

The Effective Application of Legislation

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Effective application of legislation


Considered from 3 perspectives:

- ❑ Legitimate translation of the legislation
- ❑ People competent to apply the legislation
- ❑ Continual improvement of the SHMS



Legitimate translation of the legislation into SHMS

- ❑ Often over-complicated, non-specific and poorly understood
 - ❑ Needs to be simple, straight forward, relevant to the target audience
 - ❑ Test the document on the people expected to use it



Legitimate translation of the legislation into SHMS

- ❑ Inadequate linkage between the risk assessment process and resultant procedure
 - ❑ A structured logical risk management approach
 - ❑ Use appropriate risk assessment tools – fault trees and FMEA, not just WRAC or JSA
 - ❑ Over use of JSA can short circuit the use of procedures

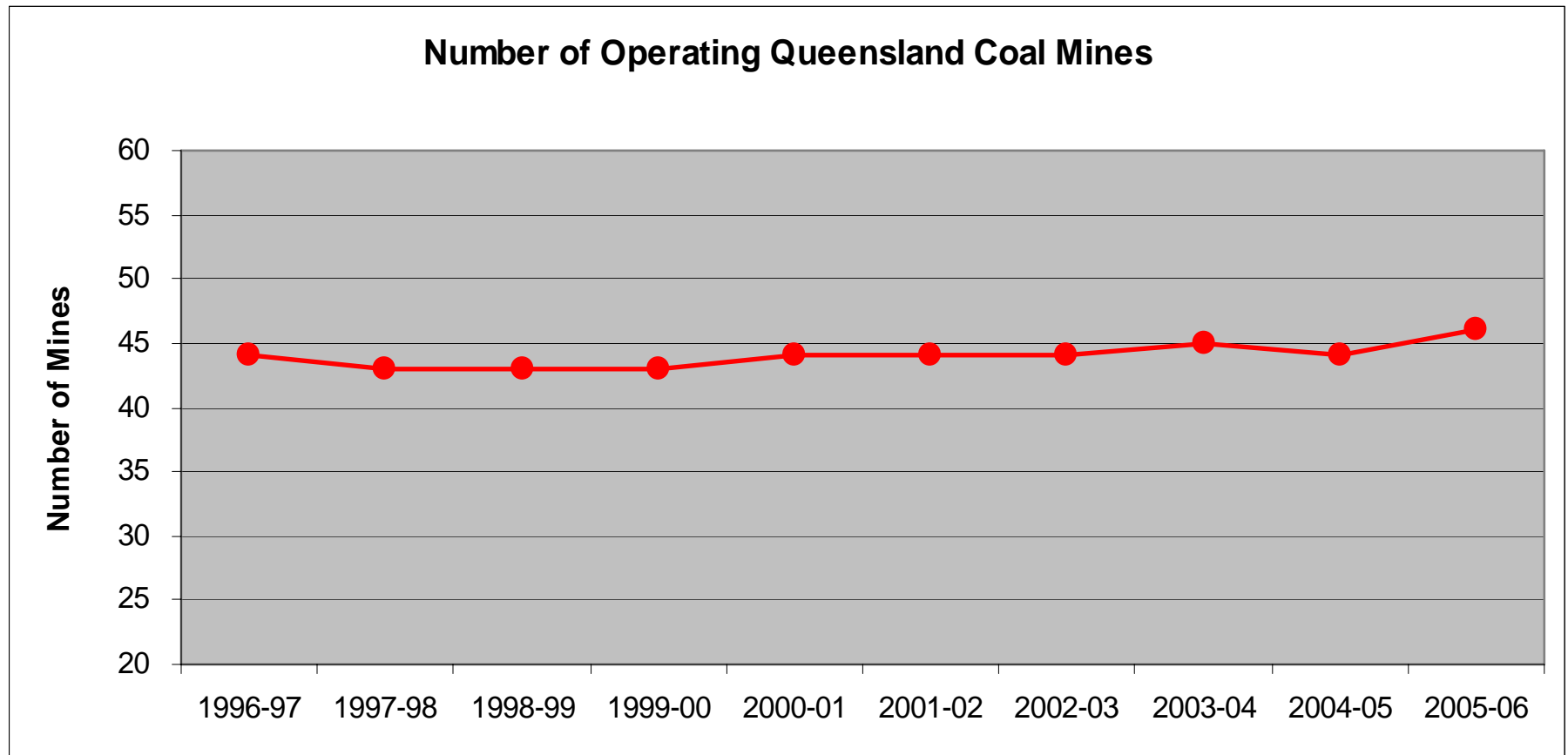


Legitimate translation of the legislation into SHMS

- ❑ Ownership of the SHMS
 - ❑ Deep knowledge of the relevant process
 - ❑ Intimate involvement of the process owner in development of the documentation
 - ❑ Knowledge of the system and commitment to the respective procedures by the SSE and Senior Management – not just Safety personnel

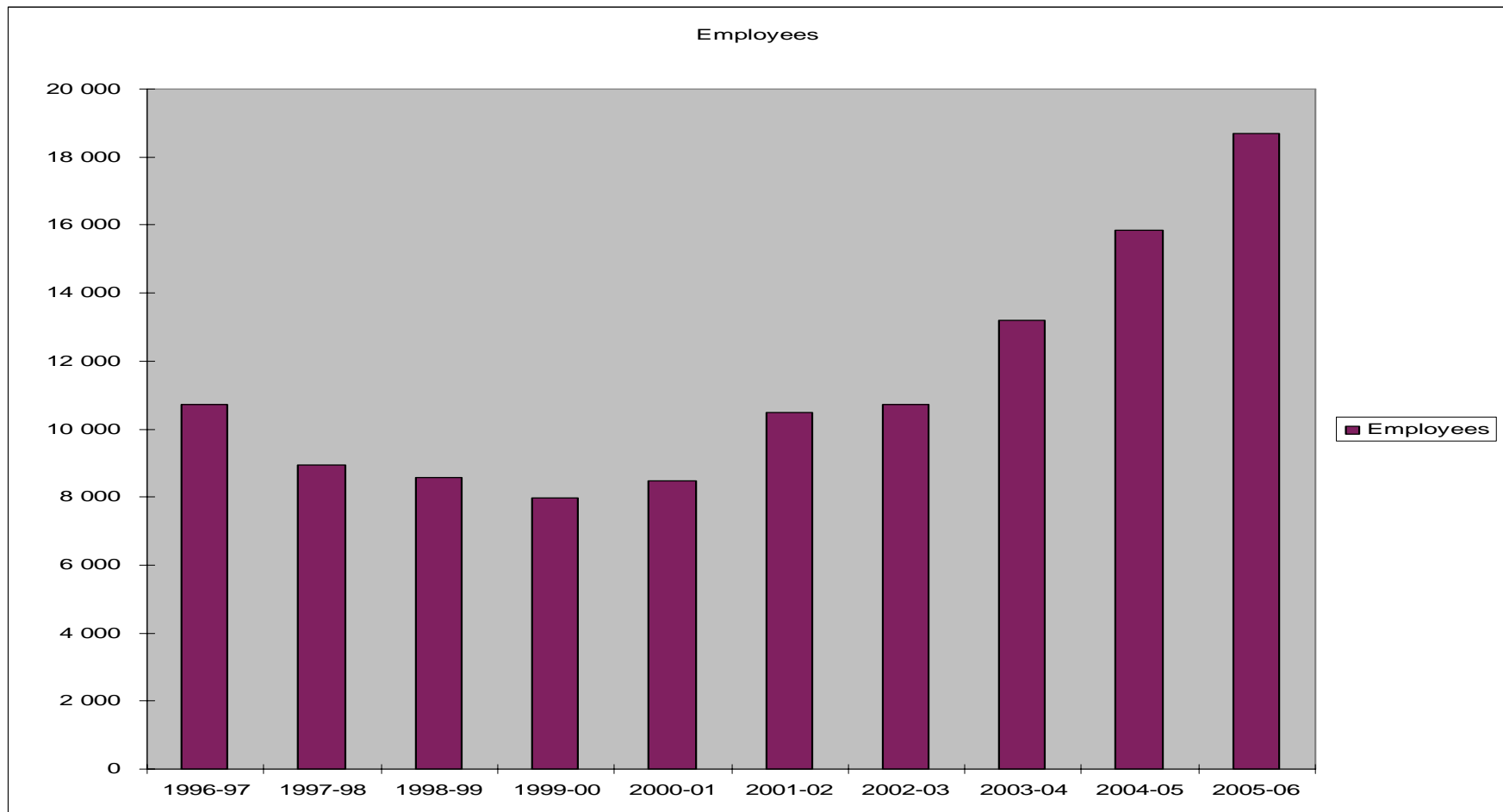
No. of Coal Mines

- Some increase in the number of mines, but not as significant as expected *Ref. DME Qld Coal Statistics 2006*



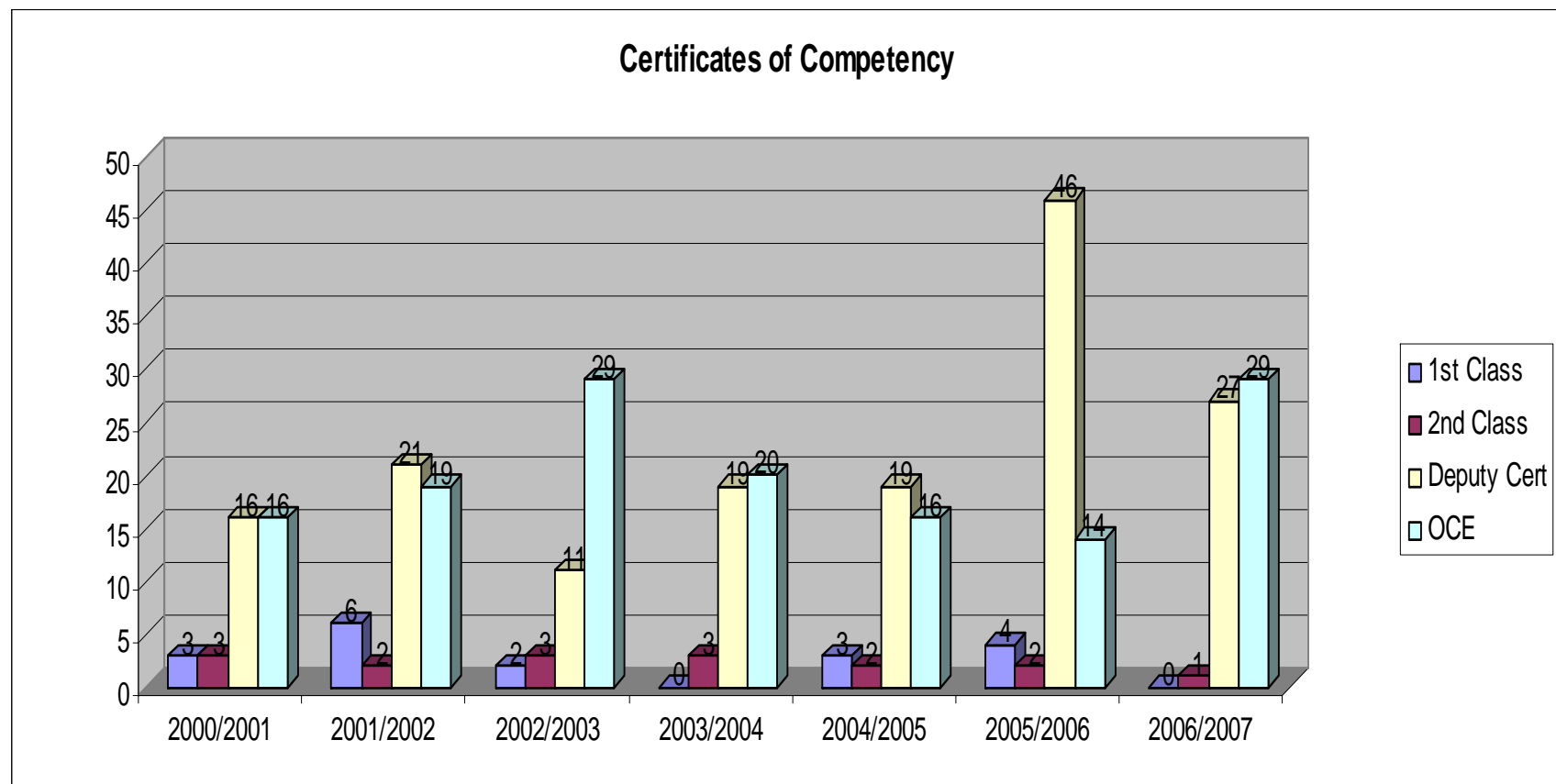
Number of Coal Mine Workers

- Significant increase in the number of people employed
Ref. DME Qld Coal Statistics 2006



No. of Coal Statutory Certificates

- Limited increase in the no. of statutorily qualified supervisors *Ref. DME Qld Coal Statistics 2006*





Competent People

- ❑ There is a legislation component in the various Coal Competencies, but...
- ❑ Coronial Inquests found Supervisors not trained beyond S1,2,3; in SOP's; in hazard identification or how to assess worker competence
- ❑ Influx of non-mining or other mining personnel places greater responsibility on supervisors



The Dilemma of Effectiveness

- ❑ CMS&HA, QGN09 & AS4801/4 all indicate the need for effectiveness and continual improvement
- ❑ Effectiveness is an elusive and ill defined term within each of these references
- ❑ Continual improvement is an over-used and deceptive requirement



Effectiveness

- ❑ Strategic plan and schedule for system/ document review – formalised management review process
- ❑ Evidence of progress against this plan
- ❑ Process that tracks and demonstrates a cycle of response to indicators – audit actions, hazard reports, incident investigations
- ❑ Improvement actions, records of actions, revision of documents, communication with and training of workforce



Continual Improvement

- ❑ To demonstrate improvement statistically:
 - ❑ Have a stable process;
 - ❑ Reduce variation
 - ❑ Have a statistically valid improving trend ie 7 KPI points that consistently improve



Beyond Proper Diligence

- ❑ There is a disconnect between the intentions of companies to reduce the risk through systems and the reality of risk at the coal face –*NSW DPI Safety Review*
- ❑ The safety management system is “divorced from operations in the field” and “diverted attention from what was actually happening” –*Hopkins on Longford Gas Plant Explosion*



Strategies – Mindful Leadership

- ❑ Personally probe for problems
- ❑ Examine the quality of accident investigations or risk assessments and the thoroughness with which the site has implemented corrective actions
- ❑ Inquire about areas of under-reporting
- ❑ Probe for defects in the reporting system



Mindful Leadership

- ❑ What interests my boss fascinates me; therefore if the boss does not show real interest in something, it will receive a low priority
- ❑ Audit the auditors
- ❑ “When a leader visits the workplace, they see the behaviours of their people but they also see, reflected in their people, their own behaviours” -
Hayward T. BP Group Managing Director