

Think Control, Not Risk!

**Mastering Health and Safety
under the Model WH&S Act**

**A Revolution in Safety Thinking for
Directors, Managers and Professionals
in Small, Medium and Large
Organisations**

Marcus Punch

1st Edition

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This text is intended to provide general information concerning the principles, concepts and application of the Australian Model Work Health and Safety legislation. The examples shown and the concepts and principles discussed are particular to each situation. Whilst the author, contributors and publisher expect the text to be useful to any reader, the author, contributors and publisher do not accept any responsibility for actions taken by others in using this material. Readers should obtain their own legal advice before implementing frameworks and processes for safety-related risk.

*The first step to a successful revolution is
destroy all competing revolutionaries.*

— lyrics from “Jehovah Made this Whole Joint for
You”, by *The New Radicals – Maybe You Have Been
Brainwashed Too* (1998).

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Chapter 1 - Myths, Snake Oil & Alchemy

Since the Model Work Health and Safety Act and Regulations were introduced in 2011 much has been written about their requirements and implications for those involved in managing safety at work and in workplaces.

Whilst a good deal of reliable support material has been provided by the regulatory authorities, a good deal of conflicting information has emanated from other, sometimes questionable, sources.

The conflicting information is usually related to the meaning of certain aspects of the Model Act and Regulations, their intended application, who is liable to prosecution, or the process by which the requirements must be satisfied (ie. what I have coined “myths, snake oil and alchemy”). This book provides a straight-forward, stand-alone “big picture” view for those running small, medium and large organisations, managers and professionals and those with specific duties or responsibilities related to ensuring safety under the Model Act and Regulations.

There have also been perceptions in various quarters about the suitability of risk management standards such as AS/NZS ISO31000 for safety-related risk management – particularly where ‘level of risk’ is used as a basis for making decisions about accepting / tolerating a risk. The Model Act and Regulations take a different approach - that a decision to accept / tolerate a risk should only be made when all “reasonably practicable” risk controls are in place.

Unfortunately, very little has been said by the regulatory authorities to clarify this matter. A key aim of this book is to clarify, rationalise and enhance risk management standards such as AS/NZS ISO31000 in the context of the Model Act and Regulations.

Think Control, Not Risk!

The mantra of this book is: **Think control, not (level of) risk!**

It is not intended as a comprehensive “how to” for safety management under the Model Act. Much has already been published in this regard by the regulatory authorities. Indeed, in safety management, the details of the “how to” often vary from application to application – depending on the nature of the work or workplace being managed and other factors – be it a railway, airline, mine, retail business, hospital or a volunteer organisation such as a scout troop or a community garden. Nevertheless, the book provides references to reliable, authoritative resources which provide detail on the various aspects of the “how to”.

Instead, this book aims to:

- Explain the essential concepts, principles and requirements for ensuring health and safety that are contained in the Model Act.
- Relate them to the established frameworks for health and safety management and risk management.
- Expose authoritative sources (and unauthoritative ones) for interpretation and learned opinions on the subject matter.
- Provide a critique on a number of contemporary health and safety management approaches through the prism of the Model Act’s principles, concepts and requirements.
- Propose an enhanced framework for health and safety-related risk management,
- and in doing so, provide the means by which readers can critically evaluate information that they might receive on the subject.