at CIT

What are the requirements for people in the civil construction industry who are slinging pipes? Do they require a dogging license or just a slinging course?

A The Work Health and Safety Regulation 2011 requires that a High Risk Work Licence be held in order to carry out 'dogging work'. The Regulation defines dogging work as:

- the application of slinging techniques, including the selection and inspection of lifting gear, to safely sling a load; or
- the directing of a plant operator in the movement of a load when the load is out of the operator's view.

The use of judgement in carrying out the work

Applying slinging techniques means judging the suitability and condition of lifting gear and the method of slinging by considering nature of the load, its mass and its centre of gravity.

A dogging licence is not required to sling and direct a load when the load remains in the clear view of the plant operator and there is no requirement to exercise judgement in relation to:

- which sling to use.
- how to sling the load.
- the condition of the sling or the load and its centre of gravity.

Therefore for a simple load, such as a standard or typical pipe section, if the PCBU has the following, a dogging licence is not required:

- predetermined instructions on how to attach the specific load, e.g. prescriptively how to connect and what slings to use
- an inspection program to ensure the lifting gear provided for the lift is inspected regularly by a competent person and is in a suitable condition for use
- the load and the earthmoving equipment are positioned so that the load remains within sight of the operator at all times during the lift. (this does not prevent a person giving directions, e.g. for final alignment).

A WorkSafe ACT inspector may require evidence that the above requirements are being met.

The practicality of safely slinging loads without the need for judgement to be exercised, will vary from workplace to workplace, depending upon the range of lifting work undertaken, the predictability of the loads and the complexity of the slinging methods.

In general, where high volume repetitive lifting occurs, such as in manufacturing workshops, there will be a reasonable likelihood that slinging techniques can be pre-determined and specified.

Where this can be achieved, the PCBU must also ensure that persons engaged in slinging loads have been provided with sufficient training, instruction and information to enable them to correctly follow the specific procedures without exercising judgement.

The use of purpose designed lifting frames or attachments will make this much easier to achieve. Where the loads vary within a known weight range and/or a known range of centres of gravity, the specified slinging methods will need to be suitable for the full range without the need to individually identify or estimate weights or centres of gravity.

The employer should ensure that the person charged with the responsibility for specifying pre-determined slinging methods, is competent to undertake the work. People with certificates of competency in dogging or rigging, or professional engineers are generally regarded as having appropriate competency.

PCBUs can choose to comply with the Regulation by ensuring that those engaged in slinging techniques hold a Dogging Licence.

Alternatively, as outlined above, employers can comply with the regulation by ensuring that lifts are pre-determined by a competent person, that the work instructions given to those engaged in slinging loads are adequate to ensure that the work is carried out safely without the need to exercise judgement, that lifting gear is regularly inspected by a competent person and that there is a clear line of sight to the operator. (Worksafe guidance Note GN-0079)

Q Peter Warn

What about when you sling a load, like a 6 tonne pipe, and need to select sling size and angle factors to consider etc.? Then surely that is a decision making process you are engaging into.

A Yes, as soon as the person is selecting slings and making those types of decisions where expertise and judgement is needed, then a qualification is required.

Q Rob Schroder, Site Safety Manager, Richard Crookes Constructions

Given that plant is high risk in the industry, has WorkSafe ACT targeted the Verification Of Competencies (VOCs) and load shifting requirements? Do you have examples (good and bad) of interactions with workers in that respect? Have you gone to sites and asked for verification of competencies?

1. A targeted the VOCs and load shifting requirements?

No

2. A Do you have examples (good and bad) of interactions with workers in that respect?

No.

3. A Have you gone to sites and asked for verification of competencies?

Yes. Following a plant incident and as a component of the investigations, the operator's competency was reviewed.

Q (Unknown delegate) If we have a lifting procedure in place for lifting pipes, where the dogger has selected slings etc., then can unqualified workers (not necessarily the dogger each time performing the task) do the work for the same lift from there on, once they have been trained in that one procedure? Realistically they (unqualified workers) that are not making the decisions. According to guidance notes issued by WorkSafe ACT they don't need to be doggers, but I want further clarification?

A The question regarding laying pipes using a repeated defined procedure [developed by a dogman]. The main consideration is the exercise of judgement and decision making. If a set process is followed that does not require a judgement call and the load is not out of sight and the workers have had training, the practice is accepted. See the Worksafe ACT Guidance Note GN 0079.

3. Noise Management and Incident Investigations

Stephen Charles, WorkCover NSW

No questions

4. Plant Best Practice

Martin Tunstead, John Holland Group

Q Unknown Delegate

With regards to a plant risk assessment, you spoke that you may have an incident where a different piece of plant that you had originally had in mind has come onto your project. If a different piece of plant comes onto project, would you accept a plant risk assessment for that piece of plant from the plant owner or does JHG conduct their own?

A Yes we expect the owner and provider of the plant to provide their own risk assessment as they are bringing it onto our site. JHG review to ensure the right detail and it is acceptable. However, if we have mum and dad operators who might not be as sophisticated in producing those levels of documents, we can provide templates and assist but they must be heavily involved in the development of the documents.

With respect to the incident I spoke of, that involved a change and one of our excavators – all of our own items of plant on our projects are registered and have all the risk assessments associated in place. The excavator was already on site and that is why it was used, however it was the wrong application for that machine.

Q What qualifications do your guys have who are conducting risk assessments, given the variety of plant which can range from a one man scissor lift through to a concrete placing boom pump or a mobile plant?

A Generally, we have a number of internal resources that are “plant people” that specialise in plant, who have been trained to conduct plant risk assessments. Where we have a large quantity of plant eg up to 100 scissor lifts on a major building project, we will review and assess the suppliers’ assessments and accept them, providing they are satisfactory. If we have people who are deemed competent to do that internally, that suffices for us as long as they are deemed competent.

5. Plant Safety Management Systems and Demonstration

Matt Turner, Plant Assessor Pty Ltd

Q1 Unknown Delegates

Are Risk Assessments and Maintenance records to be provided by Hire companies and

Q2 For static generators supplying site sheds needs to be hard wired yet a supply company is supplying a plug and the number one risk is then coming into contact with live conductors, as it is it comes to site and needs to be modified but seen as a contractor problem?

Q3 How do you keep up with different requirements NSW v ACT when hire companies provide plant.

A 1 For a machine the risk assessment should come to the site with that machine and the maintenance records (these sometimes do not always come) it will depend upon the hire company. The leaders in this area being hire companies like Coates, are working very hard on their systems to ensure transmission of information at all times when a piece of equipment is being hired and that all requirements are met for risk assessments. We see solutions coming for that problem and we are going down the path of QR (Quick Response) codes, which is bar codes or QR codes on equipment linking to appropriate information on line which will contain risk assessments, latest maintenance records, operator competencies details (where appropriate) We see this type of technology eg being available on site on delivery and throughout the project by being housed online as solutions for information provision very important. It makes that type of information more easily accessible.

A2 Site sheds are more a mobile home and as such not covered under plant regulations. It is however an important issue you have raised that should be resolved with your electrical service provider and temporary site shed suppliers prior to reaching site.

A3 For the differences between state requirements, the reason a plant assessor ask you to choose a state, is because it does build in different state requirements. We do take a leading practice approach to most issues in that if there is a higher standard of compliance in a particular jurisdiction we will generally apply that across all jurisdictions but that is not always the case, depending on the level of control required.

Q How do the hire companies do a further risk assessment prior to issue out to another project and or client once an item of plant is off hired?

A The challenge is quite substantial for hire companies as their process of book in book out needs to do an inspection of the plant and identify any damage etc however it is not a full risk assessment as it is not practical for them to complete a full risk assessment every time it comes on and off hire. The risk assessment will be performed periodically and it also relies on the daily checks when it is being operated.

6. Training and Duty of Care for Plant Operations

Keith Montgomery, Riverina Plant Management

Q1 Andrew Crompton – Chincivil,

Crane Trucks –Q1 If over 10m tonne crane, do you also need a dog license to sling for the crane and Q2 then when you are under the 10m tonne does a dog license also apply to that as well (ie when a crane license isn't needed)?

A Training for a crane license incorporates elements of load handling and sling handling and reading the load chart. If the load chart cannot be understood they should not be operating machine.

To assess whether a Dogging License is needed there are three requirements:

1. If there are different slinging arrangements required for each lift - need the knowledge to be able to do that, different techniques methods of attachment, different angles etc.
2. If required to calculate the load and the load is not constant (not a production lift)
3. If the person handling the load is outside of line of sight of crane operator (i.e. they would have to communication by means of truck, radios or whistles).

If any of these apply, you need a dogging license in both types of crane truck categories.

Q But the Regulation says any slinging of any load? There are lots of hiabs running around?

A If you can train someone in a task which is requires the same things all the time, you don't require a dogman license, given that none of the three above criteria apply. If it's a production lift and they can be trained, there no need for a dogger's license. If you do your Competency Verification with the truck license, elements of that license cover the aspect of attaching load, moving it and signals.

The duty of care training for a crane truck driver cover : pre operation checks on crane, reading the load chart, understanding the load chart, checking slings for damage, method of slinging and attachments and standard signals as we are not going to work out of sight.

The training is out there for the workers and the main thing is that it needs to be documented. If you were looking at providing training .

Q David Milutin from Zinfra/ZNX

Can you still operate a high risk work licenced machine under a log book? It was my understanding that WorkCover repealed that a while ago and that you cannot operate under a log book anymore?

A No only if you are enrolled with a registered training organisation (RTO) who issues the log book and a nominated person who holds that particular high risk license is your supervisor for a minimum amount of time whereby they still go through the process where one of the trainers go out and do a formative assessment and then the accredited assessor will do the accredited assessment. They have to be enrolled with the RTO. It comes with a lot of requirements within the work place and I would advise against it. One of the issues here is that a lot of the requirements of the assessment are not always available at the work place, which is why we frown upon it. We have only done it in a couple of occasions with forklifts because they were trying to get more on the job experience and they were having problems with the assessment result. Assessments are not easy, there is a lot of difficult language and it needs work and I have been assured that is happening. At the moment it has been very difficult to get the language across to these people who are not highly educated but highly skilled for their work. The regulators have forgotten where the level of education is for people requiring these licenses, but improvement for this is on the way.

Seminar 1 Q&A Session (presenters as noted)

Q Geoff Reardon Plant Assessor Is there now a requirement for mandatory fully automatic hitches for excavators and semi automatic quick hitches will be phased out?

Stephen Charles, WorkCover NSW

A WorkCover issued a safety alert, but not aware of changes. There are many different types of hitches. Don't know about that rumour. Will get back to you.

There is a position paper in final editing. Lead to believe that semi automatic hitches won't be allowed on new supplied machines. Not sure about second hand equipment or hire equipment.

MBA have addressed the position paper, it won't ban semi-automatic, but there will be a transition so no more new semiautomatic hitches. There are protocols about using the semi automatic ones safely.

Matt Turner, Plant Assessor Pty Ltd (post seminar)

A. The WorkCover position paper has now been released – and subsequently revised to delay the commencement from 1 January until 1 May 2014.

see <http://www.cmeig.com.au/documents/WorkCoverNSWsemi-auto-quick-hitches-excavators-backhoes-1158.pdf>

Anthony Noakes, WorkSafe ACT.

A. WorkSafe ACT construction inspectors have identified improper use of semiautomatic hitches on a number of sites. At present WorkSafe ACT has not issued any position on the prohibition of semiautomatic hitches. NSW WorkCover are considering such a move. I would consider it likely that WorkSafe ACT will adopt the same approach as NSW once the NSW position is implemented. See the NSW WorkCover Safety Alert “Safe use of quick hitches on excavators” February 2013.

Q Where does the ROPS and FOPS situation stand on excavators - protection?

Anthony Noakes, WorkSafe ACT

A. The most recent version of the ACT Work Health & Safety Regulation 2011 (25.11.2013) on the legislation web site has section 217 there. An exemption granted by Mark McCabe to the fitting of ROPS & FOPS (NI2012-27) has been repealed from 1 January 2013. Section 217 required ROPS & FOPS for earthmoving equipment with the exception of those less than 1500kg and no seated operator. See also comments by Kylie Edwards on behalf of Mark McCabe.

Q Residency and the assessment for high risk licenses. Our business is located in NSW, most work done in ACT. We have an employee who has done a dogging course at CIT in Canberra, but lives in Queanbeyan. Will he be able to be assessed?

Anthony Noakes, WorkSafe ACT

A Can be assessed in NSW because he lives in NSW, but the license will be national. If someone lives in another state need to apply for permission for training and assessment in another state.

Q Training for interstate - Thredbo employee told he can't do training at CIT in ACT need to go beyond to Wollongong NSW to get his rigging license. Extra cost to these people.

A Section 89: (2) (c) (i & ii) of the Work Health and Safety Regulation 2011 does put residency stipulation on the applicant, ie that they reside either in the ACT or “outside the ACT and circumstances exist that justify the grant of the licence”

I have spoken to the manger involved in the issue of HRWL’s at our Fyshwick office regarding this outside the ACT issue. I was informed that the ACT has decided that the following will apply in the application of section 89: (2) (c) (ii), The ACT will issue a HRWL to a person who lives in the following areas around the ACT in NSW and has done the HRWL training in the ACT.

- Queanbeyan
- Cooma
- Yass.

I did question if this was strictly the geographical “town limits” or if it would include Bungendore for example. I was told that it would but needs to be assessed at application. The concern is about people jurisdiction “shopping”

I was advised that NSW will not accept anything from outside NSW.

Q Wanted to upgrade a high risk elevated platform license to a photographic license. Was told as I had NSW license had to pay another \$70 to change all licenses from NSW to ACT.

A High Risk Work License is a national license. If you hold a current and valid High Risk Work License which was issued in another State or Territory, you do not need to transfer that license to an ACT High Risk Work License in order to carry out the same type of high risk work in the ACT. Similarly, if you hold an ACT High Risk Work License and are working elsewhere in Australia, you do not need to transfer your ACT High Risk Work License to an interstate license in order to carry out the same type of high risk work in that State or Territory. (Extract from WorkSafe ACT website: 24 October 2013.)

Q It seems the issue is when you operate across states, we have harmonisation of legislation, but are still arguing about simple questions of training for national certificates across borders. Question is when our guys renew licenses through Australia Post, information is being lost. Why isn't WorkCover doing the licensing itself?

A Legislation is the same, but jurisdictional operations may be different. Australia Post does it for operational reasons, probably because it is cheaper than the regulator doing it. but complaints can be made to licensing division.

Q Scenario - management of deliveries. Whether or not operator should have a white card if just delivering a load and then driving away. What is a reasonable level of safety assessment in this scenario?

Martin Tunstead John Holland Group-

A If one off delivery no induction or assessment, but some level of delivery induction - brief check list register details. But if multiple or regular deliveries, than a normal project induction process.

White card is not needed for incidental visitation, ie if just dropping off not needed, only if doing construction on site.

The regulator doesn't expect them to have white card. If they get out of truck and start doing construction work, then will be required.

However it is still mobile plant and the people on site need to manage the risk appropriately. Each site is different and each load is different. Inside the gate or on the other side of the site. Risks need to be managed through induction or visitor process.

Anthony Noakes, WorkSafe ACT

A The Work Health and Safety (Construction Work Code of Practice) Approval 2012 Notifiable instrument NI2012–426 an approved COP under the Act, does prescribe that a delivery to a single designated area would not require a white card be held. Multiple areas deliveries on the site would. The issue of an induction would be, the delivery being a risk that risk should be assessed and controls put in place . This might include a full or abridged induction.

'In connection with' means related to or associated with construction. Contracts covering a project are a good guide to what activities are done in connection with construction.

Examples may include:

- work by architects or engineers in on-site offices or conducting on-site inspections, but not architects or engineers working in offices away from the construction site
- work by a mechanic on an excavator on-site and not in an isolated service area
- delivering building materials to different points on the site, but not making deliveries to a single designated delivery area
- excavating for a basement garage
- testing fire equipment on the construction site
- supervisors and manager moving around the site to monitor work
- surveying a site after construction has started, but not surveying a Greenfield site before construction has started
- traffic control on a construction site.

Q Through a lot of regulation and auditing we've been asked about plant risk assessment. Any feedback on templates or risk assessments through an FSC audit.

Matt Turner, Plant Assessor Pty Ltd

A. An FSC audit should be quite standard. FSC is a best practice organisation and will not specify what they expect you to do, will just indicate the required level. Templates have been subject to twenty or thirty audits, some auditors have provided negative feedback, but largely look at intent and outcome and are happy with it.

Q. Andy Crompton

Where does the requirements for ROPS (Roll over Protection) and FOPS (Fall Objects Protection) stands at this present time, obviously ones that were manufactured prior to the deadline, this being probably 2 years down the line when compared to the quick hitch scenario, where are we now on the status on this (the exemption that applied to previous plant appears to have disappeared from the WorkSafe ACT website)?

Matt Turner, Plant Assessor Pty Ltd

A My understanding is that there was an exemption that was put through in December last year (2012) in NSW. That was an exemption to that particular regulation for Earth Moving equipment.

HOWSA (Heads of Workplace Safety Authorities - Australia and New Zealand) and Safe Work Australia made the announcement in December 2012 that a change would be made to the Model WHS framework that after it decided that imposing a requirement for OPGs (Operator Protective Guards) on all earthmoving equipment

was inappropriate as there are some earthmoving machines that do not require an OPG.

http://www.assessor.com.au/Libraries/Newsletter/DEC_NEWS.sflb.ashx

In January, the NSW Government published the adoption of these changes into NSW – this link to our January newsletter (it is the 3rd article down) outlines this change and includes an image of the Gazette publication:

http://www.assessor.com.au/Libraries/Newsletter/January_2013_Newsletter.sflb.ash

Changes were published in the NSW Government Gazette on 21 December 2012. The intentions of other States and Territories are unclear at this time.

Owners and users of earthmoving equipment should be aware that Regulations 214 and 215 still require owners/users of earthmoving equipment to consider OPG requirements on a case by case basis -

Q. Debbie Strachan, O'Neil and Brown Plumbing

Keith mentioned in his presentation about residency and the assessment for High Risk licenses. Our business is located in NSW but probably 99% of our work is done in Canberra and around the ACT. I currently have an employee doing a course at CIT in Canberra, how does that fit in with the residency aspect. He lives in NSW, he works in Canberra, what you are saying is that he won't be able to be assessed?

Keith Montgomery, Riverina Plant Management

No, because he lives in NSW Queanbeyan, you could have the assessment lodged to NSW, once he has the license it is national. I should have mentioned earlier that we have had problems with people coming over to us who are residents from Canberra. That is fine if we find out early in the piece because we can apply for admission (exemption), but we don't like doing it later during the process. If you want to do an assessment of a person in that state who lives in another state, you have to get permission through the regulatory authority but if you can apply the application into that state it will come back as a national license and you can work in any state in Australia.

A further important point that came up from Remo Benaimini of Manteena Pty Ltd re Truck cranes. If you wish to do erection with a truck crane, you must have a slewing crane license.

Q. Peter Warn, CIT

We (CIT) are the nearest point of contact for certain training, and we are lead to believe that people who live in Thredbo can't do their training with CIT, rather they have to go to Wollongong because it is in NSW which is a further cost to him to get his rigging license. I am aware the system is in place to prevent Canberra from taking work from NSW, but if we are the nearest point of call, something should be in place to enable him to get his license from CIT. I don't know where CIT stands with regards to it? (More recently we had 2 guys who did a EWP training with us for which they told us we were closer and it was more cost effective to do that for them. However once complete they had to wait for 5 hours at the Office of Regulatory services in the ACT to deliberate who after the event contacted the CIT to inform us we were not to do that again).

Anthony Noakes, WorkSafe ACT

A. Section 89: (2) (c) (i & ii) of the Work Health and Safety Regulation 2011 does put residency stipulation on the applicant, ie that they reside either in the ACT or “outside the ACT and circumstances exist that justify the grant of the licence”

I have spoken to the manger involved in the issue of HRWL's at ORS Fyshwick office regarding this outside the ACT issue. I was informed that the ACT has decided that the following will apply in the application of section 89: (2) (c) (ii), The ACT will issue a HRWL to a person who lives in the following areas around the ACT in NSW and has done the HRWL training in the ACT.

- Queanbeyan
- Cooma
- Yass.

I did question if this was strictly the geographical “town limits” or if it would include Bungendore for example. I was told that it would but needs to be assessed at application. The concern is about people jurisdiction “shopping”. I was advised that NSW will not accept anything from outside NSW.

7.

Q. Terry Whitehead, Bovis Lend Lease

When the photographic license was coming into Canberra, I wanted to update a High Risk Elevated Work Platform license. I've got quite a few High Risk licenses in NSW, and when I was asked if I had any other licenses I said yes I have got NSW. I was informed I had to pay another \$70 to change all my license from NSW to ACT, even though I live in NSW. Why?

Anthony Noakes, WorkSafe ACT

A High Risk Work License is a national license. If you hold a current and valid High Risk Work License which was issued in another State or Territory, you do not need to transfer that license to an ACT High Risk Work License in order to carry out the same type of high risk work in the ACT. Similarly, if you hold an ACT High Risk Work License and are working elsewhere in Australia, you do not need to transfer your ACT High Risk Work License to an interstate license in order to carry out the same type of high risk work in that State or Territory. (Extract from WorkSafe ACT website: 24 October 2013.)

8.

Q. Sam Reid, Richard Cook Constructions (NSW)

We operate across NSW and ACT and down to VIC. One thing about WHS that continues to frustrate me through Federal safety is these common questions that get asked when we talk about harmonisation – When the WorkCover inspector for NSW gave his presentation and said we are reflective of the ACT yet the most simplistic things on training that goes towards national certificates we can't get the jurisdiction right, we argue about borders, when we are talking about one person's qualification. We experience these problems in our work force when they have to work interstate and encounter problems on induction cards and licencing.

I put this question to the WorkCover NSW Inspector, When our guys are renewing their licenses through the post office system, information is continuously getting lost, frustrations arise, then they have to get a letter from WorkCover for this period. Why isn't WorkCover doing the licensing itself, RTA does it and others themselves?

Stephen Charles, WorkCover NSW

A. Just to clarify from my talk before, the legislation that we share between the states (NSW and the ACT) is exactly the same, in regards to how each jurisdiction does their operations, that might be slightly different. To answer your question about why it went to Australia post – from what I understand it is probably to do with economic rationalisation and I suspect that is probably the reason behind it. Like I said in my talk, there was a huge restructure within WorkCover and a lot of public servants have lost their jobs. Whether that has impacted why it went to Australia Post I don't know,

but you can vent your concerns to our licensing sections about those applications going missing. What we do find is that the operators that come in and want to renew their license – what they haven't done is inform the regulator of the change of address. Then it always becomes a point of frustration. However I'm not a policy maker I am field based.

9.

Q. Vince Ball, Construction Industry Training Council

On the issue of residential address for High Risk Licensing, you will find that people living all around the ACT are treated as regional and offices of regulatory services don't have a problem with issuing those licences. For individuals who live beyond those locations, it is up to the RTO to make a request to the officer of regulatory services and point out the circumstances and these are usually favourable. For people in different state going to different RTOs, the issue for the regulators is quite clearly that both ACT and NSW regulators in that space don't want individuals RTO jumping to get serviced in smaller time frames by jumping across the boarder. The ACT is looking to ensure that the RTOs that deliver the training in the ACT meet best practice. The challenge for the regulator is the state jumping for the cowboy RTOs to issue the statement of attainment and that is what they are trying to fix.

10.

Q. Andy Crompton, Chincivil

Scenario – Management of and safety and verification of competency on site is reasonably clear-cut, so I'll move onto the management of deliveries to start and what is a "reasonable level of verification, plant safety assessment, whether or not the operator needs a white card, induction, for guys who are potentially dropping one load then going away, or guys who are dropping gravel, or delivering concrete to site. I wouldn't mind getting the panel's feelings what a reasonable level of application is required in that scenario.

Martin Tunstead John Holland Group

A. At John Holland we get lots of deliveries every day from a variety of sources, typically if is a one off delivery we are not going to put the truck through a hazard assessment nor would be expect the driver to get inducted. However we will have a level of delivery induction, that might be a quick checklist where we register their details to know that someone has been on our site. If they are returning and will be making regular trips, then we would put them through the normal project induction where they get all the information every other worker would get.

Q. Andy Crompton, Chincivil

That's one approach – but you can't guarantee the same driver will come two days in a row and that the same gravel truck and gravel companies and there are multiple sites for these locations around town, how many inductions could one driver get in a day. You could get 6 or 7 inductions within a day – so that is one high end application that John Holland is doing, I am probably looking for a practical application, I am thinking from more of the regulator point of view as that would be taking it to the extreme. If you think about the concrete driver getting 5 inductions a day is not practical.

Martin Tunstead John Holland Group

I am not sure if you understood what I said, I said that we only register their details to know that they have been on site, we do not put them through the complete induction and I think that is pretty practical.

Q Andy Crompton, Chincivil

You said that if it was more than one visit, you would put them through the complete induction? Are you saying that if the truck is working on site you induct them and it they are delivering gravel you don't or you don't do the full induction.

Martin Tunstead John Holland Group

If they are working on site they will get the full induction. If they are dropping off once or twice in a period of time, we probably wouldn't go through that process, we would just accept them on site with a brief visitor induction.

Q. Andy Crompton, Chincivil

Please clarify if a White Card is mandatory on your sites for delivery drivers

Martin Tunstead John Holland Group

MT The white card is a very tricky one, a lot of the guys that we work with generally have it. Where there is an operation that don't work in the industry and don't have a white card, if they are just dropping off we wouldn't expect it. As they white card is based around construction work if they weren't doing work on the site we wouldn't expect it.

Q. Andy Crompton, Chincivil

Does the regulator expect it?

Stephen Charles WorkCover NSW

A From our standpoint, probably not. If they get out of the truck and they start engaging in whatever work they are doing then maybe but they are not on site to do construction work it is for transport.

Q. Andy Crompton, Chincivil

I just think it is a very grey area about where the white card applies and doesn't apply.

Stephen Charles

A I don't see it as a grey area. I think the John Holland example is a good example of what can be done. I don't see it as a grey area at all, but I am just one of five here.

Anthony Noakes

A My initial reaction was yes, they would need a white card. But the point has been raised on whether transporting and dropping off is construction work so that is pause for thought. If I was on the site and the delivery driver was there, I would certainly ask him if he had a white card, if the answer was no then I have to deal with what he is doing. To the second point about how you deal with that from my point of view, it is mobile plant and a risk that is coming onto the site, whether they are there for five minutes or five hours or the duration of project, that is risk that the people on the site would have to look at and manage appropriately. We have heard an example from John Holland about how that might be managed and that is reasonable, but each site is different; where the load is being delivered, what sort of load it is, where the truck has to go, there are a number of factors that need to be assessed as a potential risk to the site and be managed through an induction or some sort of a visitor process – I see it as another risk to be managed.

Graham Coyle, Federal Construction Management

The Harmonised approved Code of Practice “Construction Work” calls up a definition of Construction work, and at the introduction outlines what activities it covers in its scope, also the WHS regulation 291 defines high risk construction work “ is carried out in an area at a workplace in which there is any movement of powered mobile plant, for example working in an area of a construction site that is not isolated from the movement of skid steer loaders, telehandlers, backhoes, mobile cranes or trucks”, earlier in his presentation Neil Storey confirmed that delivery trucks on sites need to comply with the Code of Practice- Managing Risks of Plant in the Workplace- So I would expect that all the (workers/truck drivers and operators) that need to go on the site other than in an isolated “drop off area”, would need to be White card inducted and not too many sites have that isolated dedicated delivery area. I would also see that even though they are doing a delivery, it is part of construction work as the Regulation and Codes define and hence have SWMS and risk assessments and each of the other control measures in place for their workers

and others given many times they are interfacing with other trades eg concrete delivery truck pouring in kerb machine etc.

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Q. Rob Schroder Richard Crookes Constructions

Clarification - From my understanding about ROPs and FOPs two dot points about the regulation, WorkSafe ACT are regulating the second one in relation to risk assessment of ROPs and FOPs, they are not implementing the first regulation which is compulsory ROPs and FOPs for load shifting equipment. The other thing with the white card and delivery drivers, there are provisions within the regulation as well for infrequent visitors to site and delivery drivers do not require a white card but you do need to manage them through a risk assessment. Coming to my question, Matt for you as a Plant Assessor, through a lot of regulation and auditing and FSC, we have been hit with a lot of questions on the plant risk assessments and I was wondering if you have had any feedback on your templates or the detail you have in your risk assessment, through example a FSC audit.

Matt Turner, Plant Assessor Pty Ltd

A That is a very good question. A FSC audit should be a very standard process where you can expect to have the same principles and standards that can be applied across a number of different audits, experience says that is not necessarily the case. If we go back to the statement that was made earlier about the purpose of the FSC, it is there as a best practice organisation, they will blatantly state to you that we are not going to specify what we expect you to do, we are going to indicate how high the bar you need to reach is but we will not tell you how far over you need to be above that. Consequently what you get and because of the nature of the way of the FSC structure is, and that fact that FSOs are not necessarily employees of the FSC, they are independent, experienced contractors who have different opinions about certain things, what we found that in relation to our product is subject to 20-30 different audits and we have had a couple of them come back where they don't like that fact they aren't in a table format with headings (hazards, risk, etc.). Largely, they look at the intent and the outcome and they say bang yes it's right. The FSC is an admirable process as it is resulting in considerably enhanced safety. Firstly, it is coming at a cost and secondly, it is coming with some confusion as a result of what is expected.

Kylie Edwards, WorkSafe ACT

A I would just like to clarify that WorkSafe's approach to those two issues that were brought up are exactly what you mentioned there. You do not need a white card if you are incidentally coming onto a site, delivery drivers fall into that category and do not need a white card. Also, we are not insisting all vehicles have the new rollover equipment at this point in time, as we found this is not working well within the industry. Mark Mc Cabe is working a lot within the industry to figure out how we will work that out over time. I appreciate Martin mentioning not ticking the box, work

safety is about the processes and the people involved, and if you get the processes right and the risk assessment right you will comply – it will just happen. Focusing more on the processes and safety of people and less on compliance and ticking boxes and you will get it right.

Seminar 2 – Q & A

IMPROVING SITE SAFETY – THROUGH PEOPLE

COMPETENCIES FRAMEWORK FOR SAFETY CRITICAL POSITIONS

Presenters

Graham Coyle, Federal Construction Management

Dean Cipolla, John Holland Group

Sue Fricke, Safety Dimensions

Tim Stootman, MBA NSW

Seminar 2 Questions

Improving Site Safety Through People

1. Competency Framework Explained

Dean Cipolla, John Holland Group

Q Has there been any success in getting this type of framework through Universities and Construction Management courses?

A We tried to way back to do this but encountered a lot of walls, they either wanted to change it or have facilitators doing it who did not have a behavioural bone in their body, that is why we gave up on it and were happy to licence it for \$1 to organisations such as Safety Dimensions. If there are organisations out there who want to do it properly for the right reasons, they would get a licence from us tomorrow.

Q Does that allow you to manila folder it and break it down?

A The syllabus is shown below, you can down load it and develop your own course for it.

<http://www.safetydimensions.com.au/pdf/22146VIC%20Curriculumv1-0.pdf>

2. Safety Leadership in Construction

Sue Fricke, Safety Dimensions

No questions

3. Super Safe Training Program

Tim Stootman, MBA NSW

No questions

Seminar 2 Q&A (presenters as noted)

Q Unknown Delegate

Martin Tunstead indicated that maximum benefit for safety outcomes can be realised at the outset: tender stage and planning stage. There is an emphasis on supervisors as the front line and that they are a product of companies who train them. How do the leadership tasks go to the front line in a company?

Dean Cipolla, John Holland Group

Supervisors are prisoners of poor planning. If you have unsuitable equipment because the front end people didn't plan it properly, it will never be delivered as safely as it should be. Skills and competencies therefore need to be across the board, which is what the framework does. Everyone has a role to play in behaviour of safety.

Accountability - rests with the client prescribing what they want, the designers designing it, the engineers, the finance managers etc this is where safety begins and therefore this is where training and competencies must begin.

Q Unknown Delegate

Do LDs and timeframes impact on people's behaviours?

A Yes, but can still push back. Leaders look at risk management of variations now before accepting them, because of the safety implications. Culture needs to emphasise the sanctity of safety as a core value. Must be clear about what will not be compromised on a site and in a project.

Q Unknown Delegate

It's alright for big rich companies.

A No, it's about having the intestinal fortitude to have the hard conversations with your mates and people you work with.

Q Unknown Delegate

Will there be a change to introduce a career pathway for supervisors, foremen, project managers in construction?

Dean Cipolla, John Holland Group

A Until the competency framework becomes a priority for the regulator, it won't happen!

Graham Coyle, Federal Construction Management

The competency framework needs to become a code of practice.