Occupational Health and Safety Initiatives: An Exploration of the National OHS Strategy in New South Wales’ Manufacturing Industry

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School of Business

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Dedication

To Adam, thank you for your friendship, love and support.
Acknowledgements

Thank you to my supervisors Dr Terri Mylett and Professor George Lafferty, for all your support and guidance over the course of my thesis. Thank you for your confidence in my work and in me; you have been a great source of encouragement. In particular, an individual thank you to Terri for taking an interest in my work and volunteering to help guide me through this journey. It is very meaningful and rewarding to have the guidance of someone who shares the same passion and interest for an area of research.

Thank you to all my family, in particular my parents and brothers, and friends who have supported me over the past 6 years. Your patience, understanding, and encouragement are greatly appreciated and will never be forgotten. I look forward to spending much more time with all of you now that the journey is over. A big thank you to my good friend Alessandro. As a fellow PhD student, we have been able to converse and guide each other along the way. I wish Alessandro all the best in his PhD.

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Statement of Authentication

The work presented in this thesis is, to the best of my knowledge and belief, original except as acknowledged in the text. I hereby declare that I have not submitted this material, either in full or in part, for a degree at this or any other institution.
# Table of Contents

<table>
<thead>
<tr>
<th>Section</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>List of Tables</td>
<td>1</td>
</tr>
<tr>
<td>List of Figures</td>
<td>2</td>
</tr>
<tr>
<td>Abbreviations</td>
<td>3</td>
</tr>
<tr>
<td>Abstract</td>
<td>5</td>
</tr>
<tr>
<td><strong>Chapter 1: Introduction</strong></td>
<td>7</td>
</tr>
<tr>
<td>Research rationale</td>
<td>8</td>
</tr>
<tr>
<td>Research question and objectives</td>
<td>9</td>
</tr>
<tr>
<td>Methodology</td>
<td>10</td>
</tr>
<tr>
<td>Thesis structure</td>
<td>11</td>
</tr>
<tr>
<td>Contribution of the research</td>
<td>14</td>
</tr>
<tr>
<td>Conclusions</td>
<td>15</td>
</tr>
<tr>
<td><strong>Chapter 2: Literature Review</strong></td>
<td>16</td>
</tr>
<tr>
<td>Introduction</td>
<td>16</td>
</tr>
<tr>
<td>National OHS strategies and the policy process</td>
<td>16</td>
</tr>
<tr>
<td>Theoretical frameworks of the policy process: lessons from the political sciences</td>
<td>18</td>
</tr>
<tr>
<td>Rules-in-use: tripartism</td>
<td>28</td>
</tr>
<tr>
<td>The actors and OHS policy</td>
<td>32</td>
</tr>
<tr>
<td>The physical and material conditions</td>
<td>37</td>
</tr>
<tr>
<td>Improving employer capacity to manage OHS</td>
<td>39</td>
</tr>
<tr>
<td>Conclusions</td>
<td>42</td>
</tr>
<tr>
<td><strong>Chapter 3: Methodology</strong></td>
<td>44</td>
</tr>
<tr>
<td>Introduction</td>
<td>44</td>
</tr>
<tr>
<td>The research question and objectives</td>
<td>44</td>
</tr>
<tr>
<td>A qualitative exploration of improving employer capacity through the National OHS Strategy</td>
<td>45</td>
</tr>
<tr>
<td>Unit of analysis and research design</td>
<td>46</td>
</tr>
<tr>
<td>Research tools and data collection</td>
<td>51</td>
</tr>
<tr>
<td>Data analysis methods: thematic analysis</td>
<td>58</td>
</tr>
<tr>
<td>Validity and reliability of research findings</td>
<td>59</td>
</tr>
<tr>
<td>Research limitations and contributions</td>
<td>60</td>
</tr>
<tr>
<td>Conclusions</td>
<td>61</td>
</tr>
</tbody>
</table>
Chapter 4: The National OHS Strategy 2002-2012 and the NSW Workplace Health and Safety Strategy

Introduction
Setting the foundations for the National OHS Strategy
Developing the capacity of business to manage OHS effectively
Developing, implementing, monitoring and evaluating the National OHS Strategy
New South Wales’ adoption of the National OHS Strategy
Discussion
Conclusions

Chapter 5: Australian Occupational Health and Safety in Context

Introduction
A brief history of OHS in Australia
OHS - An issue on the national agenda
Australia’s peak OHS agency
Discussion
Conclusions

Chapter 6: Key Findings from Interviews with OHS Agencies, Trade Unions and Employer Associations

Introduction
Interview participants
Awareness and views of the National OHS Strategy
Development and consultation on the National OHS Strategy
Implementation of the National OHS Strategy
Reporting and evaluation of the National OHS Strategy
Stakeholder relationships and tripartism
Changes to Australia’s peak OHS agency and tripartism
Discussion
Conclusions
# Chapter 7: Key Findings from Interviews with Manufacturing Businesses

## Introduction

- Overview of the companies
- Awareness and views of the National OHS Strategy
- Organisational perceptions of OHS performance and knowledge of OHS fundamentals
- Key approaches and mechanisms to managing OHS performance
- The role of trade unions, employer associations and WorkCover NSW in improving employer capacity

## Discussion

## Conclusions

# Chapter 8: Evaluation of the National OHS Strategy: Searching for Evidence of Impact

## Introduction

- Documentary analysis of the National OHS Strategy: key documents used in the research process
- Implementing the National OHS Strategy and the priority goal of improving employer capacity to manage OHS
- Safe Work Australia’s evaluation of the National OHS Strategy and efforts to improve employer capacity to manage OHS
- The context in which the National OHS Strategy has operated

## Conclusions

# Chapter 9: Comparative Analysis of International OHS Strategies

## Introduction

- The uptake of national OHS strategies internationally
- Choosing comparator countries: selection criteria and research methods
- An overview of the comparator countries
- Key characteristics of national OHS strategies
- Improving employer capacity to manage OHS
- Comparing approaches to developing national OHS strategies
- Implementing OHS strategies
- A review of how other national OHS strategies are evaluated
- Availability and access to resources
- Discussion: Applying the IAD framework and lessons for Australia

## Conclusions
List of Tables

Table 1  NOHSC grant expenditure, 1993-94 to 2002-03
Table 2  NOHSC revenue from the Australian Government, 1993-94 to 2002-03
Table 3  NOHSC total staff numbers
Table 4  Institutions that participated in an interview
Table 5  Approaches to the management of OHS by the manufacturing companies
Table 6  Sources of OHS information and training
Table 7  Business motivators for improving OHS performance
Table 8  Factors to increasing employer capacity to manage OHS
Table 9  Stakeholders examined for evidence of National OHS Strategy activity
Table 10 Stakeholder references to the National OHS Strategy
Table 11 General framework of Safe Work Australia's 2009 – 2010 Operational Plan
Table 12 Specific objectives of Guarding of Machinery in Manufacturing campaign
Table 13 Statements on the National OHS Strategy
Table 14 Key areas of focus in Comparative Performance Monitoring reports
Table 15 Reporting criteria for the OHS Improvement Framework
Table 16 Key publications on monitoring trends in injuries, fatalities and disease
Table 17 ACCI statements on failures in stakeholder cooperation
Table 18 Characteristics of national OHS strategies
List of Figures

Figure 1  The Australian policy cycle
Figure 2  Conceptual models of intervention research in OHS
Figure 3  Features of strategy
Figure 4  A Framework for Institutional Analysis
Figure 5  The National OHS Improvement Framework
Figure 6  The National OHS Strategy 2002-2012
Figure 7  The NSW Workplace Health and Safety Strategy 2005-2008
Figure 8  Key stakeholders in Australia's OHS system
Figure 9  Spectrum of OHS knowledge and capacity
Figure 10 Sources of OHS information used by interview participants
Figure 11 Number of countries to have ratified ILO Convention 155
Figure 12 Finland's Occupational Health and Safety Institutions
Figure 13 Denmark's Occupational Health and Safety Institutions
Figure 14 Ostrom's IAD Framework
# Abbreviations

<table>
<thead>
<tr>
<th>Abbreviation</th>
<th>Full Form</th>
</tr>
</thead>
<tbody>
<tr>
<td>ABL</td>
<td>Australia Business Limited</td>
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<tr>
<td>ACC</td>
<td>Accident and Compensation Corporation</td>
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<td>ACCI</td>
<td>Australian Chamber of Commerce and Industry</td>
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<tr>
<td>ACTU</td>
<td>Australian Council of Trade Unions</td>
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<tr>
<td>AFEI</td>
<td>Australian Federation of Employers and Industries</td>
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<tr>
<td>AiG</td>
<td>Australian Industry Group</td>
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<tr>
<td>ALP</td>
<td>Australian Labor Party</td>
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<td>AMWU</td>
<td>Australian Manufacturing Workers’ Union</td>
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<td>ASCC</td>
<td>Australian Safety Compensation Council</td>
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<tr>
<td>AWU</td>
<td>Australian Workers’ Union</td>
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<tr>
<td>COAG</td>
<td>Council of Australian Governments</td>
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<tr>
<td>DEWR</td>
<td>Department of Employment and Workplace Relations</td>
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<tr>
<td>EC</td>
<td>European Commission</td>
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<tr>
<td>EIRO</td>
<td>European Industrial Relations Observatory</td>
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<tr>
<td>EU</td>
<td>European Union</td>
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<tr>
<td>HSE</td>
<td>Health and Safety Executive</td>
</tr>
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<td>HWSA</td>
<td>Heads of Workplace Health and Safety Authorities</td>
</tr>
<tr>
<td>IAD</td>
<td>Institutional Analysis and Development</td>
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<tr>
<td>ILO</td>
<td>International Labour Organization</td>
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<td>IRG</td>
<td>Industry Reference Group</td>
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<tr>
<td>LA</td>
<td>Local Authorities</td>
</tr>
<tr>
<td>NDPHS</td>
<td>Northern Dimension Partnership in Public Health and Social Wellbeing</td>
</tr>
<tr>
<td>NEOHSCF</td>
<td>National Employers’ Health and Safety Consultative Forum</td>
</tr>
<tr>
<td>NOHSC</td>
<td>National Occupational Health and Safety Commission</td>
</tr>
<tr>
<td>NRCOHSR</td>
<td>National Research Centre for Occupational Health and Safety Regulation</td>
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<tr>
<td>NRCWE</td>
<td>National Research Centre for the Working Environment</td>
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<tr>
<td>NSW</td>
<td>New South Wales</td>
</tr>
<tr>
<td>NUW</td>
<td>National Union of Workers</td>
</tr>
<tr>
<td>OHS</td>
<td>Occupational Health and Safety</td>
</tr>
<tr>
<td>PACIA</td>
<td>Plastics and Chemicals Industries Association</td>
</tr>
<tr>
<td>Abbreviation</td>
<td>Full Form</td>
</tr>
<tr>
<td>--------------</td>
<td>-----------</td>
</tr>
<tr>
<td>PDS</td>
<td>Premium Discount Scheme</td>
</tr>
<tr>
<td>HSE</td>
<td>Health and Safety Executive</td>
</tr>
<tr>
<td>SME</td>
<td>Small-Medium Enterprise</td>
</tr>
<tr>
<td>TCFUA</td>
<td>Textile, Clothing, and Footwear Union of Australia</td>
</tr>
<tr>
<td>TLC</td>
<td>Trades and Labour Council</td>
</tr>
<tr>
<td>UK</td>
<td>United Kingdom</td>
</tr>
<tr>
<td>VECCI</td>
<td>Victorian Employers’ Chamber of Commerce and Industry</td>
</tr>
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<td>WRMC</td>
<td>Workplace Relations Ministers’ Council</td>
</tr>
</tbody>
</table>
Abstract

The introduction of the *National OHS Strategy 2002-2012* into Australia signified a new direction in occupational health and safety (OHS) policy development. It represented the first policy in which Australia’s institutional stakeholders had reached a formal agreement to achieve targeted reductions in injuries and fatalities across Australian workplaces. However, despite its significance, the *National OHS Strategy* remains largely unexplored throughout the literature, as have national OHS strategies in other countries. This research seeks to contribute to narrowing this gap in knowledge by investigating the OHS policy process associated with the *National OHS Strategy*, with the intention of better understanding how OHS policies are developed, implemented, and evaluated. Applying a qualitative framework comprised of documentary analysis and semi-structured interviews with government, trade unions, employer associations, and manufacturing businesses in New South Wales, this thesis explores one of the *National OHS Strategy*’s five objectives – improving the capacity of employers to manage OHS. Ostrom’s Institutional Analysis and Development (IAD) framework, which is grounded in institutional rational choice theory, provides the key theoretical framework in which the research findings are analysed. The IAD framework has allowed for policy evaluation that is different from the traditional and descriptive approach associated with examining policy through various stages of the policy cycle. Rather than describing stages, the IAD framework guides analysis on stakeholder interactions and behaviours, and highlights the influence of external factors and rules. The analysis of Australia’s *National OHS Strategy* is deepened through international comparisons with the United Kingdom, New Zealand, Denmark, and Finland. The comparisons provide greater insight into the policy development, implementation, and evaluation possibilities that could have been undertaken for Australia’s 2002-2012 *National OHS Strategy*.

As it is the intention of Australia to continue to develop and implement future strategies to improve OHS, the findings of this thesis help to identify the elements necessary for effective strategy making and implementation. In summary, the research highlights that the *National OHS Strategy* did not appear to have a significant impact in encouraging increased activity in improving employer capacity to manage OHS. The 2002 – 2012 Strategy’s shortcomings were uncovered in each aspect of the policy process. The main problems were, firstly, that
stakeholders’ energy and attention was drawn away from the National OHS Strategy and into other areas of priority such as changing OHS legislation rather than implementing the Strategy. While stakeholders saw value in having the National OHS Strategy, it did not elicit sufficient motivation or commitment. Furthermore, a lack of clearly identifiable roles for each of the stakeholders resulted in responsibility for the Strategy being shifted to government, thereby diminishing the concept of the stakeholders ‘working together’. Knowledge and awareness of the National OHS Strategy diminished over the life of the Strategy; partly as a consequence of changes in personnel across the stakeholder groups, as well as a declining reference to the Strategy more broadly. The research also highlights the importance of resources to policy development. The National OHS Strategy was developed on weak foundations as the paring back of resources to Australia’s peak OHS body heightened jurisdictional responsibility for OHS, including implementation of the National OHS Strategy.

The thesis’ contribution is multifaceted. It contains a history of the development of Australia’s first national policy for OHS, incorporating perspectives of employer associations, trade unions, and government relative to the Strategy’s objective of developing employer capacity. The thesis is particularly innovative in applying theory from the political science field to analyse the Strategy. Moreover, it utilises the IAD framework to evaluate the policy process relative to the National OHS Strategy’s goal of developing employer capacity. The application of a theoretical framework to analyse the National OHS Strategy brings rigour to the OHS discipline where there has generally been a dearth of theoretical policy evaluation of OHS policy. OHS has been an important area for public policy for decades. Through a thorough and theoretically informed evaluation of the National OHS Strategy’s impact on employer capacity to manage OHS, the thesis’ findings around institutional arrangements and the role of the actors provides guidance to improve policy development, implementation, and evaluation in future decades.
Chapter 1: Introduction

In May 2002, the National Occupational Health and Safety Strategy 2002-2012 (National OHS Strategy) was launched in Australia. The National OHS Strategy was regarded as a landmark document for OHS policy development in Australia as it represented the first instance in which Australia’s institutional stakeholders had reached a formal agreement to achieve targeted improvements in injuries and fatalities across Australian workplaces. This agreement involved all Australian governments, together with the Australian Council of Trade Unions and the Chamber of Commerce and Industry making a commitment to work together to deliver a 20 per cent reduction in fatalities and a 40 per cent reduction in injuries by 2012. In addition to these targets, the National OHS Strategy identified five priority areas for action as well as five high-risk industries for attention. Improving employer and employee capacity to manage OHS was one of the five priority areas for national action under the National Strategy, while the manufacturing industry represented one of the five high-risk industries being targeted.

In a field that has traditionally been overseen and managed through legislative mechanisms such as Acts and Regulations, national OHS strategies represent a paradigm shift in the governance of OHS. They encourage a targeted approach to addressing OHS problems and influencing industry and workplace practices to accelerate the rate of industry improvement. National strategies provide an avenue to gain cooperation beyond government by involving the wider community and encouraging effort across a wider set of actors and improved coordination across these groups. OHS strategies also represent requirements under international commitments such as those of the International Labour Organization (ILO) or membership under regional blocs such as the European Union. The decision to develop the National OHS Strategy in Australia signified that workplace fatalities, injuries and disease needed to be reduced and overall workplace health and safety improved across Australia. It also implicitly acknowledges that there were limitations with existing processes for managing and governing OHS and that renewed efforts and commitment were required to

1 These targets also represent fatalities from disease. According to the National OHS Strategy the national targets were set towards achieving “a national vision of Australian workplaces free from death, injury and disease” (NOHSC, 2002a: 3)
achieve improvements. Furthermore, Australia, having recognised that its OHS performance lagged several other countries, aspired to remedy the situation and make Australia one of the best performing countries in the world for workplace health and safety. The requirement for a national strategy for OHS was further strengthened when in 2004 Australia ratified the International Labour Organization’s Convention C.155 *Occupational Safety and Health, 1981*, which prescribes the adoption of a national policy on OHS. In an environment traditionally characterised by legislation as the principal policy guiding OHS activity in Australia, the *National OHS Strategy* represented a non-regulatory policy aimed at developing capacity to achieve and support the objects of OHS legislation.

**Research rationale**

As a relatively new way of addressing OHS issues, national OHS strategies have received limited attention throughout the literature. There is some evidence, albeit very limited, that efforts are being made to analyse national OHS strategies comparatively, although these efforts are still in their infancy. The renewed focus on OHS that the *National OHS Strategy* was intended to generate provided the impetus for this research. Initial research for this thesis identified a number of gaps in research efforts associated with the *National OHS Strategy*. Firstly, the research revealed a strong reliance on using workers’ compensation statistics to measure the success of the *Strategy’s* progress against its set targets. The research could therefore not easily identify how other components of the *Strategy* were being implemented and evaluated. Secondly, there was an identifiable gap in the literature on the role and impact of non-regulatory policy interventions in the Australian context. Using a theoretical framework of the policy process, a review of the literature revealed a gap in OHS policy analysis.

Since efforts have been made to measure the *National OHS Strategy’s* progress against the national targets, the research seeks to go beyond this analysis of incident rates and statistics as an indicator of the *Strategy’s* contribution to improved OHS outcomes. Instead, the thesis focuses on one of the five priority areas of the *National OHS Strategy*: improving employer and employee capacity to manage OHS. Due to the breadth of the *National OHS Strategy*, parameters were placed to keep the research manageable for the rich description and fine-grained analysis required in qualitative research. The chosen priority of ‘improving employer and employee capacity to manage OHS’ was narrowed to simply focus on employer capacity to manage OHS, while NSW was chosen as the geographical location for the research and manufacturing the chosen industry sector through which to explore the application of the
National OHS Strategy. The manufacturing industry was chosen for a number of reasons including the size of the industry, accessibility to businesses in NSW, and because of the industry’s historical grounding in Australian industrial relations. These reasons are discussed in further detail in Chapter 3. There is no body of literature that can legitimate the choices of NSW and of manufacturing, but also none to suggest that these choices would be inappropriate for addressing the research question nor would skew the findings in some way. The implications of the choices will be reviewed in Chapter 10.

Research question and objectives

The research seeks to understand what role the National OHS Strategy has played in improving employer capacity to manage OHS in the NSW manufacturing industry. The objectives underpinning this research question are to:

- analyse the capacity of the National OHS Strategy to elicit change and new action to address OHS
- understand how the National OHS Strategy operates in context of more traditional policies such as legislation
- improve understanding of the policy process of the National OHS Strategy
- identify key factors influencing the development, implementation and evaluation of the National OHS Strategy using IAD theory and international comparisons
- identify the appropriateness of the National OHS Strategy within the Australian context and make recommendations for future OHS policy development in Australia.

OHS is a multi-disciplinary field. This thesis approaches OHS through an industrial relations perspective. There is specific interest in understanding how concepts such as tripartism have worked under the Strategy and, more generally, the dynamics between stakeholders. The research focuses on key industrial relations stakeholders such as government, trade unions and employer associations and gives consideration as to how the structures of these institutions affect the policy process.

The thesis examines the National OHS Strategy through the policy lens of Ostrom’s IAD framework. The IAD framework represents one of many theories of the policy process, which are predominately reflected in the political science discipline. The IAD framework was chosen for its strong focus on the role of the actors, institutional rules, and external factors in the policy process. These factors were considered important in examining a policy
such as the *National OHS Strategy*, which is represented by a range of actors that are situated at various levels of the institutional hierarchy due to Australia’s federal structure. Given the dearth of theoretical frameworks within the OHS field, the thesis contributes a new approach to OHS policy analysis by applying a theoretical framework that is not common to the OHS discipline. While the IAD framework represents the principal theoretical framework for this research the ‘stages approach’, as depicted through the OHS Intervention Effectiveness Research model, is also given consideration as a secondary framework for analysis of OHS policy.

This analysis will help to provide some insights into how the concept of ‘improving employer capacity to manage OHS’ can be better addressed in future policies for workplace health and safety. In seeking to do this, the research will also contribute to a gap in the literature on national OHS strategies as a form of OHS policy. The research also seeks to contribute qualitative insights into the *National OHS Strategy* in lieu of previous investigations that have primarily evaluated the *Strategy* according to progress against the targets of 20 per cent and 40 per cent reduction in fatalities and injuries.

**Methodology**

The research is an exploratory study of OHS policy development through the *National OHS Strategy*. It has been approached through a qualitative framework, and consistent with an exploratory framework, uses a case study approach. Semi-structured interviews and documentary analysis represented the main research methods. Fourteen interviews were conducted with OHS agencies, trade unions, employer associations, and manufacturing businesses in NSW. As signatories to the *National OHS Strategy*, WorkCover NSW, Safe Work Australia, the Australian Council of Trade Unions and the Australian Chamber of Commerce and Industry participated in interviews. Further interviews were conducted with two trade unions and two employer associations in NSW, which represent the manufacturing industry. Three manufacturing businesses participated in interviews while a professional OHS services provider also participated in an interview. Face-to-face interviews were conducted with the majority of participants. The interviews were conducted to identify the stakeholders’ knowledge and views of the *National OHS Strategy* and the policy process underpinning the *Strategy*. The interview schedules were informed by the IAD framework and were structured to reflect the main three stages of the policy process as well as a fourth section on stakeholder relations. Documentary analysis represented the second primary research method. Documents such as the *National OHS Strategy*, its action and business
plans together with annual reports, strategic plans, corporate plans, newsletters, submissions to public inquiries on OHS and website-based information were sourced to obtain information relevant to the *National OHS Strategy*. Documentary analysis was also used to gather information about the OHS strategies of other countries. The thesis examines the OHS strategies of the United Kingdom, New Zealand, Denmark, and Finland as a point of comparison to Australia’s *National OHS Strategy*. Thematic analysis is the main method used to analyse the data from both the interviews and the documentary analysis.

**Thesis structure**

The thesis begins with a review of the literature in Chapter 2, which reveals a gap in knowledge on the OHS policy process. While some efforts have been made to analyse OHS interventions through the stages of the policy cycle, there is an apparent gap in analysing OHS policies through a theoretical lens. The literature review draws on the stages approach to policy development as well as discussing the OHS Intervention Effectiveness Research model as a similar representation of the stages approach. The literature review provides discussion on the growing body of theories of the policy process to emerge from the political science discipline and discusses the suitability of the IAD framework to OHS policy analysis. The decision to explore the *National OHS Strategy* through the institutional rational choice theory is because this theory provides a more suitable policy lens for analysing the *Strategy* from within the industrial relations discipline given the focus that is placed on the role of the actors and understanding their behaviours in the policy process. The literature review discusses further concepts and theories relevant to OHS and in the context of the IAD framework including the theory of tripartism, as well as discussions on the behaviours and motivations of the main OHS actors, the role and impact of resources, and a federal structure. The literature review concludes with an examination of issues relevant to the concept of improving employer capacity. This section highlights the differences in OHS needs and capabilities based on business size. It highlights the significant difference in the resources and motivations of larger employers compared to small businesses.

Chapter 3 discusses the main methods and tools used throughout the thesis. The chapter explains that a qualitative exploration of the *National OHS Strategy* was the most appropriate research method, as little was known about how the goal of improving employer capacity had been approached under the *National OHS Strategy*. The chapter illustrates that the use of semi-structured interviews and documentary analysis were the most appropriate methods for gaining an in-depth understanding of the *National OHS Strategy* policy process.
The chapter discusses the use of purposive sampling as the main recruitment method as well as providing insight into the pilot study that was carried out to test the validity and reliability of the interview schedules.

Chapters 4 and 5 describe the National OHS Strategy and help to contextualise the circumstances leading to the introduction of the Strategy and the most significant developments since its introduction. Beginning with Chapter 4, the purpose of this chapter is to provide a description of the National OHS Strategy, with a focus on describing how the priority of ‘improving employer capacity’ is approached in the Strategy. The chapter also describes the actions taken by NSW, particularly WorkCover NSW, to incorporate the National OHS Strategy into its own strategic plans and actions. The main discussions of the Strategy’s influence in NSW are set around the two NSW Safety Summits and an individual safety strategy for NSW.

Chapter 5 begins with an introduction to key developments at the national level that are considered important to the development of the National OHS Strategy. Changes imposed on the National Occupational Health and Safety Commission, particularly reductions in funding and research capacity, are considered to have provided a weak foundation for the National OHS Strategy when it was introduced. The chapter discusses the OHS Improvement Framework as the predecessor national policy to the National OHS Strategy. The chapter discusses events following the introduction of the Strategy, namely changes to peak OHS body, the focus on productivity and economic reform, and the development of model OHS legislation. These circumstances were considered relevant in shaping and influencing the National OHS Strategy’s operations.

Chapter 6 presents the findings from the interviews with Workcover NSW, Safe Work Australia, the ACTU, the ACCI, and the manufacturing trade unions and employer associations.

Chapter 7 presents the findings from the interviews with the manufacturing businesses. The outcomes of the interviews highlight the fact that, although there is general support for a national strategy for OHS, the National OHS Strategy lost momentum over time and lacked the impetus to engage the actors. There was also limited knowledge of the Strategy’s policy process among many of the interview participants. Interviews with the manufacturing businesses provided insights into the concept of improving employer capacity, including whether the business community felt that there had been improvements toward this goal since the introduction of the National OHS Strategy. The outcomes of Chapter 7 strongly...
support discussions in the literature concerning the differences in OHS needs between small and larger businesses. The chapter highlights differences in motivation, knowledge, resources, and capabilities according to business size. The chapter also discusses the suggestions of the interview participants for improving employer capacity. The findings present useful insights for targeted action in future OHS strategies.

Chapter 8 discusses the outcomes of the documentary analysis. The chapter focuses on analysing documented evidence of the National OHS Strategy, particularly its influence on OHS activity in NSW. The key findings of the chapter are presented according to the key stages of the policy process. The documentary analysis shows that activity on OHS is being pursued, although there is a lack of reference to such activity in relation to the National OHS Strategy. The chapter discusses how a lack of alignment to the National OHS Strategy challenges the ability to associate the Strategy with improved outcomes. As with the findings from the interviews, the chapter shows that the National OHS Strategy has lost momentum, evidenced by the declining reference to the Strategy over time. A lack of documented evidence on the National OHS Strategy and a lack of publicly available documents presented limitations in analysing the policy process in its entirety.

Chapter 9 presents the findings of the international comparisons. The chapter begins by highlighting that OHS strategies are becoming a modern day approach to governing and managing OHS in conjunction with traditional OHS regulatory approaches. In the last decade, national OHS strategies have been introduced more readily in a growing number of countries. This growth in uptake serves to illustrate that OHS strategies are perceived to be of importance. As more countries introduce OHS strategies, opportunities arise to learn about the approaches of others and to use the success or failures of tried methods to develop new strategies. This chapter explores the content and methods of OHS strategies in the United Kingdom, New Zealand, Denmark, and Finland, making comparisons with Australia’s National OHS Strategy. This comparative analysis places particular focus on comparing how each OHS strategy addresses the concept of improving employer capacity. It also focuses strongly on comparing the policy process that has been employed in each of the nominated countries in developing, implementing, and evaluating OHS strategies. The overall purpose of this comparative analysis is to understand differences in OHS approaches with the intention of being able to make recommendations for future OHS policy development in Australia.
Chapters 5 – 9 break from the conventional thesis presentation of separating findings from discussion into different chapters. In this thesis, the findings are presented and discussed within a single chapter because of the multiple sources of data utilised. A discussion of the findings at the end of each chapter enables the main arguments to be established progressively throughout the thesis.

Chapter 10 concludes the thesis by summarising the main findings from each of the chapters and integrates the analytical discussions from Chapters 5 – 9. The significance of the analysis is examined and the contribution of the thesis, relative to its methodological strengths and weaknesses, is advanced.

**Contribution of the research**

The thesis provides an evaluation of the *National OHS Strategy* in the NSW manufacturing industry with the purpose of better understanding the OHS policy process and contributing new insights into future policy development. Although the thesis is largely empirically motivated, sparked by interest in an innovation in OHS governance in Australia in the 2000s, the outcomes of the research are analysed using a theoretical framework. Through this approach, the thesis contributes a new approach to OHS policy analysis. It borrows a theoretical framework from another discipline through which to analyse the *National OHS Strategy*. Future research on OHS policy can build on this approach or test other theoretical frameworks of the policy process that can be used to analyse OHS policies.

In applying a theoretical framework to the policy process, there is the expectation that the thesis will help improve understanding of the nature of OHS policy development. Through the IAD framework, the thesis sets out to contribute new information on variables in the external environment and stakeholder interactions that are important for a policy’s effectiveness. The use of the IAD framework will help to identify the variables most relevant to the *National OHS Strategy* as well as the relationships and interactions between those variables and their effect on the *National OHS Strategy*. Application of the IAD framework allows for insight into how the roles and powers of the actors influence their choice in strategies. Understanding the strategic priorities of the stakeholders provides some explanation for how the *National OHS Strategy* is received.
Conclusions

This chapter has outlined the research question, objectives and thesis structure. This is an exploratory study in the sense that the research design cannot be developed from an established body of prior research and theorising on this topic. It is therefore difficult to justify a priori the choice of focus on NSW and on manufacturing. The opportunities and limitations of these choices will require reflection when gauging the thesis' contribution and the significance of that contribution to advancing knowledge of public policy efforts to address the social and economic costs of OHS failures.

The focus on the *National OHS Strategy’s* objective of ‘improving employer capacity’ will be discussed in the next chapter based on the OHS literature, reflecting the emphasis on differences in business OHS needs and motivators for compliance, in particular the role of the law and economic rationalism in the management of OHS. Chapter 2 also discusses the IAD framework in context of other theories of the policy process. As the thesis situates OHS within the industrial relations discipline, the literature review discusses theories of the policy process that are applicable to gauging the dynamics of stakeholder relations as part of the policy process.
Chapter 2: Literature Review

Introduction

This literature review seeks to develop and refine the research question and objectives by exploring existing research on the policy process, as well as matters relevant to improving employer capacity to manage OHS. The purpose of this exploration is to identify an appropriate theoretical framework for analysing the policy process. That framework can then be applied to analyse the National OHS Strategy. OHS is an important area of practice, and some attention has been paid to the evaluation of national-level OHS policies in Europe in recent years, the literature shows a lack of theory regarding the evaluation of OHS policies. Due to this absence of theoretical frameworks, this literature review draws upon the political science discipline for theories of the policy process; in particular, Ostrom’s IAD framework presents an appropriate framework in which the National OHS Strategy can be analysed. The literature review considers key components of the IAD framework and seeks to identify appropriate theories and findings from the OHS and industrial relations literature that are relevant and applicable to the framework. The theory of tripartism and the role and strategies of the key industrial relations actors (government, trade unions, and employer associations) are discussed with respect to the IAD framework.

The literature review also discusses two other models relevant to the policy process: the stages approach and the OHS Intervention Effectiveness Research model. The conclusion to the chapter draws out the lessons from the literature about theoretically informed policy evaluation appropriate for Australia’s National OHS Strategy. The findings from the literature review hold lessons for reviewing and analysing policy as key themes raised throughout the literature have helped to inform the research instruments used in this thesis.

National OHS strategies and the policy process

The analysis of OHS literature focused on two particular concerns around policy development. Firstly, whether the approach to OHS policy evaluation has been adequate, particularly with regard to national level policies; and, secondly, whether the literature
indicates a need for better OHS policy practice, particularly with regard to Australia. OHS law and prosecutions comprise the major public institutional responses to redressing workplace deaths and injuries across the world (Schofield, 2007: 1). Therefore, they are the most commonly researched OHS interventions throughout the literature (for example see Hopkins, 2005, 2007; Lee and Quinlan, 1994; Schofield, 2007; Johnstone, 2003a; Johnstone, Quinlan and Walters, 2004; Walters, 2001; Walters, Johnstone, Frick, Quinlan, Baril-Gingras and Thebaud-Mony, 2011). The translation of OHS problems into initiatives and other actions beyond legislation is less understood (LaMontagne, 2003). This is problematic given that in the last decade there has been a shift toward a new type of OHS governance in the form of national OHS strategies. The impact and effectiveness of OHS strategies in achieving improved outcomes in workplace health and safety are still largely unexplored. Only in recent years has there been attention paid to national OHS strategies, with most research originating in Europe.

The literature discusses the European Union’s Framework Directive on Health and Safety (89/391/EEC) (Walters, 1998a, 2002; Eberlie, 1990); further, there have been two conventions in Dresden to discuss OHS strategies (German Social Accident Insurance, 2009, 2011). Analysis of national OHS strategies has been further advanced in Europe through the research efforts of a number of health and safety institutions. On behalf of the Finish Institute of Occupational Health, Hämäläinen (2006) compared the workplace health promotion policies and strategies of 15 different European countries with the goal of understanding the similarities and differences between them, as well as identifying factors that impact on workplace health promotion. In association with the German Institute for Occupational Safety and Health, Lißner, Reihlen, Höcker, Elo-Schäfer and Stautz (2010: 4-5) produced a comparative analysis of national health and safety strategies of 12 countries with the intent of “determining the main features of the various strategies, their strengths and weaknesses, and their differences and similarities”.

The benefits of national OHS strategies are being recognised. Lißner et al. (2010: 7) argue that the growing trend toward OHS strategies is beneficial in that it not only increases recognition and acceptance for stronger coordination among institutional actors, but also develops joint working programs that result in more efficient use of resources and improved OHS outcomes. As the body of literature on national OHS strategies grows, it is hoped that it will inform future policies. LaMontagne (2003) notes that a better understanding of policy interventions will become increasingly important and necessary in political environments that demand justification for new policies. However, despite the gains to be had from more research into national OHS strategies, most research efforts to date have largely been
descriptive and applied without theoretical underpinning, thereby creating a theoretical gap in the OHS policy literature.

While research efforts to evaluate national OHS policies are slowly emerging throughout Europe, evaluations in Australia are less developed. Australia has been criticised for a lack of policy initiatives and for “too much ambivalence” in OHS policies (Frick, 2004: 395). According to Quinlan, Bohle and Lamm (2010: 3), specific OHS issues have attracted media attention without being translated into policy initiatives or generating actions. Frick (2004: 396), on the other hand, maintains that while there is some discrepancy between rhetoric and reality with OHS policies, this discrepancy is quite wide in the case of Australia. This assertion was made partly on the basis that Australian OHS authorities target much of their activities on minimising workers’ compensation claims at the expense of long-term OHS management (Frick, 2004: 396). Frick (2004: 396) makes these statements in context of Australia’s goals under the National OHS Strategy and relative to the Framework Directive on Health and Safety from 1989 (89/391/EEC). These observations provide a starting point in drawing attention to the fact that Australia needs to improve its approach to its policy process in OHS, particularly if it is to keep abreast of international developments.

**Theoretical frameworks of the policy process: lessons from the political sciences**

Despite the dominance of studies concerning the regulation of OHS, as well as the newly emerging research on national OHS strategies, there is a lack of evidence to suggest that such research has been undertaken through a policy lens. The term ‘policy lens’ is drawn from McDonald, Clearly, Miller, Hsueh-Chih Lai, Siggins and Bush (2010: 1) who use the term to reflect “the utility of theories, frameworks and models of policy processes for understanding the nature of a policy”. In their research on evaluating national drug strategies, McDonald et al. (2010: 1) used policy theory as an aid to understanding policy processes. An absence in theoretical underpinning in policy analysis is not unique to OHS as it has also been observed in other disciplines. Green (2000: 126) highlights a similar problem in health promotion, arguing that few research and evaluation reports document the theoretical analysis underpinning the development of programs, how such analysis has been translated into action, and even the rationale for the selection of theoretical models. Similarly, after examining 119 articles on health promotion, Breton and De Leeuw (2010: 82) found that less than a third of articles applied a theoretical framework to some degree, and only half of these referred to a theoretical framework from the political sciences. The main conclusions that
Breton and De Leeuw (2010: 83) were able to draw from their research is that the field of health has yet to acknowledge critical concepts to help shed light on the policy process with theoretical frameworks rarely being utilised to help inform research and practice within the discipline. Thus, an absence of theoretical underpinnings in OHS policy evaluation has created a substantial gap in theoretical knowledge of the OHS policy process.

Theories of the policy process are arguably the most developed in the political sciences discipline. Notable theories of the policy process include the ‘stages heuristic’, ‘institutional rational choice’, ‘multiple streams’, ‘punctuated-equilibrium framework’, the ‘advocacy coalition framework’, ‘policy diffusion framework’, and the ‘funnel of causality’ (Sabatier, 2007: 8-10). These interpretations of the policy process present different levels of theoretical argument. As the research is being approached from an industrial relations perspective, there is a need to account for the various industrial relations actors involved in the policy process. The following section analyses theoretical approaches and their ability to capture and account for industrial relations actors in the policy process. The findings show that the IAD framework is most likely to best accommodate the industrial relations actors, particularly in understanding their motivations and strategic decisions in the policy process.

The stages approach and the OHS Intervention Effectiveness Research model

According to Sabatier (2007: 6), who cites literature from the 1950s onwards, the earliest theoretical approaches on the policy process sought to examine it as a series of stages. The stages approach, or stages heuristic (Sabatier, 2007: 6), is based on the notion that the policy process follows clearly distinguishable steps that help to simplify its complexity (Breton and De Leeuw, 2010: 83). The stages of policymaking were originally considered to happen in chronological order, though over time this process was transformed into a cyclical model which became known as the policy cycle (Jann and Wegrich, 2007: 44). According to the cyclical model, an output at one point of the policy process will have an impact on the following stage (Jann and Wegrich, 2007: 44). For instance, referring to Althaus, Bridgman and Davis’ (2007: 37) model of the policy cycle as an example, outputs at the identifying issues stage will have impact on the next stage of the cycle ‘policy analysis’ and so forth (Figure 1).
According to Howlett and Ramesh (1995: 12), the central idea of dividing the policy process into a series of stages is to enable each of the stages to be examined alone or in terms of its relationship to any or all of the other stages in the cycle. The number of stages and titles in the policy process has varied over time. Harold Lasswell, who first introduced the stages approach, identified seven stages to the policy process (Althaus et al., 2007: 32; Jann and Wegrich, 2007: 43). In the current literature, the most commonly recognised and accepted stages are agenda setting, policy formulation, decision-making, implementation, and evaluation (Jann and Wegrich, 2007: 43; Sabatier and Jenkins-Smith, 1993: 2; Howlett and Ramesh, 1995: 11).

The OHS Intervention Effectiveness Research model, developed by Goldenhar, LaMontagne, Katz, Heaney and Landsbergis (2001: 161) in association with the United States’ National Institute for Occupational Safety and Health, is a tool for understanding whether specific interventions are effective in preventing work related injury and illness. This model posits that the intervention research process is cyclical and progressive, and involves three broad phases: intervention development, intervention implementation, and intervention effectiveness (Figure 2) (LaMontagne, 2003: 4-5). It has been designed to allow policy to be explored at any of the three phases or across a combination of these three phases (LaMontagne, 2003: 1). Moreover, the model is also intended for intervention research to be conducted at different levels, ranging from programs at the workplace level to policies at the national and international levels (LaMontagne, 2003: 5).
The key difference between the stages approach and the OHS Intervention Effectiveness Research model relate to their purpose. The stages approach accounts for how policy is developed, while the OHS Intervention Effectiveness Research model is an applied approach to evaluating OHS interventions (LaMontagne, 2003). However, despite these differences in purpose, the two models are common in that they both depict the policy process as cyclical and involving a number of stages. As noted earlier, although the number of stages in the policy process has varied over time, Althaus et al. (2007: 32) argue that, irrespective of the number of stages that are promoted, every description of policy moves through three main stages: (i) where an idea is developed; (ii) where an idea is acted on; and (iii) where results are checked. These stages are also consistent with the development, implementation and evaluation stages of the OHS Intervention Effectiveness Research model.

Application and limitations of the stages approach and OHS Intervention Effectiveness Research model

It is accepted in the literature that any approach to looking at policies has limitations and that there is not a single theory that can explain all the phenomena that occurs within the policy cycle (Althaus et al., 2007: 36; Birkland, 2011: 287; Schlager and Blomquist, 1996: 651). Discussions on the limitations of the stages model are more frequent than those of the OHS Intervention Effectiveness Research model, arguably a reflection of the greater dominance of the stages approach in policy research.
Limitations with the OHS Intervention Effectiveness Research model

The OHS Intervention Effectiveness Research model has been used in a number of studies, although its application in these studies has primarily been to evaluate OHS interventions designed to control hazards. For example, the authors of the OHS Intervention Effectiveness Research model refer to hazard-based implementation studies (for example see Silverstein, Stetson, Keyserling and Fine, 1997; Mead, Mickelsen and Brumagin, 1999) to illustrate the application of the model in practice. Although the OHS Intervention Effectiveness Research model can be used to evaluate OHS programs at the workplace level right through to national and international policies (LaMontagne, 2003), many of the examples drawn upon by Goldenhar et al. (2001) were intervention research-based studies focused at the workplace level (for example see Daltroy, Iversen, Larson, Ryan, Zwerling, Fossel and Liang, 1993; Daltroy et al., 1997; Robins, Hugentobler, Kaminski and Klitzman, 1990; Robins and Klitzman, 1988). Equally so, guidance material by Robson, Shannon, Goldenhar and Hale (2001) on evaluating the effectiveness of strategies for preventing work injuries is pitched at the workplace level. The authors of the OHS Intervention Effectiveness Research model acknowledge that OHS policy evaluation can be improved by borrowing from the field of program evaluation to work in conjunction with policy development, as well as expanding the use of qualitative research methods to be part of the evaluation process (LaMontagne, 2003; Schute, Goldenhar and Connally, 1996: 287). The inclusion of qualitative evaluations can potentially address some of the limitations in purely relying on workers’ compensation data (Needleman and Needleman, 1996: 332).

Furthermore, although most applications of the OHS Intervention Effectiveness Research model have focused on the evaluation of technical issues associated with hazards, injuries and disease, LaMontagne (2003: 6) notes a number of opportunities for future improvement of OHS evaluations. One of these opportunities is based on the evaluation of OHS management systems (LaMontagne, 2003: 6). Analysis of OHS management systems lend themselves to examination of social systems and social phenomena, which may create challenges for the OHS Intervention Effectiveness Research model given its lack of application to examining social systems in OHS management. If the OHS Intervention Effectiveness Research model is to be applied to evaluating OHS management systems in the future then it will need to broaden its parameters to account for social dynamics, which are arguably harder to implement and evaluate through the same measures used to evaluate technical elements of a policy.
**Limitations with the stages approach**

The overarching criticism of the stages approach is that it is not a theory of the policy process, but rather a description of how policy should work; therefore, it too narrowly depicts the scope of policy research (Sabatier; 1991: 147). Sabatier (1991: 147) contends that the stages approach has outlived its usefulness as it excludes a number of phenomena that need to be incorporated into theories of the policy process. These phenomena include causal explanations for why a policy was developed in a particular way, as well as an understanding of stakeholder behaviours in the policy process (Sabatier, 1991: 147; 2007: 5). According to Sabatier (2007: 5), the stages approach is not a causal theory as it “never identifies a set of causal drivers that govern the policy process within and across stages”, but rather “work in each stage develops on its own”. In terms of stakeholder behaviour, the stages model is considered to place too much focus on the government and the public sector (Peters and Pierre, 2006: 2). Peters and Pierre (2006: 2) note that the inclusion of actors beyond the public sector is important in countries where “the policy networks and corporatism institutionalizes the involvement of a variety of actors in making and implementing public policies”.

Jann and Wegrich (2007: 45) note that the whole policy cycle is rarely applied except in textbooks on the policy process and even then, the limitations of the policy cycles are still recognised. For instance, in their text *The Australian Policy Handbook*, Althaus et al. (2007: 36) acknowledge that the policy cycle can “impose too great a neatness on policy making, which is renowned for complexity”, and also highlights that it does not capture and accommodate “the full flow of sophisticated policy debate or the value-laden world of politics” (Althaus et al., 2007: 41). Despite these limitations, the policy cycle continues to be the most widely applied framework as it presents a practical way for exploring complex processes such as those in planning and decision-making (Jann and Wegrich, 2007: 45; Hill, 1997: 98). Within OHS, standards and guidelines published by governments and international bodies are structured to reflect the stages of the policy process. For instance, the NSW Government identifies planning, implementation, measurement, and evaluation as three of five elements necessary for measuring OHS performance within NSW Government agencies (NSW Government, 2007: 3). Similarly, the ILO discusses policy design, implementation, and review in their publication *Fundamental Principles of Occupational Health and Safety* (Alli, 2001).
The practice of observing policy as a series of stages is also evident in work by New Zealand’s Department of Labour. As part of developing their Workplace Health and Safety Strategy, New Zealand’s Department of Labour (Workplace Health and Safety Strategy Project Team, 2003: 16) reviewed the OHS strategies of Australia, the United Kingdom, USA, and certain European countries and developed a diagram as a conceptual structure to help summarise the main characteristics of each strategy (Figure 3). The Department of Labour (Workplace Health and Safety Strategy Project Team, 2003; 17) argues that each of the strategies had some of these components. Although there was no evidence of theory being applied to the development of this pyramid, it features characteristics similar to the stages approach.

**Figure 3: Features of strategy**


**Modern theories of the policy process**

Since the development of the stages approach, a number of alternate theoretical frameworks of the policy process have been developed. The most common frameworks presented in the literature include Sabatier and Jenkins-Smith’s ‘Advocacy Coalition’ framework; Ostrom’s ‘Institutional Analysis and Development’ framework; Kingdon’s ‘Streams Metaphor’; and, Baumgartner and Jones’s ‘Punctuated Equilibrium’ (Birkland, 2011: 296; Sabatier, 1991, 2007). These frameworks reject the stages approach model as a theory of the policy process (Birkland, 2011: 296; Sabatier, 1991, 2007). These theories seek to transcend the stages approach by advocating a ‘predictive theory’ of policymaking, rather than simply identifying
how policy should work (Birkland, 2011: 296). These theories focus on factors that influence and shape the policy process, such as “the preferences, interests, and resources of various actors, institutional rules and background socioeconomic conditions” (Sabatier, 1991: 149).

**Institutional rational choice theory and the IAD framework**

Institutional rational choice theory represents a family of frameworks that focus on individual actors, their preferences, interests, and resources, as well as how institutional rules can affect their behaviour (Schlager and Blomquist, 1996: 653; Sabatier, 2007: 8; Sabatier, 1991: 151). Institutional rational choice theory is built on rational choice theory (Birkland, 2011: 302). According to Abercrombie, Hill and Turner (2006: 317), “the primary aim of rational choice is to explain the behaviour of social systems”. Theorists of institutional rational choice theory assume that this explanation should be in terms of the behaviour of actors who constitute the social system. Rational choice is about how people make choices given their preferences (Abercrombie et al., 2006: 318). Institutional rational choice on the other hand assumes that rational individuals are goal oriented and utility maximising: “they use near perfect information to weigh a range of options before adopting the optimal choice based on their calculations of costs and benefits” (Birkland, 2011: 302).

Ostrom’s IAD framework (Figure 4) is one of many frameworks under the theory of institutional rational choice (Ostrom, 2007: 27). The framework, which was developed for understanding the policy process (Birkland, 2011: 303), places a strong focus on the role of the actors in the policy process and, in particular, the role of power and the importance of institutional arrangements (Ostrom, 2007: 28). The advantages of examining the policy process through the IAD framework are that it is broad in scope and can be applied to many policy problems and contexts. As noted by Birkland, (2011: 301) it encompasses a wide range of ideas about actors, institutions, and roles in the policy process, and how they work together to result in particular kinds of public policies. Sabatier (2007: 11) acknowledges criticisms, such as those raised by Skogstad (2001: 419-420), whereby other modern theories of the policy process, such as the Advocacy Coalition framework, have made assumptions that coincide with American pluralism and therefore limits their applicability in many countries, particularly in Europe, where most countries are guided by corporatist principles (Sabatier, 2007: 11). According to Sabatier (2007: 9), there is greater evidence of the IAD framework being applied to policy problems in countries outside of the USA, which presents is as a more universal theory of the policy process. In addition, Sabatier (2007: 9) has acknowledged that the IAD framework is the most developed of the frameworks and arguably the most utilised.
The IAD framework provides “a general language about how rules, physical and material conditions, and attributes of the community affect the structure of action arenas, the incentives individuals face, and the resulting outcomes” (Ostrom, 2007: 46). In this model, the existing physical world, the attributes of a community (that is the various things that bind and define a community), and the rule-in-use that structure individual and group behaviour influence the action arena (Schlager and Blomquist, 1996; Birkland, 2011: 303). The action arena includes “the action situation (the problem at hand) and the actors (the people and groups who will do something about it)” (Birkland, 2011: 303). According to Birkland (2011: 305), the configuration of actors, action situations, and the definition of rules and institutions is more closely attuned to human behaviour in communities than are most depictions of the policy process. Certain theories focus more on certain aspects of the framework. For example, in certain cases, the physical and material world may not be as important as the other components of the framework (Ostrom, 2007: 39).

Ostrom notes that those who study public policy need to draw insights from many disciplines (Ostrom, 2007: 22; Birkland, 2011: 303). The IAD framework is a broad representation that allows for multiple disciplines to be considered. It has most commonly been applied to analysing environmental, resources and sustainability related policy issues (for example see Imperial and Yandle, 2005; Rudd, 2004; Koontz, 2003), and has been widely used by
researchers interested in the management of ‘common pool resources’ (resources that are shared and used in common, such as publically owned forests or fishing areas) (Birkland, 2011: 301; Nowlin, 2011: 56). Despite the limited application of the IAD framework to natural resource based studies, the IAD framework has also been applied to other contexts and disciplines; for example, Nowlin (2011: 56) identifies the application of the IAD framework to common pool resources such as open source software.

While the IAD theory has strengths as a framework for analysing the relations between stakeholder organisations in the policy process, it has some limitations with regard to its treatment of rationality and neglect of intra-organisation processes. Similarly, to the IAD framework, rational theories have also been common in OHS management thinking at the organisational level (Nielsen, 2000: 99). In a comparison of rational and non-rational organisational theories and their contribution to OHS management thinking, Nielsen (2000: 120) has identified that rational theories such as Taylorism, classical management theory, general system theory and contingency theory, have a stronghold on OHSM thinking. Rational theories are of concern though as they view workers as being irrational while management is regarded as a rational agent (Nielsen, 2000: 100). There is also an assumption that “rational theories confine OHS management thinking and prevent OHS action from obtaining the best possible results”. Nielsen (2000: 120) argues that working environments would be better if OHS management thinking and strategies were more informed by non-rational theories such as the Human Relations School and Bounded Rationality and Chaos. However, many non-rationalist theories, which focus on organisations as social systems rather than simply rational systems, have not had as significant influence on shaping OHS management thinking. These arguments highlight that rational theories are problematic as they ignore the social systems of organisations and instead enable and support control of the workforce by management. Such an approach confines the role of worker participation and involvement in the OHS management process.

Applying two theories of the policy process to the National OHS Strategy

The research draws upon two theories of the policy process – the stages approach and institutional rational choice – as frameworks to evaluate the National OHS Strategy. Consideration is also given to the OHS Intervention Effectiveness Research model to be complementary to the stages approach. The stages approach was chosen due to the following reasons: (i) it closely reflects the traditional approach to public policy making that is normally undertaken by governments; and (ii) it shares many similarities to the OHS Intervention Effectiveness Research model that has previously been advocated by the
National OHS Commission of Australia (LaMontagne, 2003). The application of two theories of the policy process to the research follows a similar approach used by McDonald et al. (2010:1) in their evaluation of Australia’s National Drug Strategy. According to McDonald et al. (2010: 2), the application of multiple theories of the policy process provided a more powerful insight into their evaluation of the national drug strategy. Furthermore, it is also recognised that while each theory carries its own merits, the complexity of the policy process has challenged the ability of any one theory to address the depth of issues and factors associated with the policy process. Since a single perspective of the policy process is not enough, there is a need to apply several different theoretical perspectives (Stinchcomb 1968; Loehle 1987 cited in Sabatier, 2007: 6). As the principal framework for this research, the following section addresses each of the components of the IAD framework in context of OHS and industrial relations.

**Rules-in-use: tripartism**

The IAD framework assumes that actors, that are boundedly rational, come together to make public policies within institutions through the use of rules. (Ostrom, 2007: 48; Birkland, 2011: 302). “Rules are the shared understandings among those involved and refer to prescriptions about what actions are required, prohibited, or permitted” (Ostrom, 2007: 36). Rules are the set of conditions that actors would refer to if they were asked to explain and justify their actions. Ostrom (2007: 23) distinguishes between rules-in-use and rules-in-form. The former term referring to “the rules that are sometimes shared as implicit knowledge rather than in an explicit and written form (rules-in-form)”. Ostrom (2007: 23) further describes rules-in-use as the “dos and don’ts that one learns on the ground that may not exist in any written document”. Moreover, the IAD framework also allows rules to be analysed at the constitutional, collective, and operational levels; rules are varied at each of these levels. Ostrom (2007: 22) notes that rules at a higher level in a government or organisation will influence other levels, so understanding the policy process requires understanding the multiple levels of government (Birkland, 2011: 303).

Within the OHS literature, tripartism is arguably the most common rule influencing action at the collective level and is a distinguishing feature of the National OHS Strategy. The National OHS Strategy is a policy outcome developed by Australia’s peak OHS agency, which in itself represents a tripartite forum for OHS in Australia. Since the National OHS Strategy was developed under tripartite arrangements, it is underpinned by the commitment of government, trade unions, and employer associations working together to achieve the
goals outlined in the *National OHS Strategy*. It is therefore necessary to understand the role and impact of tripartite arrangements in the policy process. At the constitutional level, OHS is influenced by government ideology, therefore, going on Ostrom’s logic, rules at the constitutional level, in this case government ideology, will affect how tripartism operates at the collective level.

**Rules at the collective level: tripartism and national OHS policies**

Tripartism is theoretically grounded under the broader concept of corporatism. Most broad definitions tend to associate corporatism as a set of national political arrangements between government and a few key institutions (Beresford, 2000: 15; Milner, 1987: 239). Within corporatist societies, “policy is the outcome not of competing interests mediated by the state, but of ‘concertation’, a ‘social partnership’ between peak or encompassing representative organizations” (Goldthorpe 1984 and Schmitter 1981 cited in Milner, 1987: 240). Corporatism normally occurs at the macro level where the role of government is to try to structure interest groups so they can represent a wide range of opinions within a particular field and then bargain with them for outcomes (Beresford, 2000: 15; Milner, 1987: 239). Trade unions and employer associations are usually the institutions that work with governments in determining economic and social policies as well as ensuring that there is a consensus for these policies (Milner, 1987: 241). A further characteristic of corporatism is the commitment by national union and employer representatives to abide by the terms of the negotiated contract and ensure their representation legitimately represents all their constituents (Fenna, 1998: 83). A highly unionised labour force, a centralised industrial relations system, and a strong role of peak labour organisations are characteristics of corporatist societies (Milner, 1987: 241).

*Tripartism – an arm of corporatism*

Tripartism broadly can be defined as the three-way interaction among employers and their organisations, workers and their organisations, and government (Trebilock; 1994: 3; Katz, Lee and Lee, 2004: 1). Given that a typical corporatist approach involves negotiations between government and peak representatives of business and labour, a tripartite relationship is often said to form. Marsh and Grant (1977: 197) suggest that tripartism might be viewed as a sub-set of corporatism; the differentiating factor being that corporatism emphasises the relationships between government and a wide range of groups, while tripartism is narrower in approach, emphasising the relationship between government, employee peak bodies and
employer peak bodies. Expanding further on the insights of Marsh and Grant (1977: 197-198), tripartism is said to have the following characteristics:

- interaction of three parties to evolve a commonly agreed industrial and economic policy
- basic consensus. While there may be some disagreement between parties, fundamental disagreements are set aside in order to arrive at policies that will be acceptable to all the parties
- parties would have a similar degree of influence on the development of policies, otherwise the system would be tripartite in name but not in effect.

Reinforcing similar sentiments, Hämäläinen and the European Network for Health Promotion’s (2007: 15-16) study of the value of partnerships in workplace health promotion, notes that cooperation between stakeholders implies an exchange of information and the sharing of resources for mutual benefits and a common purpose, and the allocation of time and trust. Hämäläinen et al. (2007: 15-16) also notes that collaboration requires all these elements to work together, coupled with a “willingness to increase the capacity of another organisation for mutual benefit and a common purpose”. Despite the distinctions that have been identified between tripartism and corporatism, the terms are used interchangeably throughout the literature, with ‘corporatism’ the more common convention.

**Tripartism in practice**

Although the principles of tripartism stipulate the involvement and equal representation of the three main actors within the employment relationship, it is well recognised that the role of trade unions has diminished as a consequence of the deregulation and decentralisation of industrial relations systems across a growing number of countries. Deregulation, primarily through the adoption of neo-liberal policies, challenges collectivism by encouraging the use of individualist methods (Farnham, 2000: 341). De-collectivist approaches have meant a shift in the relationship between government and the key actors, affecting the influence and legitimacy of certain actors, in particular the role of unions. Bohle and Quinlan (2000: 309) use Australia as an example to argue that the shift toward a neo-liberal industrial relations model following the election of a conservative Coalition government in 1996 was detrimental to collectivist polices, severely curtailing the right to collective action, as well as marginalising the role of trade unions within the industrial relations landscape. Deregulation seeks to strengthen management prerogative, weaken union organisation, and discourage union militancy (Farnham, 2000: 341). These actions and philosophies are at odds with the
principles of tripartism, which, as noted earlier, assumes that all actors will have a similar degree of influence in the development of policies.

**Tripartism and OHS**

Tripartism has roots in OHS policy with linkages that can be traced to the ILO and its conventions on health and safety as well as the *Robens Report* of 1972. National strategies on health and safety have strong ties to the ILO, which devises guiding principles on how national OHS strategies should operate (Alli, 2001; ILO, 2003, 2005a, 2009). Tripartism is a fundamental tenet of these principles and is reflected in the ILO’s *Occupational Health and Safety Convention 1981* (No. 155) and *Promotional Framework for Occupational Safety and Health Convention, 2006* (No.187) (ILO, 2012a). The origins of tripartism in OHS also has linkages to the 1972 *Robens Report*, which encourages shared responsibility and the establishment of arrangements to strengthen tripartite activity (Majone, 1996: 88; Dawson, Willman, Bamford and Clinton, 1988: 186). Cooperation is considered essential for positive results in OHS and, according to Hämäläinen et al. (2007: 24), activities such as developing and disseminating information and materials, education and training activities, and tool development processes assist to build and develop partnerships between stakeholders.

Despite the association between tripartism and national OHS policies, there is a limited understanding of how tripartite mechanisms function in practice, particularly in economies where neo-liberal reforms have functioned. This gap in knowledge is potentially a reflection of the separation of OHS from industrial relations. Research that has examined the separation of OHS from industrial relations highlights a number of reasons for the disconnect, including the legislative and institutional separation of OHS and industrial relations (Quinlan, 1993), coupled with a lack of proactive concern for OHS from the arbitral tribunals and the industrial relations system (Creighton and Stewart, 2010: 497). Nichols (1997: 35) contributes further understanding to this area of research by attributing the separation of OHS from industrial relations as a consequence of the fundamental shifts in OHS that were taking place in advanced economies back in the 1970s; the most fundamental of these shifts being the introduction of the *Robens Report* in 1972. According to the *Robens Report*, health and safety was not considered an industrial relations issue; instead, industrial injury was attributed to apathy rather than a conflict of interest (Nichols, 1997: 35). While OHS and industrial relations remain separate in a regulatory capacity within Australia, the message that cannot be ignored is that actors to OHS are situated within an industrial relations framework (Bohle and Quinlan, 2000: 112).
The actors and OHS policy

Actors represent a critical component of the IAD framework. According to Ostrom (2007: 30), the decisions that actors make within the action situation about a particular policy are influenced by a number of factors including: the resources that actors bring; their values on what they would like to see happen; the outcomes they would like to see occur; the extent to which they can control outcomes; and the costs and benefits of the outcomes to the actors (Birkland, 2011: 303-304). In addition to these characteristics, the IAD framework sees individuals as maximisers. Schlager and Blomquist (1996: 660) similarly note the role of self-interest by stakeholders. They identify a number of areas within behavioural research to support their argument that “theories of the policy process must account for the fact that political actors engage in the policy process not in order to respond to perceived social problems but to also advance their own political interests and careers” (Schlager and Blomquist, 1996: 652). Tripartism, on the other hand, assumes that the effectiveness of social dialogue is dependent on cooperative stakeholder relations. It carries the assumption that the values of the actors will be based on a basic consensus and that the actors will set aside fundamental differences to arrive at policies that will be accepted by all the parties to the tripartite arrangement (Marsh and Grant, 1977: 197-198). In the context of the National OHS Strategy, understanding how the factors identified by Ostrom (2007) have played out in the Australian OHS context, can potentially identify possible impacts on the capacity of actors to work together in driving the National OHS Strategy.

Controlling outcomes

The IAD framework notes that the actions of actors are affected by the extent to which they can control outcomes. Drawing on the OHS and industrial relations literature, the actions and outcomes of government, trade unions, and employer associations are shaped and bound by a range of factors including: political affiliations and the resultant perception and recognition of actors within the industrial relations framework; the governance and power of peak bodies; the representation of actors and their resources to take action.

Political affiliations and the recognition of actors within the industrial relations framework

The power and strength of actors is considered to be influenced by their affiliations to political parties (Bamber, Lansbury and Wailes, 2004: 379). According to Bamber et al., (2004: 379) the extent to which government policy supports organised labour plays an
important role in the survival of the actors, including the strategies they adopt. One observation that can be drawn from the literature is that de-collectivist strategies have altered the nature of political affiliations compared to the way they were experienced under more centralised governments. The discarding of theories on corporatism is considered one consequence of neo-liberalism while the weakening of trade union rights represents the other main consequence (Ludlam, Wood, Heery and Taylor, 2003: 610).

The case of Australia’s union movement and their affiliation with the Australian Labor Party (ALP) provides a strong example of how the power and strength of actors can be influenced by their affiliations to political parties. During the 1980s, Australian unions achieved new developments in OHS policy, the most significant of which was the establishment of a peak tripartite body for OHS. This was due to their affiliation with the ALP, that embarked on corporatist solutions (Bray and Walsh, 1998: 370), founded on close relations from a history where the political party and the trade unions were seen as the political and industrial wings of the one labour movement. However, in recent years, the decentralisation of industrial relations systems has resulted in the ALP distancing themselves from their traditional affiliations with trade unions (Cooper, 2002: 250). In addition to this loss of recognition from the ALP, the election of a conservative government in 1996 saw the introduction of new neo-liberal policies aimed at diminishing union power not only in the political sphere, but also across the entire industrial relations regime, in an attempt to make it easier for employers to avoid dealing with unions (Bray and Walsh, 1998: 377; Ellem, 2001: 199; Cooper, 2003: 213; Cooper, Ellem, Briggs and van den Broek, 2009: 341). According to Cooper et al. (2009: 339), “the proliferation of anti-union employer strategies in Australia appears quite exceptional by international standards”. Similar patterns of withdrawal from tripartite concertation, the de-regulation of industrial relations systems and anti-unionism tactics have also been observed in the United Kingdom, the USA and New Zealand (Elvander, 2002: 126; Riley and Sheldon, 2008: 5-6).

Other factors also considered important to political affiliations include the constitutional arrangements of a country, as well as the actions and ideologies of actors. With regard to constitutional arrangements, in a comparative study of Australia and New Zealand, Bray and Walsh (1998: 367) note that affiliations in Australia are generally strongest when one government holds a majority. With regard to the ideologies of actors, Frenkel (1988) and Thornthwaite and Sheldon (1996) observed that Australian trade unions succeeded under the Accord partly because employer associations were unwilling or unable to oppose the trade union’s arrangements with the ALP.
These observations not only highlight that political affiliations can impact the actions of trade unions and employer associations, but they also raise important questions for this research. Specific questions include: whether political affiliations have had any bearing on OHS policy activity since the introduction of the National OHS Strategy; and whether these affiliations have created any imbalances in the relationships of the actors. Bearing in mind that according to the principles of tripartism, all actors should have a similar degree of influence in the policy process.

**Governing trade unions and employer associations**

In examining tripartite arrangements where peak trade union and employer associations represent their members on national tripartite bodies, there is a need to understand the relationship and governance structures that peak bodies have with their affiliate members. Traxler (1999: 345) argues that interest associations, such as trade unions and employer associations, have to cope with a number of organisational issues, one of which is the capacity to govern members to comply in accordance with collective decisions. The assumptions of Heady (1970) and Schmitter (1979) (cited in Traxler, 1999: 348) have provided a long standing view that the conventional measure of associational governability is the internal centralisation of decisions, tasks and resources, with the view that the ability of unions and employer associations to effectively implement policy is contingent on their degree of centralisation.

Observations of trade unions and employer associations in Australia and New Zealand provide some additional insights into centralisation and corporatist partners (Bray and Walsh, 1998: 381). Bray and Walsh (1998: 381) have found that the structure of union and employer organisations and their respective political and industrial relations strategies were important in identifying them as viable corporatist partners. Australian unions are considered to have been more centrally organised and strategic in their outlook compared to their counterparts in New Zealand; thereby enabling the ACTU in Australia to be considered a more viable corporatist partner (Bray and Walsh, 1998: 381). The unification of Australian trade unions is reflective of almost 100 per cent of Australian unions being affiliated with the ACTU, meaning that the peak body speaks with more authority for Australian unions\(^2\) (Cooper, 2003: 209). In comparison, employer organisations in New Zealand have been more unified than their Australian counterparts, therefore allowing them greater policy cohesion of the government’s policy program (Bray and Walsh, 1998: 381). Traxler (1999: 345).

\(^2\) It should be noted that the ACTU has historically played less of a role in OHS policy than the State peak bodies.
348) challenges the perspective that treats organisational centralisation as a phenomenon, arguing that it misses the complexity of industrial relations. As Traxler (1999: 348) argues, that under such logic, a policy failure would be seen as an outcome caused by deviant affiliate members. However, this ignores the actions that take place on the shop floor that can also impact a policy’s outcomes. As such, “one has to include the relationship between the associations and their member firms, when it comes to conceptualising associational centralisation of employers” (Traxler, 1999: 348).

A subsequent matter on governability relates to the ability of peak associations to compel their constituent members to take action on adopting national agreements reached by peak organisations, thereby questioning the rational model of decision making. O’Leary and Sheldon (2008: 224) argue that while organisations, such as peak bodies, who participate in making strategies may apply a rational model to making strategies, “subsequent implementation of strategies involves many more people who have to deal with conflicting priorities and strategies to achieve them”. According to O’Leary and Sheldon (2008: 224), the frequent ineffectiveness of such approaches requires a re-evaluation of rational approaches to strategy making. Using the ACTU as an example, Cooper (2004: 216) notes that although the peak union organisation produces a number of strategies, the implementation of these remains the burden of individual unions themselves. Moreover, it is not always apparent whether individual unions always embrace the visions of the peak council. Similarly, Sheldon and Thornthwaite (2004: 135) highlight that within Australia, the peak national association, the ACCI, focuses on national public policy, legislation, and lobbying the national government and has little to do with individual firms; subsequently, leaving state-based representation to its members. Hasle, Hansen, and Møller’s (2004: 91) study of an action plan between trade unions and employer associations in the prevention of repetitive strain injury within Denmark, highlighted the lack of power of the national trade union and employer organisations in forcing their members to act.

Governability of associations is a matter of relevance to both tripartism and stakeholder interactions within the national OHS action arena. As the National OHS Strategy is the outcome of an agreement between a peak trade union body, a peak employer body, and all Australian State and Territory governments, the research will require some consideration as to the impact of governability on the implementation of the National OHS Strategy. This will require investigation into how peak agencies have managed to communicate the National OHS Strategy to their members.
Resources to take action

OHS is one of many workplace activities in which the actors engage, therefore resources allocated to OHS pursuits are done in competition with other priority areas. The growing shift in decentralisation of industrial relations has been influential in guiding the strategic direction of the actors. Trade unions and employer associations, as economic interest groups, engage in actions and activities aimed at creating benefits for their members (Birkland, 2011: 137). Olson (1971, cited in Birkland, 2011: 136) notes that to create a committed membership groups, actors must have an incentive to join. Actors will therefore target their actions and priorities to where they can gain increased membership (Birkland, 2011: 136). Survival for employer associations, as well as trade unions, presents potential incompatibilities and differences as these actors seek to remain competitive amongst their rivals (Sheldon and Thornthwaite, 1999: 153).

Research by Sheldon and Thornthwaite (2004: 142) shows that objectives and strategies can vary among employer associations. Through a comparison of two Australian employer associations, Australian Business Limited (ABL) and Ai Group, Sheldon and Thornthwaite (2004: 141) note that Ai Group’s strategy is based on representation through membership, therefore charging higher membership fees to provide a range of free or cheap services to its members. In comparison, the objectives and strategies of ABL are quite different as the ABL has “diluted the role of membership”, and has become a service business by placing greater emphasis on fee-for-service provisions and distinct levels of membership (Sheldon and Thornthwaite, 2004: 147). OHS has become a key area of expansion under fee-for-service activities (Sheldon and Thornthwaite, 1999: 153). The shift toward fee-for-service provisions and varying levels of membership partly represents a strategy to reduce free-riding within membership bases (Sheldon and Thornthwaite, 2004: 145). The development of strategies to avoid free-riding raises questions about whether representative organisations are providing a collective voice and identity for a common front or good (Sheldon and Thornthwaite, 2004: 147).

Remaining influential is another challenge for trade unions due to declining union density, which is partly owed to the decentralisation of industrial relations, as well as the changing structure of the workforce and the nature of employment (Johnstone, Quinlan and Walters, 2004: 20; Walters, 2003: 21). This decline has weakened the infrastructural support that unions provide in OHS (Quinlan, 1995: 20-21; Bohle and Quinlan, 2000: 456-457). Johnstone, Quinlan, and Walters (2004: 21) note that the role of OHS issues in trade union strategies remains unexplored in the literature. This gap in knowledge relates back to earlier
discussions on the separation of OHS from the industrial relations literature, which is where discussions of trade union renewal have been located (Johnstone et al., 2004: 21). Consequently, Johnstone et al. (2004: 21) argue that:

> It is not clear whether the apparent absence of a prominent role for OHS representation in trade union renewal reflects a case in which trade unions have yet to recognize the potential significance of developing new strategies for worker representation in OHS, or whether it is simply that researchers themselves have not investigated this issue.

As the services and actions of employer associations and trade unions are strategic and intended to ensure their survival, this raises questions as to the implications that these self-interests have for the National OHS Strategy. More specifically, there is the question of whether there is any incentive for trade unions and employer associations to work cooperatively in advancing the National OHS Strategy when doing so does not serve them with any apparent economic incentive.

**Understanding why actors participate in policy**

Given that trade unions and employer associations are challenged with resource constraints and matters relating to power and representation, this raises the question of what makes participation in policy development such as the National OHS Strategy worthwhile. According to Rothstein (1988: 255), even though interest groups may not be able to influence a policy in a substantial way, they nevertheless choose to participate as it “might be possible to mitigate its concrete impact”, and also because a refusal to participate would mean that all the influence is given to the opposing actor.

**The physical and material conditions**

According to Ostrom’s IAD framework, action situations are considered to be affected by attributes of the physical and material world (Ostrom, 2007: 39). Physical and material conditions can influence what the actors are physically able to do within an action situation; physical and material attributes vary in importance across different types of settings (Ostrom, 2007: 39).

Resources allocated to OHS can not only affect the contributions of actors, but also the overall outcomes of OHS policy. Bluff, Gunningham, and Johnstone (2004: 3-4) note that the resources of OHS regulators are declining while the problems of health and safety are
growing in complexity and challenge. Government ideology is considered crucial to how resources are allocated and mobilised (Peters and Pierre, 2006: 3), with declines in public expenditure being consistent with neo-liberal reforms (Bluff et al., 2004: 3-4). The concept of the ‘hollowing of the state’ is also recognised as an important feature in the provision of government services. The term is used throughout the literature as a metaphor for the increasing use of third parties to deliver social services and act in the name of the state (Milward and Provan, 2000: 359). In this sense, the central government becomes ‘hollowed out’ as power is devolved and services decentralised to third parties (Milward and Provan, 2000: 360). The allocation of resources is an important element in the hollow state. According to Milward and Provan (2000: 376), resources need to be allocated accordingly to tasks that third parties have been asked to deliver, and that governments should avoid simply throwing money at a problem or underfunding a problem as both these approaches are unlikely to produce suitable outcomes. Instead, Milward and Provan (2000: 376) argue that resources need to be allocated based on the degree of difficulty of a task.

Other factors such as the fracturing of the labour market and the geographical levels at which OHS policy operates can also influence an action situation and the actions of actors within them. Labour market fracturing (Walters, 2003: 18) is characterised by significant alternations in the labour market such as work intensification, changes in employment status and practices, and the growth of self-employment and small business (Walters, 2003: 18; Mayhew and Peterson, 1999: 8). Such changes are considered to have consequences for OHS including fewer resources, reduced union coverage, reduced management motivation and capacity to support OHS arrangements, and challenges for the production of relevant regulation and information (Mayhew and Peterson, 1999: 8; Walters, 2003: 18; Bohle and Quinlan, 2000: 64). In regard to geography, there is argument that it is more difficult to address OHS problems at the national and international levels as efforts are often fragmented, dispersed, and lack the necessary coherence to produce an effective impact (ILO, 2003: 2).

The concepts of physical and material conditions raise specific considerations for the research; particularly the question of whether resources, labour market fracturing, and geography have had any impact on the policy process underpinning the National OHS Strategy. Since the National OHS Strategy represents a case where responsibility for achieving national targets is shared across State governments and employer and employee bodies, the research could consider whether the issues of the hollow state, as described by Milward and Provan (2000: 376), are reflected in the case of the National OHS Strategy.
Improving employer capacity to manage OHS

The OHS literature identifies a number of issues that challenge employers in the management of OHS. One of the most dominant themes is the distinction in OHS problems and solutions according to business size. Small businesses are recognised as being distinctly different from larger employers and therefore require different attention. Two other important issues discussed throughout the literature relate to management motivation and commitment to OHS, as well as challenges with measuring the outcomes of policies aimed at improving employer capacity.

Differentiating between small and large business requirements

There is a strong body of research that highlights differences in needs between small and larger enterprises and their OHS problems (Mayhew, 2002: 26). The research shows that poor OHS outcomes in small businesses can be attributed to a number of factors including: limited access to expertise, information sources and resources to deal with OHS; a lack of in-house expertise along with lower levels of knowledge of OHS risks and OHS rights and obligations; an absence of management systems; employer isolation since small businesses are less likely to be part of a business network and rely more on word of mouth communication and a lack of time and money to devote to OHS initiatives (Mayhew, 2002: 26; Champoux and Brun, 2003, 305; Hopkins, 1995: 49; Quinlan and Mayhew, 2001: 11).

The literature notes the importance of addressing small business needs, given the substantial increase in the number of small businesses and the growing proportion of the workforce that is employed by them (Bluff et al., 2004: 3; Mayhew, 2002: 26; Dugdill, Kavanagh, Barlow, Nevin and Platt, 2000: 158). Unlike larger companies, small businesses have simpler management structures, generally do not belong to business groups, are harder to reach, and have higher rates of injuries and illness, and are more prone to failure (Bluff et al., 2004: 3; Mayhew, 2002: 26; Champoux and Braun, 2003: 316).

It is also recognised throughout the literature that methods and solutions to OHS problems that are developed for large firms are not appropriate for small businesses (Mayhew, 2002: 26; Champoux and Brun, 2003: 301; Quinlan, 1995:11). It is well recognised that a one size-fits-all approach does not work and that it is necessary to design strategies to suit the characteristics of each target group (Gunningham, 1999: 39). In a study of OHS management in small enterprises, Champoux and Brun (2003: 310) found that small business owners found it difficult to identify things that might help them improve health and safety in their
workplace. Employers noted that they would like information or training on OHS issues, as well as expertise or financial assistance to support OHS initiatives (Champoux and Brun, 2003: 310). However, based on their study of OHS policy development in the agricultural industry, Gunningham and Healy (2004: 312) note that there tends to be an over-reliance on information and training programs, and that more effective training and education strategies are required. Dugdill, Kavanagh, Barlow, Nevin and Platt (2000: 157) add further insight to these findings, suggesting that support needs to be affordable, relevant to business needs, and offered in an appropriate way for small businesses to receive it. Similarly, a survey conducted by the UK Health and Safety Executive found that small to medium enterprises were not opposed to following OHS laws but required assistance interpreting it (Hopkins, 1995: 49).

A general view is also held that small business owners may be unclear of what OHS systems entail or that they may not be able to identify specific obstacles to improvements in OHS in the workplace (Champoux and Brun, 2003: 314; Griffin, Hall and Watson, 2005: 133-134). As such, business owners underestimate the difficulties of achieving OHS improvements and the impacts that they can have on their business (Champoux and Brun, 2003: 314; Griffin, Hall and Watson, 2005: 133-134).

**Motivating employers to improve OHS**

In addition to identifying what is needed to help employers improve their management of OHS, some OHS research also discusses the importance of motivation. For instance, in their assessment on improving OHS policy in the agriculture industry, Gunningham and Healy (2004: 316) note that while information and training are important, policies rely too heavily on them and fail to address the problem of a lack of motivation to comply with regulations.

There are arguments throughout the literature that managers are more motivated to comply with regulation than voluntary policies. The Industrial Relations Victoria’s 2005 inquiry (2005: 29-30) into owner drivers and forestry contractors found that voluntary initiatives in the trucking industry were less effective than those based on legislation. According to the inquiry, voluntary codes were impractical and were a sign of symbolism that did not produce significant changes to work safety, concluding that a change in culture and attitudes could only be achieved through regulation (Industrial Relations Victoria, 2005: 29-30). Hopkins (1995: 49) draws on the role of regulation, noting that a visit by an inspector as the only reliable thing that can draw the attention of small business to OHS matters. According to Hopkins (1995: 49), small business owners rely on inspectors to provide them with
information on regulation and compliance. Through a survey of small to medium businesses in the UK and Spain, Vassie, Tomas and Oliver (2000: 42) found voluntary initiatives were successful where there were external pressures for companies to adopt voluntary management accreditation schemes in order to qualify for contracts that required standards accreditation.

The economic rationalist argument for OHS activity is also widely discussed throughout the literature (Hopkins, 1995; Reason, 1997; Bohle and Quinlan, 2000). There is discussion of how factors such as profitability and production might affect employer motivation to OHS. As a summary, such discussions centre on how managers can try to improve OHS based on the premise that it will lead to improved productivity. As managers are often faced with pressures of production and profitability, they may choose to cut corners in order to meet deadlines or other operational demands (Reason, 1997: 5). Reason (1997: 5) argues that a consequence of this is that if there are no bad outcomes to emerge from such an approach then taking shortcuts becomes a part of the routine work practices. Consequently, this gradual reduction in safety over time leaves OHS systems vulnerable to different combinations of accident-causing factors (Reason, 1997: 5). Dorman (2000: 13-14) discusses the impact of internal and external costs on employers’ decision making processes, arguing that if a firm’s interest are purely about profit then decisions about OHS will be based on economic costs. Where action to address an OHS problem is not perceived to be in the economic interest of a company then the costs of OHS are externalised to the rest of the community (Dorman, 2000: 14). These assertions raise questions about the concept of ‘improving employer capacity’ and the challenges that can be associated with such a goal as “the existence of external costs drives a wedge between the incentives of individual decision makers, such as enterprises, and the interests of the wider community” (Dorman, 2000: 14).

Drawing similar conclusions to Dorman (2000), Hopkins (1999: 152), in his exploration of the ‘safety pays’ argument as a means of controlling catastrophic risks, notes that some managers “have no financial incentive to attend to catastrophic risk and that the safety pays argument, therefore, has no capacity to motivate them to attend to safety”. Hopkins (1999: 152) recommends that the structure of remuneration for managers needs to be changed to serve as a motivation to focus on risk.

These readings raise broad questions as to whether business owners will be motivated to engage in the National OHS Strategy which, like codes of conduct, is arguably a voluntary policy.
Achieving Systematic OHS Management

OHS management should seek to integrate effective risk assessment and risk management in all aspect of the general management. OHS management should not be a separate entity to the rest of the organisation. The importance of OHS integration into the overall management of an organisation is strongly advocated in the literature on systematic OHS management (see Frick et al, 2000). The principles of systematic OHS management have been elevated through the introduction of the EU Framework Directive. Under the Framework Directive, preventative measures that are implemented by an employer “must be integrated into all the activities of the under and/or establishment and at all hierarchical levels” (Walters, Johnstone, Frick, Quinlan, Baril-Gingras and Thébaud-Mony, 2011: 33). This approach would ensure that OHS management is integrated into the overall quality of production (Karageorgiou, Jensen, Walters, and Wilthagen et al, 2000: 252). Intra-organisational processes are also characterised by the level of engaged that employees and their representations are awarded in OHS management, particularly an employer’s acceptance and willingness to work with employee representatives. OHS representatives have been shown to offer benefits toward the improvement of health and safety, including being a cost-effective approach to improved OHS arrangements in businesses (Walters, 1998; Walters, 2004: 169; Frick and Walters, 1998: 374). However, employer acceptance of worker representatives has been shown to vary by country, with most differences explained by the powers awarded to local actors according to the political decisions and industrial relations structures of their country (Walters, 2004: 180; Walters et al, 2011: 173; Nichols and Walters, 2009:29)

Conclusions

This chapter sought to identify what the body of literature had to say about evaluating the policy process in the OHS discipline, as well as to identify factors important to developing employer capacity to manage OHS. The literature review drew upon theories of the policy process from the political sciences. The IAD framework, which is grounded in institutional rational choice theory, provides the most appropriate theoretical framework for analysis given its focus on the role of actors in the policy process and how external factors, such as institutional rules, shape policy and the actions of the actors. Applying the IAD framework to the OHS and industrial relations disciplines, the theory of tripartism is identified as being important to national strategy development and implementation. Given the importance that is placed on tripartism in the development of OHS policy, a central question for the research is how tripartism has functioned under the National OHS Strategy. Whilst the theoretical
framework to be applied in this thesis relies on the IAD framework, there are aspects of other models that hold useful lessons for analysing Australia’s *National OHS Strategy*.

The literature review also highlighted a number of factors that impact the role and strategies of actors associated with policy development. Key factors that influence the behaviour, motivations, and actions of the actors include political affiliations, availability of resources, and the governability of these institutions. Consideration will be given to these factors when analysing the findings in a bid to identify whether they have had any impact on the development and implementation of the *National OHS Strategy*. The literature review also discussed the strong use of the stages approach to policy analysis with principles of the stages approach reflected in models such as the OHS Intervention Effectiveness Research model. Although not considered a theoretical framework, the principles of the OHS Intervention Effectiveness Research model are still considered important for OHS policy evaluation, and therefore, the key tenets of this model will help to shape the methodology of the research.
Chapter 3: Methodology

Introduction
This chapter discusses the methods and research design used in this thesis. The research is an exploratory study that uses a qualitative case study approach. The National OHS Strategy represents the case study while the unit of analysis is at the organisational level. Semi-structured interviews and documentary analysis represent the main research tools. Fourteen face-to-face interviews were conducted with OHS agencies, trade unions, employer associations, and manufacturing businesses in NSW. Content analysis was the main method used to analyse the data. The OHS Intervention Effectiveness Research model guided the research design. The interview schedules were structured to reflect the three main stages of the policy process. The IAD framework informed the research questions. The need to understand the behaviours, motivations, and actions of the actors and the impact of external factors on the actors necessitated an in-depth understanding of these characteristics within the National OHS Strategy policy process. This chapter begins with discussion of the research questions and research objectives. This is followed with details and justification for the research design, research tools and data collection. The chapter discusses the use of thematic analysis as the main data analysis method and concludes with discussion of the research limitations and contributions.

The research question and objectives
The research seeks to understand what role the National OHS Strategy has played in improving employer capacity to manage OHS in the NSW manufacturing industry. The objectives to be met to address this question include:

- analyse the capacity of the National OHS Strategy to elicit change and new action to address OHS
- understand how the National OHS Strategy operates in the context of more traditional policies such as legislation
- improve understanding of the policy process of the National OHS Strategy
- identify key factors influencing the development, implementation and evaluation of the National OHS Strategy using IAD theory and international comparisons
- identify the appropriateness of the National OHS Strategy within the Australian context and make recommendations for future OHS policy development in Australia.

This analysis will help to provide some insights into how the concept of ‘improving employer capacity to manage OHS’ can be better addressed in future policies for workplace health and safety. In seeking to do this, the research will also contribute to a gap in the literature on national OHS strategies as a form of OHS policy. The research also seeks to contribute qualitative insights into the National OHS Strategy in lieu of previous investigations that have primarily evaluated the National OHS Strategy according to progress against the targets of 20 per cent and 40 per cent reduction in fatalities and injuries.

A qualitative exploration of improving employer capacity through the National OHS Strategy

Exploratory studies are common to qualitative research and are a useful approach when researchers lack a clear idea of the problems they will meet during the study (Cooper and Schindler, 2003: 151; Babbie, 2011: 95). They are also used when the area of study may be new or vague that a researcher needs to do an exploration to learn about the issue at hand (Cooper and Schindler, 2003: 151; Babbie, 2011: 95). This scenario is representative of this research. There was insufficient information to identify if and how the National OHS Strategy had helped to drive efforts to improve employers’ capacity to manage OHS. Furthermore, there is a general absence of analysis of OHS strategies in the policy literature, further limiting knowledge and understanding of the policy process associated with national OHS strategies. Due to this absence in evidence, the research needed to engage with stakeholders responsible for delivering the National OHS Strategy to identify and understand what they had done under this priority area and the reasons for their choice of actions as well as their views and commitment to the National OHS Strategy. Equally so, the research also needed to understand the capacity of manufacturing businesses to manage OHS and the role that institutional stakeholders play in helping to improve employer capacity.

It is well recognised that researchers use qualitative studies when investigating complex issues and when trying to achieve a deepened understanding of these issues, particularly how participants to a study understand what is happening in the setting being investigated and
what their perspectives are on particular issues (Locke, Silverman and Spirduso, 2004: 98; Woods, 1999; Creswell, 2013: 48 ). Since the research requires an in-depth understanding of the behaviours, motivations and attitudes of the signatories to the National OHS Strategy and manufacturing organisations, the research was designed as a qualitative exploratory study.

Woods (1999: 4) notes that qualitative researchers are interested in understanding how policy is formulated and implemented. A key objective of this research is to understand the policy process associated with the National OHS Strategy. A qualitative approach allows for the investigation of the National OHS Strategy from a policy perspective with the intention of establishing an in-depth understanding of the development, implementation, and evaluation of the National OHS Strategy, with a specific focus on better understanding how the various stakeholders have targeted the Strategy’s objective of improving employer capacity. In investigating the policy process behind the National OHS Strategy, there is a need to understand not only what was achieved but also the why and how of decision-making.

Unit of analysis and research design

The National OHS Strategy represents the main case study of this thesis with organisations and the social interactions between them serving as the unit of analysis. The National OHS Strategy is analysed across different levels of organisations. These levels include national institutions that are signatories to the Strategy and operate at the national level. This is followed by trade unions and employer associations and manufacturing businesses based in NSW. Analysis across different levels of organisations allows for a multi-faceted approach to policy analysis.

Purposive sampling and the sampling frame

The research used a purposive sampling approach to select potential participants. Purposive sampling is recognised as a common approach used by qualitative researchers (Denzin and Lincoln, 1994: 202; Silverman, 2011: 388; Yin, 2011: 88). Purposive sampling is defined as “a type of non-probability sampling in which the units to be observed are selected on the basis of the researcher’s judgement about which ones will be the most useful or representative” (Babbie, 2011: 207). Purposive sampling was required for this thesis as the sample from which participants would be drawn was already known as being the stakeholders represented under the National OHS Strategy. The samples of participants in
the research were drawn from two populations: (i) the institutional stakeholders who had made a commitment to support and implement the *National OHS Strategy* including OHS agencies, trade unions and employer associations; and (ii) employers in the NSW manufacturing industry. Fourteen interviews were conducted with seventeen individuals across twelve organisations. The following organisations participated in the research:

**Group 1: the institutional stakeholders and signatories to the National OHS Strategy**

1. Safe Work Australia (1 interview, 2 participants)
2. WorkCover NSW (1 interview, 1 participant)
3. ACCI (1 interview, 2 participants)
4. ACTU (2 interviews, 2 participants)
5. Trade Union A (2 interviews, 2 participants)
6. Trade Union B (1 interview, 1 participant)
7. Employer Association A (1 interview, 1 participant)
8. Employer Association B (1 interview, 1 participant)

**Group 2: Manufacturing organisations and the professional OHS service provider**

9. Fundamental Foods Manufacturing (1 interview, 1 participant)
10. Precision Printing Manufacturing (1 interview, 1 participant)
11. Bexter Brewery Manufacturing (1 interview, 1 participant)
12. C&G Consulting (1 interview, 2 participants)

The institutional stakeholders from Group 1 were known or could be narrowed to a specific pool of candidates. Safe Work Australia, WorkCover NSW, the ACCI, and the ACTU were purposively selected given their role as key signatories to the *National OHS Strategy*. The trade unions and employer associations were selected based on their representation of the manufacturing industry in NSW.

A sampling frame (Babbie, 2011: 224) was used to identify the elements upon which the manufacturing businesses would be selected. The *National OHS Strategy* targets five key industries that have the highest level of incidence rates and/or workers compensation claims: (i) manufacturing, (ii) building and construction, (iii) transport and storage, (iv) health and community services, and (v) agriculture, forestry and fisheries (ASCC, n.d). The

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3 The names of the manufacturing businesses are fictitious to maintain the confidentiality of the interview participants to minimise potential risks from participation in the study.
manufacturing industry was selected for this research in order to narrow the research to a manageable size. The Australian and New Zealand Industrial Classification 2006 (Australian Bureau of Statistics, 2006) was used to identify the respective sub-sectors classified to the manufacturing industry. Appendix 1 provides a list of these sub-sectors. The research was limited geographically to NSW to ensure manageability of the research given time and resource constraints. The following factors were also influential in nominating the NSW manufacturing industry:

- According to data produced by the Australian Bureau of Statistics (2012), NSW had the largest number of manufacturing businesses of any State in Australia as at June 2011. The size of the manufacturing industry in NSW reinforces its relevance to that State’s economy, particularly as a large employer.
- The manufacturing industry presented fewer ethical challenges than industries such as health and community services where research would potentially have had to take place in hospitals, medical centres and other institutions in which patient confidentiality may have limited some of the responses from the health profession.
- Accessibility to potential candidates based on the locality of businesses was an influential factor. The remoteness of businesses in industries such as agriculture, forestry and fisheries would have created potential challenges with accessibility for face-to-face interviews.
- According to data produced by the Australian Bureau of Statistics (2012), businesses in the manufacturing industry are represented across different organisational sizes. For the purpose of this thesis, a micro business is classified as an organisation employing less than five people, a small business as employing between 5 and 20 employees, a medium business as employing between 21 to 199 people and a large business as employing in excess of 200 people.
- Manufacturing also represents a sector that has had a long-standing history in developments in Australia’s industrial relations system as well as having well-developed institutions such as trade unions and employer associations.

Sample size: working with a finite, pre-defined sample

The signatories to the National OHS Strategy (WorkCover NSW, the ACCI and the ACTU) as well as trade unions and employer associations representing the NSW manufacturing industry account for a finite number of participants that could potentially participate in the research. Consequently, this meant that it was not possible to draw a large sample of participants. The research includes at least two union and two employer representatives,
which account for approximately half of the potential population. The sample of institutional stakeholders is considered adequate in relation to the goals of the research. The institutional stakeholders provide sufficient representation as the sample reflects a large share of the population of these institutions. Increasing the sample size of the institutional stakeholders potentially would have still provided the same findings because of the homogeneity of these institutions. The research would have reached a saturation point where further interviews would not have changed the outcomes. Leiyu (2008: 258) and Ritchie, Lewis and Elam (2003: 84) suggest that with more homogenous populations, fewer cases are required to yield a reliable sample. Furthermore, as the research seeks to understand the ‘why’ and the ‘how’ of the policy process associated with improving employer capacity under the National OHS Strategy, a small, focused sample could provide these outcomes.

Four manufacturing companies participated in interviews. Although this is a small sample, it is a sufficient size for this thesis as the purpose of the research is not to generalise the findings to all businesses. Instead, the purpose of the interviews was to gauge a general, in-depth understanding of employer capacity in, and any potential linkages to the National OHS Strategy. Similarly, as with the interviews with the institutional stakeholders, a saturation point was reached with the manufacturing interviews and further interviews would not have changed the outcomes.

Selecting and recruiting participants for the research

The research targeted specific individuals to participate in an interview on behalf of their organisation. The research targeted persons who were either:

- Senior personnel who have authorisation to make decisions concerning OHS activities and who oversee strategic OHS functions. This included roles such as OHS and employment relations managers, directors and officers.
- OHS policy officers who have had involvement in policy development.

All participants in the research had direct responsibility for OHS in their organisation. In a number of instances, two representatives from the same organisation participated in an interview. The pairings generally represented a senior official such as a director together with an OHS manager or officer.

Prior to recruiting participants, ethical clearance to conduct the research was obtained from the Ethics Committee of the University of Western Sydney. The institutional stakeholders
were recruited through email. Contact details for each of the institutional stakeholders were obtained directly from the relevant institution’s website. In the instances where the website identified the names and contact details of OHS officers and managers these individuals were emailed directly. In all other circumstances, an email was issued to the institution seeking interest to participate in the research and asking for the invitation to be made to the appropriate OHS personnel within the organisation. All the potential participants were emailed an information sheet, a copy of the National OHS Strategy and an invitation to participate in the research. The participants who wished to participate either emailed or called the researcher to indicate their interest. Where organisations did not reply to the initial invitation, contact was again attempted by a follow-up telephone call. Three trade unions and three employer associations declined the invitation to participate in the research or did not respond to the invitation. One of the employer associations declined to participate as they did not provide OHS services directly to their members, while another of the employer associations could not provide direct access to personnel in NSW and requested the interview take place with personnel from another jurisdiction. Given the focus on NSW, the researcher chose not to undertake this interview given its lack of direct relevance to the research.

Participants from manufacturing businesses were recruited through networking and industry references. Precision Printing and Bexter Brewery were recommended as appropriate contacts through professional networks of the researcher while Fundamental Foods and C&G Consulting were recruited at an OHS safety seminar specifically for manufacturing businesses. The researcher attended the OHS seminar, which had been organised by the NSW government as an initiative of Western Sydney Manufacturing Week. During the seminar, the researcher provided attendees with an information sheet and invitation to participate in the research. Through this event, Fundamental Foods and C&G Consulting agreed to participate in the research. All business participants were formally emailed about the research and provided with electronic copies of the invitation, information sheet, and a copy of the National OHS Strategy.

For those institutions that agreed to participate in the research, the researcher arranged to meet at a mutually convenient place and time with the research participants. At each of the meetings, the participants were interviewed and consent forms were signed. All participants were assured of confidentiality and the objectives of the research were explained to them. Each participant was asked permission for the interviews to be recorded; all participants approved for the interviews to be digitally recorded.
Research tools and data collection

Semi-structured interviews and documentary analysis were the two key research tools used. Qualitative research designs frequently involve collection of data from different sources (sometimes by means of different methods) within a setting for the explicit purpose of cross-checking information, called ‘triangulation’ (Locke et al., 2004: 99). Cooper and Schindler (2003: 152) consider interview and documentary analysis as adaptable approaches for an exploratory study while Adams, Khan, Raeside, and White (2007: 112) similarly note that in case studies researchers typically use a mixed data collection approach. The following section discusses each of these approaches separately, explaining what was involved in the process and why they were chosen as preferred methods for the research.

The qualitative research interview

According to Yin (2009: 108), interviews are considered an essential source of case study evidence as they can provide insights into affairs or events, including insights into the prior history of an event as well as identifying other relevant sources of information. Qualitative in-depth interviews were also appropriate due to the small sample of participants and the nature of the research question, which seeks to develop an in-depth understanding of the policy process underpinning the National OHS Strategy. Given the diversity of stakeholders associated with the National OHS Strategy, the research had to anticipate differences in experience across the various stakeholder groups. Semi-structured interviews were considered the most appropriate method to accommodate these differences.

The pilot study

Prior to conducting the interviews, a pilot study was carried out to test the interview questions for each of the stakeholder groups that would be represented in the research: (i) OHS agencies; (ii) trade unions; (iii) employer associations; and (iii) manufacturing businesses. The importance of a pilot study is noted by White (2000: 31) who advocates the need to always pilot the final list of questions on a small sample of people to ensure that the questions are clear to understand and so that any ambiguity can be removed and the length of interviews timed. The pilot study was conducted with an OHS agency (the equivalent of WorkCover NSW), a peak trade union body for trade unions, and a peak body for employer associations of an Australian jurisdiction outside NSW. Participants to the pilot study were guaranteed anonymity. The decision to conduct the pilot study outside NSW was done to avoid exposing the NSW participants to the potential interview questions and therefore
influencing their responses during the official interviews. Furthermore, there was the potential risk that participants would not agree to an official interview following a pilot study. The pilot study consisted of three interviews with the OHS Commissioner of the jurisdiction’s OHS agency; the Secretary of the peak body for trade unions and an OHS officer from the same union; and the Director of Workplace Relations of the jurisdictions peak employer association body.

Three businesses were invited to participate in the pilot study. These businesses were purposefully selected as they were recipients or finalists of safety awards as part of the Safe Work Australia Safety Week Awards. Since safety awards are intended to demonstrate excellence in the field of OHS, the researcher assumed that organisations that had been recognised under this scheme would potentially have greater interest in participating in the research and reflecting on their personal experiences. None of the businesses accepted the invitation to participate in the pilot study.

The interview questions used in the pilot studies asked participants to identify their views and commitment to the National OHS Strategy and their involvement or knowledge of the development, implementation, and evaluation of the National OHS Strategy. Through the pilot studies, certain failures and limitations were identified with the interview schedules:

- The pilot interview schedules were too heavily oriented toward the National OHS Strategy and therefore overly assumed that participants would have sufficient knowledge of the National OHS Strategy. The pilot interview schedules were not helpful for participants who identified that they had no knowledge of the National OHS Strategy.

- The pilot interviews revealed that detailed knowledge of the National OHS Strategy was lacking. The OHS agency had the greatest knowledge of the National OHS Strategy, while the trade union body had a general familiarity with the Strategy, and the representative for the employer association body had no knowledge of the National OHS Strategy as he was a recent appointment with the organisation. Based on these observations, there needed to be greater flexibility in the interview schedules to accommodate the various levels of knowledge of the National OHS Strategy.

- The pilot study findings identified that knowledge of the National OHS Strategy had been lost in consequence of staff turnover. Not all individuals who participated in
interviews had been employed with their organisation over the life of the *National OHS Strategy*, therefore they were not able to comment on the entire policy process of the *National OHS Strategy*.

- The trade union and employer association acknowledged that they did not promote the *National OHS Strategy* and that it was unlikely that businesses would know about the *National OHS Strategy*. As there were no business participants in the pilot study, the feedback from the trade union body and employer association body provided some context to help modify the interview schedules for businesses.

Because of the pilot study, the interview schedules were modified to accommodate participants who may not have been familiar with the *National OHS Strategy*. In cases where participants identified as having no knowledge of the *National OHS Strategy*, then the questions were devised to provide some insight as to why that was the case. Since the trade union and employer association participants in the pilot interviews identified a high likelihood that businesses would not be familiar with the *National OHS Strategy*, the interview schedules for businesses were also modified to place greater focus on the concept of improving employer capacity and less focus on the *National OHS Strategy*. While businesses were still asked their views on having a *National OHS Strategy*, greater emphasis was placed in understanding: (i) businesses’ views on how best to improve their capacity; (ii) their main sources and uses of OHS information; (iii) their views on the current provision of assistance to improve capacity; (iv) their relationships with trade unions, employer associations and OHS agencies in seeking assistance on OHS matters; and (v) their recommendations on what more could be done to help them improve their capacity to manage OHS and what their motivators for engaging in OHS actions were.

*The face-to-face interviews*

Following the pilot study, the interview schedules were modified to reflect the observations of the pilot studies and interviews were conducted with the NSW stakeholders. The semi-structured interviews were conducted face-to-face, with the exception of one interview which was conducted by telephone. All face-to-face interviews were conducted on the premises of the participants and ranged in duration from one hour and up to two hours. The researcher was required to travel to Canberra and to Melbourne to complete interviews with Safe Work Australia, the ACCI, and the ACTU. Although the interview participants were asked to provide any supporting documentation to their interviews, no one was able to
supply additional information. Precision Printing was the only company to exhibit supporting documentation during the interview. However, as the information was part of staff record keeping, the documents could not be released.

Five separate interview schedules were developed and customised for the various stakeholder groups:

**Group 1 – Institutional Stakeholders**
Interview Schedule 1: Safe Work Australia
Interview Schedule 2: WorkCover NSW
Interview Schedule 3: The ACTU and the ACCI
Interview Schedule 4: Trade unions and employer associations representing the NSW manufacturing industry

**Group 2 – Manufacturing Organisations**
Interview Schedule 5: Manufacturing businesses and the professional OHS service provider

Interview Schedules were harmonised based on a set of standardised themes, while interview questions were harmonised according to the various stakeholder groups. Each of the interview schedules for Group 1 contained identical themes with minor modifications to the nature of questions asked. This approach was required in order to accommodate the different roles and functions of each of the stakeholders in the provision of OHS services. Although separate interview schedules were maintained for each of the stakeholder groups, each of the interview participants was presented with the same themes. The themes for the institutional stakeholders strongly mirrored the policy process while the themes for the manufacturing businesses were oriented towards exploring the concept of improving employer capacity to manage OHS.

The key themes presented in the interviews for the institutional stakeholders included:

- views and knowledge of the *National OHS Strategy*. These included questions on: knowledge (what do you know about the *Strategy*?); experiences and practices relating to the *Strategy* (has the *Strategy* changed the way things are done? How do you feel about participating in the *Strategy*?); opinions (what do you think of the *Strategy*?)
- development of the *National OHS Strategy*
implementation of the National OHS Strategy
- evaluation of the National OHS Strategy
- stakeholder relationships.

The themes that were explored in the interview schedules for the manufacturing businesses included:

- interviewee’s perceived levels of knowledge and awareness of OHS: an awareness of the regulations and an awareness of responsibilities, and also the interviewee’s value and practice of these regulations
- level of contact with OHS agents (e.g. inspectors, WorkCover NSW) and the perceived value of information they provide
- motivations for taking action on OHS: identifying the key reasons why workplaces take action on OHS.

These themes were derived from the broader literature review on the policy process and the research question and objectives. The IAD framework and the OHS Intervention Effectiveness Research model helped to shape the structure and content of the interview questions. The main structure of the interviews was modelled against the three main stages of the OHS Intervention Effectiveness Research model – development, implementation, and evaluation. A further two categories, views of the National OHS Strategy and stakeholder relations, were also added. In total, there were five key sections to each interview schedule. Within each section, the interview questions considered each of the elements of the IAD framework. For instance, in discussing the development of the framework, the interview questions sought to address the external factors that had an impact on the way in which the National OHS Strategy was developed and the influence and role of the actors in the development stage.

A set of standard guiding questions was prepared under each of the themes thereby allowing the same process of questioning to be replicated with each of the interview participants. Flexibility was exercised during the interviews to expand beyond the devised questions, particularly where clarification was required or in the instances where stakeholders raised a relevant issue that had not been initially considered by the researcher. Harmonisation according to themes and standard research questions allowed for comparisons of findings across the interviews and helped validate the research.
Importance and contribution of semi-structured, in-depth interviews

Semi-structured interviews were the preferred choice as the main research method was aimed at gaining a detailed understanding of the interviewee’s knowledge, perception, and implementation of the National OHS Strategy. They allowed for a diversity of responses and a greater depth of information to be provided on the policy process, stakeholder relationships and improving employer capacity, information that could not be obtained from quantitative based measures.

Semi-structured interviews also allowed for unanticipated questions that were not originally included to be asked, thereby accommodating new, important information to help enhance the findings (Hair, Babin, Money, and Samouel, 2003: 135). As part of the research, it was important to understand stakeholders’ responses in the context of the constructs and ideologies that govern these institutions. Capturing the stakeholders’ subjective views of reality and their interpretation of events was necessary to better understand the way in which the objective of improving employer capacity would have been approached under the National OHS Strategy. Furthermore, semi-structured interviews were advantageous as they encouraged the interviewee to provide their own answers, ensuring that their answers were not unduly influenced, as is the case with other methods such as questionnaires (Silverman, 2001: 15; Adams et al., 2007: 132). Chapters 6 and 7 of the thesis provide the outcomes of these interviews. Chapter 6 focuses on the interview outcomes of the institutional stakeholders while Chapter 7 presents the findings of the manufacturing organisations.

Documentary analysis

Documentary analysis was used as a subsequent research method to support and validate the findings from the interviews. Documentary analysis, a common method in qualitative studies, holds important value for case study research. According to Yin (2009: 102), the strengths of documentation are that it is a stable source of information that can be reviewed repeatedly, it contains exact names, references and details, it can have a long span of time and it is unobtrusive as it is not created because of the case study.

Documents that are commonly analysed as part of the documentary analysis process include material containing policies or procedures related to the intervention, safety records, committee minutes, correspondences, memoranda or reports (Robson, Shannon, Goldenhar, and Hale, 2001:70). Using this list as a guide, the key documents that were analysed for the research include:
- Annual reports (NOHSC, WorkCover NSW, ACCI, Unions NSW)
- The *National OHS Strategy* 2002-2012
- Strategic plans, business plans, corporate plans
- Minutes of meetings
- Submissions to public inquiries on OHS
- OHS Policies (e.g. ACCI OHS Blueprint, ACTU Congress)
- OHS Campaigns and Strategies (e.g. *NSW OHS Safety Strategy 2005-2008*)
- Newsletters
- Performance Reports (e.g. Comparative Performance Monitoring reports)
- Website based information

These documents helped to provide information about the extent to which interventions for improving employer capacity have been implemented. Chapter 8 presents the findings of the documentary analysis process.

The documents used in the documentary analysis process were sourced through the internet. Most of the documents were obtained directly from the websites of the institutional stakeholders although a number of older documents had to be obtained using internet archival services. Two main archival services were used (i) the National Library of Australia’s *Pandora Archive*\(^4\) and (ii) the Internet Archive’s *Way Back Machine*\(^5\). These archival tools provided access to a number of documents that were necessary to understand the historical context in which the *National OHS Strategy* was developed and operated. One significant theme from Chapter 8 discusses the finding that many of the activities attached to the *National OHS Strategy* existed prior to the introduction of the *Strategy*. To enable such an observation to have been made, the documentary analysis process had to investigate documents that dated prior to 2002, when the *Strategy* was introduced. A look at earlier documents was also necessary in identifying potential information on the development stage of the *National OHS Strategy* policy process. The documentary analysis process helped to provide information that could not have been obtained during interviews. The availability of information over a longer period helped to compensate for gaps in knowledge among the interview participants, particularly in the circumstances where there has been a loss in corporate knowledge due to staff turnover.

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The documentary analysis process also allowed for a wider net of stakeholders to be considered beyond those who participated in interviews. For example, the documentary analysis process also included Unions NSW despite this institution not being represented as an interview participant. The decision to broaden the pool of institutions in the documentary analysis process was deliberately done to identify National OHS Strategy activity by participants who may have not been able to participate in an interview or who had declined to provide an interview.

One of the key limitations of the research was access to documents not available in the public domain. At the time of the research, two triennial reviews of the National OHS Strategy had been completed although the findings from these reviews have not been made available to the public. Requests by the researcher for these documents were declined.

Further to these actions, the documentary analysis process also involved a comparative analysis of the OHS strategies of four other countries: the United Kingdom, New Zealand, Denmark, and Finland. The findings of this research are presented in Chapter 9. The international comparisons were achieved by drawing on the National OHS Strategy documents produced by each of the countries. These documents were accessed primarily from the websites of the key OHS agencies from each respective country. The website of the European Agency for Safety and Health at Work (European Agency for Safety and Health at Work, 2012) provided a launching pad for the research as it identified the principal OHS strategies operating in each country. One of the key determinants in choosing the countries for this research was the availability of information on each country’s OHS strategy. Countries that made public sufficient volumes of information and resources were given greater consideration. As the international comparisons were entirely based on documentary analysis, it was crucial that there was sufficient information on each country to enable a detailed analysis of findings. While most documents and information from Denmark and Finland were provided in English, a small number of documents required translation.

**Data analysis methods: thematic analysis**

The researcher transcribed the interviews with the aid of voice recognition software. Content analysis was the primary technique applied in analysing the data. As the interviews were being transcribed and information collated from the documentary analysis process, a thematic framework, as recommended by Adams et al. (2007: 160) and White (2000: 107), was set up. The thematic framework was based on three broad categories that underpin the
research question: (i) stakeholder views of the *National OHS Strategy*, (ii) the policy process and (iii) stakeholder relationships. The interviews and the documentary analysis findings were analysed to identify sub-themes and concepts within these broader categories. This process was achieved by coding the data based on categories that reflected similarities in content and context. Thematic analysis is a recognised approach to analysing data from qualitative interviews (Gomm, 2008: 10). Content analysis in the form of thematic analysis helps to ensure reliability. According to Silverman (2001: 148; 2011: 214), categories should be used in a standardised way so that any researcher would categorise in the same way.

**Validity and reliability of research findings**

Qualitative researchers generally believe that there are multiple perspectives or views of the case that need to be presented, and that there is no way to establish, beyond contention, the best view, or the truth. In qualitative research, therefore, efforts to find the validity of data observed go beyond simple repetitive action of data gathering (Adams et al., 2007: 113). Triangulation of evidence from different sources about the same event is a recognised approach for validating results (Gomm, 2008: 243; Yin, 2009: 109). There is a need for triangulation in order to search for both accuracy of the data and alternate explanations (Adams et al., 2007: 113). The use of two research methods for this thesis (interviews and documentary analysis) has helped to ensure a greater degree of validity in the interpretation of the data. Documentary analysis supplements gaps in the interviews and serves to validate information provided by the interviewees.

Validity was further maintained with semi-structured interviews as they allowed the interviewees to identify topics that had not been considered by the researcher. This ensured that relevant topics were being discussed and that they could then be included in future interviews. Interviews with all the key stakeholders also helped to strengthen the validity of the research. Exploring the research question from the perspectives of all the institutional stakeholders associated with the *National OHS Strategy* ensured the research was targeting the stakeholders who were supposed to be implementing the *National OHS Strategy*. This helped to maintain a balanced interpretation of the data, therefore strengthening the validity of the research. Had the interviews been more representative of one stakeholder group than the other then this could have unduly biased the conclusions. According to Locke et al., (2004: 51) repeating a study in different settings or with different subjects, a process called replication, is an important factor in creating trust for the results of research.
Reliability is considered a challenge with some forms of research such as open-ended interview questions. According to Locke et al. (2004: 129), open-ended interview questions cannot be pre-tested for reliability, as there can be too much variability in the conditions under which the data is collected. However, according to Silverman (2000: 104; 2011: 365), a thorough pre-testing of interview schedules can help to address problems with reliability by ensuring replication and consistency. The thesis achieved this by applying the same themes and some standard questions in a consistent manner, thereby allowing for a greater degree of comparability in the data. Furthermore, issues with reliability can be minimised through mechanisms such as pilot studies. As discussed above, the use of a pilot study for this thesis provided the opportunity to test the interview questions and allowed corrections to be made in preparation for the primary interviews.

Safe Work Australia requested the opportunity to provide comment on Chapter 6, which includes the findings from their interview. The views and opinions provided by Safe Work Australia on a draft of this chapter have been acknowledged where relevant throughout Chapter 6.

Research limitations and contributions

If the research had to be repeated, the researcher would use the same methods again, although consideration would be given to other techniques to improve the research. One of the key limitations of the research was that most participants in the research had not been employed with their respective organisations when the National OHS Strategy was first launched. Therefore, their contribution in the interviews was limited to their years of employment. If the research were to be repeated, consideration would be given to inviting former employees of each organisation to participate in the research. Whilst this would have raised significant logistical and privacy challenges, this would potentially provide a more complete history of the National OHS Strategy. Similarly, future research on OHS strategies could also extend interviews to include international participants to better understand the various stakeholder approaches to the policy process in other countries. Accessibility to certain documents was also considered a limitation to the research. Future research may consider gaining access to documentation through legal channels such as through Freedom of Information applications.

The biggest contribution of the research is that it seeks to provide a new approach to examining the policy process. The typical approach is to examine a policy according to the main stages of the policy cycle and while the stages approach has been incorporated into the
research methods of this thesis, greater consideration was given to addressing the main components of the IAD framework. The research methods of this thesis are also valuable as they provide a rich description of the National OHS Strategy and the many factors influencing the Strategy. A range of stakeholders has been included in the research, helping to provide an holistic understanding of the research question. The use of semi-structured interviews and documentary analysis also allowed for an in-depth insight into the National OHS Strategy and the policy process. The international comparisons are also a strong feature of this thesis. They provide a comparative analysis of how OHS strategies have been approached in other countries. This information can prove useful given the absence of information on national OHS strategies in the literature.

**Conclusions**

This chapter discussed and justified the use of qualitative, exploratory research for this thesis. As an exploratory study, the research resides on building a better understanding of the relationship between the National OHS Strategy and improving employer capacity to manage OHS within the NSW manufacturing industry. The research draws on theories of the policy process to help provide explanations for this relationship. The National OHS Strategy represents the main case study of this research, with organisations and their social interactions serving as the main unit of analysis. The research required an in-depth understanding of how the National OHS Strategy has operated in practice. Semi-structured interviews and documentary analysis were considered the most suitable research methods for gathering this information. Key signatories to the National OHS Strategy were interviewed together with trade unions and employer associations from the manufacturing industry. The findings from these interviews are presented in Chapter 6. The research also included interviews with businesses classified as belonging to the NSW manufacturing industry. The outcomes of these interviews are presented in Chapter 7. Documentary analysis represented the second research method of this thesis and was used to identify information on how the National OHS Strategy has been implanted across the various stages of the policy process. These findings are discussed in Chapter 8. Documentary analysis is also used to gather information on the OHS strategies of four other countries: the United Kingdom, New Zealand, Denmark, and Finland. This information, which is presented in Chapter 9, was used to provide a comparative analysis of international OHS strategies and to draw potential lessons for Australia.
Chapter 4: The National OHS Strategy 2002-2012 and the NSW Workplace Health and Safety Strategy

Introduction

The National Occupational Health and Safety Commission (NOHSC) introduced the **National OHS Strategy 2002-2012 (the National OHS Strategy)** in Australia in May 2002. It was a significant policy document as it represented the first instance in Australia’s history of workplace health and safety where a national tripartite agreement was reached. It set national targets, goals, and objectives, underpinned by a commitment from government and the peak employer and employee bodies to work together to drive the National OHS Strategy to success. In 2005, NSW carried forward the vision and targets of the National OHS Strategy, incorporating them into the State’s first strategy on workplace health and safety, the **NSW Workplace Health and Safety Strategy 2005-2008 (the NSW Safety Strategy)**.

Both of these strategies, particularly the National OHS Strategy, are at the core of this research and therefore an understanding of their content is necessary. This chapter describes the basic contents of each strategy, including its goals, objectives, and structure, with particular focus directed on how each strategy addresses the notion of improving an employer’s capacity to manage OHS and actions for the manufacturing industry. Where possible, details on the history, development, implementation and evaluation process of each of the Strategies is provided. The chapter begins with a look at the fundamentals that underpin the National OHS Strategy and follows with a description of the contents of the Strategy. The chapter then similarly describes the NSW Safety Strategy, and concludes with a comparison of both strategies in order to identify the extent to which the National OHS Strategy has shaped the NSW Safety Strategy, as well as to compare the policy processes employed in the development, implementation, and evaluation of each of the strategies. The chapter concludes by discussing these findings in the context of the research question.
Information on the National OHS Strategy and the NSW Safety Strategy has been compiled using a range of documents including official Strategy documents and information produced primarily by the NOHSC, its successor agencies and WorkCover NSW, including annual reports and other publications accessible from websites. Less information on the National OHS Strategy was publicly available compared to the NSW Safety Strategy, therefore the same depth of detail on each of the strategies could not be provided. These information gaps are identified throughout the chapter. To supplement documentary analysis, interviews with key OHS actors at the national level and NSW (Chapter 6) were conducted to draw on their knowledge of the history and development of the National OHS Strategy. The interviewees were generally uninformed of the process of the Strategy’s formation. To maintain the credibility and accuracy of the details of the National OHS Strategy and the NSW Safety Strategy, this chapter is based on information accessed from the public domain. Interviews were much more informative about the impact of the policy in contrast to its formation; these findings are presented in Chapters 6 and 7.

### Setting the foundations for the National OHS Strategy

According to Collins (1999, 574), who was a representative of the NOHSC, the foundations for a national safety strategy were first laid in November 1998 when five new national OHS priorities that had been identified by the NOHSC were endorsed by the Labour Ministers’ Council (later known as the Workplace Relations Ministers’ Council). The five national priorities included:

- providing comprehensive and accurate national data
- facilitating and coordinating research efforts
- developing and updating a nationally consistent standards framework
- coordinating and disseminating information, including industry specific practical guidance material
- developing a national prevention strategy (Collins, 1999:574).

These priorities were specifically set up to define NOHSC’s role and to differentiate it from the roles of the States and Territories, as well as to provide some infrastructure at the national level.
A year after the five national priorities were endorsed, the Workplace Relations Ministers’ Council (WRMC), which superseded the Labour Ministers’ Council, ratified the *National OHS Improvement Framework* in November 1999 (Collins, 1999:573). According to Collins (1999: 573), the *National OHS Improvement Framework* was developed by the NOHSC and was an outcome from the five national priorities, namely the development of a national prevention strategy. According to the NOHSC (2000: x), the *Improvement Framework* was developed following cooperative efforts by the Commonwealth, State and Territory OHS authorities together with the peak bodies representing employers and employees, and it was done so to provide a nationally coordinated plan for improving workplace health and safety for the first time in Australia. The role of the *Improvement Framework* was to identify the areas where improvements in health and safety were most needed and to provide a framework for NOHSC and the other stakeholders to work towards (NOHSC, 2000: x). As can be seen in Figure 5, the *Improvement Framework* had an overall mission to reduce the incidence and severity of work related injury and disease. This mission is articulated through six key goals, which are underpinned by four objectives, and nine areas of action. In his overview of the *Improvement Framework*, Collins (1999: 575) notes that it was informed by three key principles: (i) recognition of the primary role of the State and Territory OHS agencies in determining priorities for OHS prevention programs; (ii) emphasising the importance of the workplace as a focus for prevention activity; and (iii) the importance of a systematic approach to OHS.

There is some information on the implementation and evaluation of the *Improvement Framework* available to researchers. NOHSC’s annual reports provide some basic detail as do three key reports produced to evaluate activities and progress against the *Improvement Framework*. The first of these reports was produced a year after the *Improvement Framework* was introduced (NOHSC, 2000) and two others were produced in 2001, one that generally summarised activities against the *Improvement Framework* (NOHSC, 2001a) and another that included stakeholders’ progress reports on the *Framework* (NOHSC, 2001b). According to the NOHSC (2000: xii), stakeholders were required to provide information on the activities and programs they were involved in that were relevant to the *Improvement Framework*, particularly against the nine areas of action set. At some stage in the first year of the *Improvement Framework* several areas of the *Framework* were identified as requiring further work, including:
the development of national targets for OHS improvement

the development of process measures to monitor performance

increasing the focus on the skills development of OHS professionals in Australia

further highlighting the role of safe design in OHS

emphasising the interrelationships between OHS and public and community issues (NOHSC, 2000: xi).

There was debate over the use of national targets for OHS improvement. However, the Improvement Framework did not attempt to establish national targets given the differing jurisdictional approaches to target setting and the shortcomings in existing data collections (NOHSC, 1999: 3). In 2000, when the first report on the Improvement Framework was published, NOHSC reported that there were divergent views about the usefulness of targets for OHS improvements. At the time there were no straightforward arguments on the merits of targets. Some OHS authorities, which had established targets, reported mixed results in being able to measure performance, while advocates of targets considered them an important driver for the allocation of resources and the measurement of program performance (NOHSC, 2000: xiv). Despite the uncertainties of the use of targets, the NOHSC favourably suggested that the use of targets “may provide OHS authorities with useful indicators of how successfully they are managing contributions to health and safety best practice and ultimately contributions to the implementation of the National Framework” (NOHSC, 2000: xiv). While targets were never introduced as part of the Improvement Framework, they became the distinguishing feature of the National OHS Strategy.
Figure 5: The National OHS Improvement Framework


The National Strategy, which was introduced in May 2002 by the Workplace Relations Ministers’ Council, was built on and underpinned by the Improvement Framework (NOHSC, 2002b: 8). Similarities in approach between the Improvement Framework and the National Strategy were evident in that, like the Improvement Framework, the National OHS Strategy was also intended to provide a basis for direction and cooperation, seen as essential for the reduction of fatalities, including fatalities from disease, and injuries in Australian workplaces. A key difference between the Improvement Framework and the National OHS Strategy was the setting of targets and the identification of priority areas. Two key targets were introduced as part of the National OHS Strategy:

- to reduce the incidence of work-related fatalities by at least 20 per cent by 30 June 2012 (with a reduction of 10 per cent being achieved by 30 June 2007), and
- to reduce the incidence of workplace injury by at least 40 per cent by 30 June 2012 (with a reduction of 20 per cent being achieved by 30 June 2007) (NOHSC, 2002a).

In setting the targets, the National Strategy notes that while improvements had been achieved in prior years, there was still “considerable scope for further progress” (NOHSC, 2002a: 1). The National Strategy contextualises the scale of the problem by noting that in 1999-2000, just before the development of the National Strategy, there were “120,000 accepted workers’ compensation claims requiring five or more days off work”, and “205 compensated fatalities resulting from work-related injuries”(NOHSC, 2002a: 1). Furthermore, according to the National Strategy, “it is estimated that over 2,000 people die per year from past occupational exposures to hazardous substances” (NOHSC, 2002a: 1). The National Strategy does acknowledge that these figures do not provide a complete measure of occupational injuries and deaths and that reliable data on deaths from occupational disease does not exist (NOHSC, 2002a: 1). These restrictions in data “limit the measurement of achievement of the targets largely to compensated work-related injury and disease” (NOHSC, 2002a:3).

Note: Work-related deaths from exposure to asbestos represent a prime example of the high rates of death associated with disease as well as the challenges in calculating fatalities due to the long latency period between exposure and the development of mesothelioma. According to Peto (2008) Australia and the United Kingdom have the highest rates of death due to exposure to asbestos. It is estimated that more than 4,000 have died from exposure in Australia and a further 25,000 are expected to die in the next 40 years from occupational exposure in late 20th century (National Health and Medical Research Council, 2013; Peto, 2008). Appendix 8 highlights that Australia’s unions have sought to identify the importance of disease, in particular asbestos, as part of their policy positions. In his examination of Australian OHS policies, Frick (2004: 396) also notes that the prevention of disease is treated as a priority in the National Strategy.
The reduction targets were underpinned by five national priorities:

- reduce the impact of risk at work
- improve the capacity of business operators and workers to manage OHS effectively
- prevent occupational disease more effectively
- eliminate hazards at the design stage, and
- strengthen the capacity of government to influence OHS outcomes (Figure 6)

Furthermore, as indicated in Figure 6 and Appendix 2, nine areas of national action were introduced to drive the five national priorities. The success of the *National OHS Strategy* would be measured across four indicators:

- “workplace parties recognise and incorporate OHS as an integral part of their normal business operations”
- “increased OHS knowledge and skills in workplaces and the community”
- “governments develop and implement more effective OHS interventions”
- “research data and evaluations provide better, timelier information for effective prevention” (Figure 6) (NOHSC, 2002a).

Although not captured in Figure 6, the *National OHS Strategy* also focuses on particular OHS risks across five key industry sectors: (i) agriculture, forestry and fishing; (ii) building and construction; (iii) health and community services; (iv) manufacturing; and (v) transport and storage.

These industries were deemed to be the most vulnerable sectors in Australia due to their high incident rates compared with other industries. According to the NOHSC (2002b: i), the risks in these sectors account for more than half of the workers’ compensation claims across Australia. While the *National OHS Strategy* measures each industry’s progress against the national targets, specific areas of action were never devised for any of the five industry sectors.

The *National OHS Strategy* was intended to build and replace most elements of the *Improvement Framework*, and it was unique and significant in that for the first time, the stakeholders of the NOHSC had committed to targets in what was Australia’s first national strategy for workplace health and safety. The implementation of the *National OHS Strategy* was intended to be the major priority for the NOHSC, who in partnership with the other stakeholders, would seek to engage the wider community in the action needed to reach the targets in the *National OHS Strategy* (NOHSC, 2002b: 8).
Figure 6: The National OHS Strategy 2002-2012

National OHS Strategy 2002-2012

<table>
<thead>
<tr>
<th>NATIONAL VISION</th>
<th>Australian workplaces free from death, injury and disease</th>
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<tr>
<th>NATIONAL TARGETS</th>
<th>Reduce the incidence of workplace injury by at least 40% by 30 June 2012 (with a reduction of 20% being achieved by 30 June 2007)</th>
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<tbody>
<tr>
<td></td>
<td>Sustain a significant continual reduction in the incidence of work-related fatalities with a reduction of at least 20% by 30 June 2012 (and a reduction of 10% being achieved by 30 June 2007)</td>
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<tr>
<th>NATIONAL PRIORITIES</th>
<th>Reduce high incidence/severity risks</th>
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<tbody>
<tr>
<td></td>
<td>Improve the capacity of business operators and worker to manage OHS effectively</td>
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<tr>
<td></td>
<td>Prevent occupational disease more effectively</td>
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<td></td>
<td>Eliminate hazards at the design stage</td>
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<td></td>
<td>Strengthen the capacity of government to influence OHS outcomes</td>
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Areas Requiring National Action

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<tr>
<th>OHS data</th>
<th>OHS research</th>
<th>National standards</th>
<th>Strategic enforcement</th>
<th>Incentives</th>
<th>Compliance support</th>
<th>Practical guidance</th>
<th>OHS awareness</th>
<th>OHS skills</th>
</tr>
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Indicators of Success

| Workplace parties recognise and incorporate OHS as an integral part of their normal business |
| Increased OHS knowledge and skills in workplaces and the community |
| Government develop and implement more effective OHS interventions |
| Research, data and evaluations provide better, timelier information for effective prevention |

Developing the capacity of business to manage OHS effectively

Since the purpose of the research is to explore the impact the National OHS Strategy has had in developing the capacity of businesses to manage OHS (one of the five national priority areas), there is merit in providing further detail on this priority area. According to the National OHS Strategy, a key aim of this priority is “to build the motivation and ability of employers to manage OHS risks effectively”, based on the rationalisation that before employers take action they must be motivated to do so (NOHSC, 2002a: 7). Accordingly, this process of motivation involves helping business operators to develop and understand the case for better OHS management, including how it contributes to improved business outcomes (NOHSC, 2002a: 7).

The National OHS Strategy identifies six key outcomes that are to be expected from this priority, they include:

- “OHS competencies are more widely integrated into management, vocational, professional, worker and inspector at training”
- “systematic approaches to prevention are evaluated to identify those that will best build the capacity for workplaces to manage OHS effectively”
- “OHS systems are evaluated to identify those most appropriate for implementation by enterprises of varying size and type”
- “systematic OHS management guidance and training packs are available to meet the needs of stakeholders, including those in small and medium-sized enterprises”
- “greater understanding of the case for applying OHS management tools including how it contributes to improved business outcomes”
- “practical guidance is available to assist workplace parties to measure and evaluate the effectiveness of their prevention efforts” (NOHSC, 2002a: 7).

Developing, implementing, monitoring and evaluating the National OHS Strategy

There is almost no information in the public domain that documents the process used to develop the National OHS Strategy, nor which explains how the Strategy was intended to be implemented. As described in Chapter 3, there are no minutes of NOHSC meetings available via Safe Work Australia or the National Archives. Also, key OHS policy actors interviewed for this thesis were unable to shed light on their organisation’s actions and viewpoints.
around the time the *Strategy* was developed. However, what is known is that the *National OHS Strategy* was developed by the NOHSC on a tripartite basis. All State and Territory Ministers, together with the ACTU and the ACCI were signatories to the *National OHS Strategy* and therefore had agreed to work cooperatively and in coordination to achieve the national priorities needed to improve Australia’s OHS performance (NOHSC, 2005: 15). According to the former NOHSC chairman, Denis Else, “these stakeholders made a commitment to work together to achieve national targets and to develop, implement and promote nationally coordinated and increasingly evidence-based OHS interventions in the five priorities” (Else, 2002: 5). Based on further information from Else (2002: 9), it appears that the implementation of the *National OHS Strategy* was intended to have a cascading effect starting from the members of the NOHSC and trickling down the hierarchical structure to stakeholders below. This interpretation is based on information from Else, who maintains that the NOHSC members were to encourage individual industries and employers within their jurisdictions and nationally to set or refine their own targets to complement and contribute to the achievement of the national targets (Else, 2002: 9). The NOHSC also maintained that the *National OHS Strategy* extended beyond NOHSC members and permitted organisations to sign up to the *National OHS Strategy* (NOHSC, 2005: 16).

It is not entirely clear why the specific national targets of 40 per cent reduction in injuries and 20 per cent reduction in fatalities were chosen. The only information on the development and implementation that can be gathered from the *National OHS Strategy* itself is that three-year national action plans for each of the national priority areas were developed in the first year of operation of the *National OHS Strategy* (NOHSC, 2003a). These action plans would outline the actions to be taken against each of the five national priorities and the evaluation methods to be used (NOHSC, 2002a: 13). Evaluation methods were not developed or identified when the *National OHS Strategy* was first introduced. Evaluation methods, benchmarks, milestones and other indicators to measure progress were intended to be developed in the initial stages of implementing the *National OHS Strategy*. Even the national targets had no reporting and measurement criteria in place; the intention was to use the early stages of the *National OHS Strategy*’s implementation to refine the methodology and benchmarks for measuring and reporting progress against the targets as well as refining the targets to reflect those used by the individual jurisdictions (NOHSC, 2002a: 3). Furthermore, limitations in data at the time restricted measurement against the targets. However, there was the expectation that further data sources and improvements in data would be identified over time (NOHSC, 2002a: 3).
Beyond the national targets, the evaluation process was intended to involve periodical assessments in the form of progress reports by the signatories of the National OHS Strategy detailing their progress in implementing the Strategy (NOHSC, 2002a: 13). Each report was expected to cover the action plans and progress against the national targets and the extent of cooperation and coordination among the stakeholders (NOHSC, 2002a: 13). Evaluation reports on the action plans for the national priorities were also to have been provided to the Workplace Relations Ministers’ Council together with reports at least once every three years (known as Triennial Reviews), on the “efficiency, effectiveness and impact of the Strategy” (NOHSC, 2002a: 13). The evaluation process was deemed important to determining the relevance and effectiveness of the priorities in the National OHS Strategy as well as identifying areas that needed to be refined or replaced based on the outcomes of the assessment.

**New South Wales’ adoption of the National OHS Strategy**

The National OHS Strategy was intended to set the overall direction for OHS improvements in Australia. The OHS authorities of each Australian jurisdiction were expected to adopt and incorporate the principles of the National OHS Strategy into their own strategic action plans. The following section discusses the development of the NSW Workplace Health and Safety Strategy 2005-2008. It includes discussion on the relationship between the NSW Safety Strategy and the National OHS Strategy, as well as identifying the approaches taken to improve employer capacity and the NSW manufacturing industry.

**The NSW Workplace Health and Safety Strategy 2005-2008**

The NSW Workplace Health and Safety Strategy 2005-2008 (the NSW Safety Strategy) was introduced in 2005 in response to the NSW Workplace Safety Summit 2005. The inaugural NSW Workplace Health and Safety Summit had been hosted in July 2002, and while it embraced and promoted the 40 per cent and 20 per cent national injury and fatality reduction targets, as set in the National OHS Strategy, it did not lead to the development of a stand-alone safety strategy for NSW. It was not until the 2005 NSW Safety Summit that these targets were embedded into a formal strategy for NSW.
The NSW Workplace Safety Summit 2002

Over 200 delegates were reported to have attended the NSW Workplace Safety Summit 2002, developing 132 recommendations on key areas of action to address major OHS issues across 11 of the highest incident industries in NSW (NSW Government, 2002a: 1). In November 2002, the NSW Government released its response to the 132 recommendations from the Summit, reaffirming that it would adopt the national injury and fatality rates and that it would implement a large proportion of the 132 recommendations over the three years that would follow (NSW Government, 2002b: 2). Of the 132 recommendations, the NSW Government identified five areas of focus that would form a framework for action (understanding hazards and risks; strengthening workplace safety accountability; promoting new solutions; making communities safer; and designing safer workplaces), while 17 recommendations were made specifically for the NSW manufacturing industry (Appendix 3). As with the National OHS Strategy, the idea of unions, industry associations and government ‘working together’ to achieve the national targets was reinforced by the NSW Government, who also maintained that it would provide these stakeholders with the support necessary to achieve the targets (NSW Government, 2002b: 4).

The NSW Workplace Safety Summit 2005

In August 2005, the NSW Government published a report on the implementation of recommendations from the 2002 NSW Workplace Safety Summit. According to the NSW Government (2005: 3, 7), safety initiatives implemented in response to the 2002 Summit contributed to significant reductions in work related injury and fatalities, including disease, in the period between 2002 and 2004. To ensure that these improvements could be sustained, the NSW Government convened a second safety summit in August 2005 (NSW Government, 2005:7). The 2005 Workplace Safety Summit provided industry leaders and experts in the field of OHS with an opportunity to:

- “review and discuss information about significant areas of safety risk”
- “identify and prioritise safety issues”
- “develop strategies for addressing priority issues”
- “agree on goals, targets, benchmarks and guiding principles to support prevention strategies” (NSW Government, 2005:7)
The 2005 Summit had more than 250 people in attendance. As with the 2002 Summit, Industry Workshop Groups were established across nine industries:

- construction
- consumer and business services and private education
- public sector
- health and community services
- manufacturing
- mining and utilities
- retail and wholesale
- rural
- transport

The Industry Working Groups were chaired by Ministers, Members of Parliament and senior public servants, and consisted of union and employer representatives and OHS experts (NSW Government, 2005:8). These groups were responsible for: (i) endorsing a common set of targets and principles, some of which drew upon the National OHS Strategy; and (ii) the development of Industry Action Plans for each of the nine industries.

The NSW Safety Strategy was the key outcome of the 2005 Safety Summit, developed in response to the recommendations of the Summit delegates (NSW Government, 2005:16). The NSW Safety Strategy was intended to contribute to greater coordination of action across the stakeholders to help reduce work-related injury and disease (NSW Government, 2005:16). The introduction of the NSW Safety Strategy also reaffirmed the commitment that NSW unions, employer associations, and governments had made to the National OHS Strategy targets during the 2002 Summit. In addition to the key targets, the NSW Safety Strategy was underpinned by seven guiding principles on the development of workplace activities, the development of nine industry action plans and three key indicators of success (Figure 7). The Industry Action Plans supported the NSW Safety Strategy by identifying industry-specific priority issues and describing strategies for addressing these priorities. As with the National OHS Strategy, while the NSW Safety Strategy is not mandatory, the government endorses employer and employee groups to adopt it (NSW Government, 2005:8). Although a diagrammatic aide of the NSW Safety Strategy was never developed, the contents of the NSW Safety Strategy can be illustrated as follows in Figure 7.
Manufacturing and the *NSW Safety Strategy*

Manufacturing was one of the five priority industries in the *National OHS Strategy* as well as one of the nine industries targeted at both the 2002 and 2005 *NSW Safety Summits* (Appendix 4). The Manufacturing Industry Action Plan, developed under the *NSW Safety Strategy*, identified nine manufacturing sub-sectors and seven priority areas, including manual handling, noise reduction, safety culture, safe design, chemical and substance (air quality) exposure, transient workers, and outworkers. During the 2005 Summit, the manufacturing industry workshop participants recommended that when implementing the Industry Action Plan for manufacturing emphasis be placed on the needs of small business; information and education based initiatives; maintaining OHS standards where more than one party has OHS responsibility (e.g. contractors and outsourced workers) so that responsibility is shared and not diminished (NSW Government, 2005:51).
Figure 7: The NSW Workplace Health and Safety Strategy 2005-2008

Vision
NSW workplaces that are safe, secure and free from injury and disease

Targets
To reduce workplace fatalities by at least 20 per cent by 30 June 2012 (with a reduction of 10 per cent by 30 June 2007)
To reduce the incidence of workplace injuries by at least 40 per cent by 30 June 2012 (with a reduction of 20 per cent by 30 June 2007)

Guiding Principles on Development of Workplace Activities

Duties of care to workers and third parties should be shared by everyone whose actions could affect their health and safety at work
A comprehensive and systematic approach to OHS risk management to be integral to normal business operations
Action to eliminate or control safety risks should focus on source of risks, be that with designers, manufacturers, suppliers or the workplace
Effective injury prevention requires:
* Cooperation and commitment of all workplace parties in consultation
* All workplace parties to accept responsibility for identifying OHS risks
* Workplace parties to have sufficient OHS skills
Preventative initiatives should be evaluated and information shared
Evidence on solutions for workplace risks should be shared
OHS interventions should target hazards, injuries, industries or occupations where the risk, incidence, or severity of injury is significantly high

Industry Action Plans
* Construction
* Consumer and Business Services and Private Education
* Public Sector
* Mining and Utilities
* Retail and Wholesale
* Rural
* Transport

Indicators of Success

Workplace parties recognise and incorporate OHS as an integral part of their normal business operations
Increased OHS knowledge and skills in workplaces and the community
Research, data and evaluations provide better, timelier information for effective prevention

Implementation and evaluation of the NSW Safety Strategy

The NSW Government acknowledges having contributed to the implementation of the NSW Safety Strategy through the work plans of WorkCover NSW and through the NSW Industry Reference Groups (IRGs). Industry Reference Groups are tripartite bodies governed by legislation (WorkCover NSW, 2010a). WorkCover NSW has also worked in partnership with other NSW public sector agencies to encourage and assist the development of initiatives that supported the Safety Strategy (WorkCover NSW, 2010a). Much like the National OHS Strategy, there is limited public documentation on the exact process and execution of the NSW Safety Strategy by the other stakeholders.

The evaluation of the NSW Safety Strategy involved the establishment of the NSW Workplace Health and Safety Strategy Review Committee and the production of three annual reports on the Safety Strategy. The Review Committee, which included ministerially appointed representatives from WorkCover NSW (the Chair), NSW Cabinet Office, NSW Government Agencies, representatives from NSW unions and employer association representatives, was set up to oversee the review process of the NSW Safety Strategy (NSW Government, 2005: 17). The Review Committee was responsible for submitting annual reports to the Minister of Commerce, detailing the operation of the NSW Safety Strategy as well as making recommendations against the following criteria:

- data on industry safety experience, high-risk areas and vulnerable workers
- adjustments of priority areas and actions in line with emerging industry issues

Over the life of the NSW Safety Strategy, three annual reports were produced, one for each year of the Safety Strategy. According to the NSW Government, the 2005 Workplace Safety Summit produced a significant body of work. Therefore, each Annual Report on the NSW Safety Strategy focused on a specific activity, evaluating all its facets (WorkCover NSW, 2010a). The first report, published in 2006, was to focus on the efforts that WorkCover NSW and other NSW Government agencies had undertaken in support of the recommendations arising from the 2005 Safety Summit, as well as to highlight progress by the IRGs on projects that aligned with the Industry Action Plans (WorkCover NSW, 2010a). The second report was to focus on the initiatives and projects undertaken by industry in partnership with WorkCover NSW and other Government agencies in order to highlight the involvement of
the major stakeholders in achieving the national reduction targets (WorkCover NSW, 2010a). The final report was intended to provide an overview of the achievements and progress made against each of the Industry Action Plans from the 2005 Safety Summit (WorkCover NSW, 2010a).

Discussion

The relationship between the National OHS Strategy and the NSW Safety Strategy

The comparative analysis of the National OHS Strategy and the NSW Safety Strategy highlights some commonality between the two strategies as well as some notable distinctions in the approach taken with the NSW Safety Strategy. Addressing Australia’s high rates of injury, fatalities, and diseases represents the underlying goal for both the National OHS Strategy and the NSW Safety Strategy. Both strategies also advocate the need for cooperation by government and the social partners. Unlike the National OHS Strategy, the NSW Safety Strategy focuses on targeted OHS action according to IRGs. Although the National OHS Strategy identifies five industry sectors for action, these industry groupings do not provide the fundamental structure of the National OHS Strategy; instead, action is more strongly oriented around the National OHS Strategy’s five national priority areas.

Targets, industries and areas of action

While the 40 per cent and 20 per cent targets are central to the National OHS Strategy, it is not entirely apparent as to why targets were introduced and how they were selected. These questions are raised on the back of comments contained in the Improvement Framework, which debate the feasibility of targets. The Improvement Framework recognised that further investigation into the process of target setting was required, particularly since a methodology and process for measuring performance against the targets had not been established; there were also limitations in data collection. While the purpose of this research is not to debate these targets, there is value in questioning their establishment as it helps to highlight the issue of transparency in the policy development process. Further, it raises the question of whether NSW adopted the national targets simply to ensure consistency in approach rather than because the targets were determined on a rigorous basis.
Common to both the *National OHS Strategy* and the *NSW Safety Strategy* was a focus on high-risk industries. Although New South Wales had focused many of its OHS activities according to industry sectors prior to the development of the *National OHS Strategy*, the 2002 *NSW Workplace Safety Summit* formalised this process, ensuring a further degree of consistency between the *National OHS Strategy* and the *NSW Safety Strategy*. However, unlike the *National OHS Strategy*, which was aimed at five key industries, NSW focused on a larger number of industries, the majority of which had already been actioned by IRGs prior to both the *National OHS Strategy* and the *NSW Safety Strategy*. Therefore, an industry focus was by no means a new concept for NSW. Where the *NSW Safety Strategy* clearly differed from the *National OHS Strategy*, was that a focus on OHS through Industry Action Plans was paramount in the development of the *NSW Safety Strategy* accounting for the vast majority of its content. Although the *NSW Safety Strategy* only evolved after the second *Safety Summit* in 2005, NSW has had a strong history of targeting OHS according to different industries, evidenced by the industry sector focus underpinning the 2002 *Summit* and prior. The embedding of NSW’ typical focus on industries was evident in the detailed action plans produced at both the 2002 and 2005 *Summits*, which then went on to form the content of the *NSW Safety Strategy*. In comparison, while the *National OHS Strategy* does target OHS activities according to the top five industries with the highest incidents and risks, the five national priorities rather than the industries are the key drivers for the *National OHS Strategy*.

Beyond the national targets and industry sectors, there are some notable distinctions in the way the key areas of action are expressed. Five national priorities are at the centre of the *National OHS Strategy* while NSW chose to focus on seven guiding principles. Despite not being identical, there are some similarities between the two approaches, particularly their strong focus on preventing, reducing, and eliminating hazards and risks. The *NSW Safety Strategy*, however, is less emphatic than the *National OHS Strategy* on the goal of improving the capacity of business operators to manage OHS. There are references throughout NSW’ guiding principles that relate to improving business capacity, such as advocating systematic OHS management as part of normal business operations and requiring that workplace parties have sufficient OHS skills to enable effective injury prevention. However, the importance of OHS knowledge and skills is not as explicitly referenced as it is in the *National OHS Strategy*. 
Developing and implementing the safety strategies

The difference in the NSW approach reflects the process in which the *NSW Safety Strategy* was developed. Remembering that NSW did not introduce a safety strategy until the second *Safety Summit* in 2005, the *NSW Safety Strategy* was built around the initiatives and recommendations that were crafted during the *2005 Safety Summit* and which ultimately built on the *2002 Safety Summit*. Therefore, it can be argued that NSW introduced a safety strategy to coincide with its own focus and priorities on health and safety and not necessarily because of the *National OHS Strategy*.

Investigating the development and implementation of the *National OHS Strategy* is impeded by the lack of availability of information. Unlike the *National OHS Strategy*, there is a greater amount of information available on the development and review of the *NSW Safety Strategy*. We know that the *NSW Safety Strategy* was created following the *2005 Safety Summit* where a range of stakeholders participated in developing ideas for workplace safety activities. This degree of consultation has not been documented publicly for the *National OHS Strategy*. Therefore, there is a lack of clarity as to the depth of consultation in the development of the *National OHS Strategy*. The one observation that can be made for both strategies is that they were both developed on a tripartite basis, that is, via cooperation between government, unions, and employer associations.

Conclusions

This chapter has introduced and discussed Australia’s *National OHS Strategy 2002-2012* and *NSW’s Workplace Health and Safety Strategy 2005-2008* with the purpose of identifying key aspects of the policy process of each strategy, including how the concept of improving employer capacity has been addressed. The findings presented in this chapter highlight that the introduction of the *National OHS Strategy* was a significant development in Australian OHS policy history. The *National OHS Strategy* sought to unify stakeholders, heighten cooperative efforts across Australia, and ensure uniformity in approach across the jurisdictions and key stakeholders. The emphasis that the *National OHS Strategy* places on cooperative efforts can be considered relative to the IAD framework. Tripartism plays the role of a rule that governs the behaviour of the actors within the action arena. The coordinated and cooperative efforts of the actors to the *National OHS Strategy* are further discussed in Chapter 6. These findings help to identify the role of tripartism in practice. This chapter has also identified differences in content and approach in the *NSW Safety Strategy*.
compared to the *National OHS Strategy*. A more detailed examination of the factors influencing these differences in approach is discussed in Chapters 6 and 8. Lastly, this chapter discussed the lack of documented information on the *National OHS Strategy* relative to the availability of information on the *OHS Improvement Framework* (the predecessor to the *National OHS Strategy*), and the *NSW OHS Strategy*. Improving the availability of published information would improve the detail, accuracy, and credibility of future research on OHS policies such as the *National OHS Strategy*. Just as this chapter has discussed the *National OHS Strategy* and the *NSW Safety Strategy*, Chapter 9 also provides a similar analysis of the OHS strategies of the United Kingdom, New Zealand, Denmark, and Finland. Following the IAD theory, any further critical examination of the *National OHS Strategy* requires exploring the context for Australian OHS. This exploration is provided in Chapter 5.
Chapter 5: Australian Occupational Health and Safety in Context

Introduction

OHS governance and policy development have evolved substantially since their first inception in Australia. The emergence of a new paradigm in the regulation of workplace health and safety led to changes in OHS governance structures while the changing landscape of Australian employment relations also consequently influenced the course of OHS activity. Some of the most significant developments include the introduction of new OHS legislation, changes to the composition of OHS institutional structures, and variations in government and resource commitments to various OHS pursuits. The changes that have occurred, particularly in the past three decades, set the foundation upon which the National OHS Strategy was developed and provided the context in which it operated. This chapter explores the most significant of these developments, with the goal of contextualising findings presented in later chapters. A summary of developments is detailed in chronological order, beginning with a brief description of the history of OHS in Australia until 1985. The chapter then discusses Australia’s government pursuit of national uniformity of OHS and the changes to Australia’s peak OHS agency. Throughout this discussion, consideration is given to changes in governments and the role and functions of key stakeholder groups. This information is then used to analyse possible relationships between these developments and the National OHS Strategy.

A brief history of OHS in Australia

Since the late 19th century, workplace health and safety in Australia has been governed through legislative provisions such as Acts and supporting regulations, which have largely been adopted from British health and safety legislation. The 1878 Factories Act was the earliest piece of British legislation to shape Australian OHS statutes up until the early 1970s, and is commonly referred to as the ‘traditional’ or ‘classic’ model of OHS regulation (NRCOHSR, 2002). Prior to 1985, a national focus did not exist in Australia; instead, OHS
was a matter for each State and Territory to manage individually (Emmett, 1999: 14). The first fundamental paradigm shift in the governance of OHS took place following the release of the Robens Report in the United Kingdom in 1972. Prepared by the British Committee on Safety and Health, the Robens Report was introduced as a review of the traditional British factories legislation, and has been considered one of the most significant policy statements on OHS (Ellis, 2004: 38; Johnstone, 2004a: 63; Nichols, 1997: 35). The Report identified weaknesses in the traditional system of OHS regulation, suggesting that there was “(i) too much law; (ii) an exclusive focus of standard on physical hazards at the expense of factors such as attitudes, capacities and performance of people and efficiencies of organisational systems; and (iii) the fragmentation of administrative jurisdictions giving rise to complex patterns of control” (Johnstone, 2004a: 63). The criticisms raised in the Robens Report were also applicable to OHS statutes in Australia. According to Creighton, Ford and Mitchell (1993: 1365), in 1969 there were nine legislative regimes in Australia comprising around 500 different pieces of regulation. This vast amount of regulation, coupled with the highly prescriptive nature of the traditional legislative approach, was viewed as un conducive to encouraging employers to look for innovative or alternative solutions to OHS problems (NRCOHSR, 2002).

The key outcome of the Robens Report was the proposition for a regulatory model better suited to capture the changing work environment (NRCOHSR, 2002). To address the shortcomings of the traditional approach to OHS legislation, the Robens Report provided the stimulus for OHS legislation to progress to more flexible, ‘self-regulatory’, performance based models (Johnstone, 2004b: 146). This proposition had significant influence in shaping a new direction for OHS law in Australia. It led to the introduction of new OHS legislation in every State and Territory in Australia between 1972 and 1989, which entailed major changes to the responsibilities of employers, employees and others (Quinlan, 1995: 3). While the Robens Report had a significant impact in shaping OHS regulation across Australia, the shift in regulatory reform is also thought to have been influenced by other factors. Carson and Henenberg (1988) have argued that the introduction of the new legislation was partly due to the emergence of State Labor governments throughout the 1970s and 1980s as well as increased trade union interest in OHS (cited in Johnstone, 2004a: 74). In NSW, new OHS legislation modelled on the recommendations of the Robens Report was introduced in 1983. The NSW Occupational Health and Safety Act 1983 remained in place until 2000 when NSW revised its OHS legislation, introducing the NSW Occupational Health and Safety Act 2000.
While the Robens Report was instrumental in influencing Australia’s discourse on OHS, developments from Scandinavian countries have also had significant influence. Walters (2003: 3) argues that the Nordic approaches to health and safety predated the Robens Report and were more advanced in their recommendations. The Scandinavian approach was instrumental in advocating participatory approaches for health and safety, in comparison, the Robens model did not explicitly identify a role for bargaining over OHS (Quinlan et al., 2010: 331). Regulation in the Scandinavian countries reflects a strong tradition for participation and co-operation between employers, employees and representatives (Saksvik and Quinlan, 2003: 37). This strong regulatory support for participatory mechanisms in the Scandinavian countries influenced the role of employee representation in health and safety and providing greater recognition of the role of trade unions in the workplace and involvement in policy making in Australia (Walters et al., 2011: 26-27; Quinlan et al., 2010: 328-329). Similarly, the Scandinavian approach also had a significant influence on overall industrial relations in Australia, in particular the introduction of the Accord in 1983, which attempted to achieve co-operation and centralised bargaining such as that in Scandinavia (Saksvik and Quinlan, 2003: 41).

OHS - An issue on the national agenda

The early 1980s was a significant period in Australian OHS history. It was not until the election of the Hawke Labor Government in 1983 that a strategy of OHS intervention at the national level was deployed and OHS in Australia became more than just a regulatory issue. Promoting this shift in focus were the social dialogues and Accord agreements between the Federal Australian Labor Party (ALP) and the Australian Council of Trade Unions (ACTU) (Sappey, Burgess, Lyons and Buultjens, 2006: 11; Beresford, 2000: 123). Improvements to OHS were part of a series of negotiations under which the ACTU agreed to limit wage demands in return for improved social benefits such as OHS (Australian Conciliation and Arbitration Commission, 1983: 7). These negotiations highlighted the union movement’s contribution to furthering OHS development and setting the pace for what would become an ongoing quest to achieve some degree of uniformity in health and safety. Following the Accord agreements, issues of national coordination and consistency started to emerge on the OHS policy agenda (Purse, 2004a: 418) and soon became salient features in the push for uniformity of OHS across Australia’s federal system. The imperative to improve OHS nationally was further enhanced through gains in press coverage, which raised the public profile of OHS (Emmett, 1999: 18).
The National Occupational Health and Safety Commission (NOHSC)

As noted by Purse (2004a: 418), it was within this climate of reform that the Hawke Labor Government established the National OHS Commission (NOHSC) in 1985, Australia’s first peak tripartite OHS policy review body and the first attempt towards national OHS policy development and national uniformity. The NOHSC was a legal, independent statutory body and was tripartite in structure with an 18 member board represented by State and Territory governments and the Commonwealth, and the peak employer and employee groups - the Australian Chamber of Commerce and Industry and the Australian Council of Trade Unions (Parliament of Australia, 2005). The NOHSC provided a forum for its members to consult on OHS policies and strategies, enable closer cooperation between Federal and State governments and the opportunity to promote OHS awareness nationally (Lee, 2002: 63; Parliament of Australia, 2005). One of the key pursuits of the NOHSC was national uniformity in OHS through the development of national standards and codes of practice (Lee, 2002: 63; Lin, Smith, Fawkes, Robinson and Chaplin, 2007: 283). The tripartite structure of the NOHSC was intended to encourage a more constructive approach to the development of standards from both employee and employer groups (Quinlan, 1995: 4). The importance of cooperation among stakeholders, particularly among government OHS agencies, would go on to serve a crucial role in (i) the future direction of NOHSC; and (ii) in future national OHS policy development. It is also a salient endorsement in numerous public inquiries, beginning with the Industry Commission’s 1995 report Work, Health and Safety, which calls for cooperative federalism by the jurisdictions (Industry Commission, 1995: xlvi). In addition to establishing national standards, the NOHSC also prepared information products and educational and training initiatives (Emmett, 1999: 17).

A further attribute of the NOHSC was the strength of its research capabilities, particularly in its earlier years. The availability of infrastructure and funding enabled this success. The NOHSC was comprised of two key divisions: the National Institute of OHS, which was responsible for research, statistics, testing, and training, and the National OHS Office. The Institute sought to promote a more coordinated approach to OHS research by undertaking surveys of research activities as well as publishing reports (Quinlan, 2000: 2). A lot of this research was carried out at the national level to help inform and guide OHS activities within the respective jurisdictions. The second division, the National OHS Office provided the secretariat and policy development function, worked with governments across Australia’s jurisdictions and disseminated information (De Cieri, 1991: 41-42). According to Quinlan (2000: 2), “there were 45 researchers employed in the National Institute, representing the...
largest group of dedicated grouping of OHS researchers in Australia”. Under the auspices of NOHSC, a Research Standing Committee that included unions, employers and government representatives and experts from a range of fields was created (Bohle and Quinlan, 2000: 214), and several notable achievements in OHS research were made, including the establishment of the National Research Centre for OHS Regulation (Bohle and Quinlan, 2000: 15, 48). The availability of funding for research activities to the NOHSC was stimulated by positive changes in the Australian government’s outlook towards health, which resulted in the expansion of public funding (Lin et al., 2007: 220-221).

With the establishment of the NOHSC and a focus on OHS at the national level, a new organisational structure of OHS operations across Australia emerged and has changed very little since. Figure 8 shows the key actors and institutions that support OHS activity before it reaches employers and employees. The diagram only shows those stakeholders who primarily contribute to OHS policy development through the peak OHS agency. It does not capture the entire breadth of stakeholders, such as professional OHS bodies, research institutes and insurance companies, who to some extent shape and influence OHS activity.
Figure 8: Key stakeholders in Australia's OHS system

* HWSA also includes the Department of Labour, New Zealand
OHS, NOHSC and the Coalition Government

Following the election of a conservative Liberal-National Coalition Government in 1996, the NOHSC was significantly downsized in staff and in funding, particularly research and grants. NOHSC had its budget cut by one third (Purse, 2004b; Quinlan, 2000: 5). Using information from NOHSC Annual Reports, Table 1, Table 2 and Table 3 highlight the reductions in staff and funding over the years. These changes occurred following the Industry Commission’s 1995 report, *Work, Health and Safety*, which criticised NOHSC’s process of achieving uniformity of national standards across Australia (Industry Commission, 1995: xxviii). In December 1991, a National Uniformity Taskforce had been established under the NOHSC to develop national standards which State and Territory governments would adopt (Johnstone, 2008: 36). The outcome of this process was limited as jurisdictions were selective in their adoption of the various standards; some national standards were adopted in their totality while others were partially adopted and others rejected (Purse, 2004a: 418).

Cuts to funding meant that the NOHSC had reduced capacity to fulfil its role, especially the research operations of the NOHSC which were severely curtailed and have never been restored (Bohle and Quinlan, 2000: 312). In the Productivity Commission’s *Report on National Workers’ Compensation and OHS Frameworks*, the Commission noted that between 1993-94 and 2002-03, research funding was an area of significant decline (Productivity Commission, 2004a: 83). This trend has also been noted by Quinlan (2000: 213), who questioned whether the NOHSC had any capacity left to undertake any more meaningful research after all the declines in funding. According to Quinlan (2000: 5), the National Institute of OHS lost about 75 per cent of its staff, with staff numbers declining even further over the years to follow. In addition to the reductions in funding, criticisms were also made about the national data collection, which was viewed as inadequate largely because data on OHS incidents is measured using workers’ compensation data (ACCI, 2009a; 14; ACTU, 2008: 81). In its interim report in 2003, the Productivity Commission proposed that funding for NOHSC be provided by the Commonwealth, States and Territories, with a commitment to fund the research and data collection necessary to ensure the development of best practice OHS (Johnstone, 2004a: 142).
Table 1: NOHSC grant expenditure, 1993-94 to 2002-03

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<td>Research</td>
<td>0.8</td>
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<td>Total</td>
<td>2.9</td>
<td>3.2</td>
<td>2.9</td>
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Reproduced from Productivity Commission (2004): 87

Table 2: NOHSC revenue from the Australian Government, 1993-94 to 2002-03

<p>| NOHSC Revenue from the Australian Government, 1993-94 to 2002-03 ($ millions) |</p>
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<td>22.0</td>
<td>21.7</td>
<td>21.4</td>
<td>14.3</td>
<td>18.5</td>
<td>15.7</td>
<td>18.6</td>
<td>22.1</td>
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* In 2000-01 NOHSC secured an increase of $3 million to help fund the relocation from Sydney to Canberra. The increase is to be repaid through reductions in NOHSC appropriations of $1.2 million in 2001-02, $1.1 million in 2002-03 and $0.8 million in 2003-04.

Reproduced from Productivity Commission (2004): 87

Table 3: NOHSC total staff numbers

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<th>NOHSC Total Staff Numbers</th>
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<td>123</td>
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Note: staff numbers include permanent and temporary staff
Source: NOHSC Annual Reports (1996-97 to 2004-05)

While cuts were made to the NOHSC research fund, broader OHS research in Australia has also been poorly funded. In an analysis of research grants awarded by the Australian Research Council (ARC), Mayhew (2000: 229) found that OHS is poorly represented in ARC grants. According to Mayhew’s (2000: 231) research, there were no grants applicable to OHS research and where funding for OHS research did occur, it was funding from State OHS authorities and it was generally for smaller projects. Quinlan (2000: 2) also acknowledged the same sentiments as Mayhew in his analysis of the demise of OHS research in Australia, maintaining, “as a multi-disciplinary field, OHS often fell between the stools from conventional research funding schemes”. While some OHS research has been curtailed due to reductions in research funding to the peak OHS agency, further changes to the education and training of OHS occurred, particularly in the contraction of OHS courses and facilities at the tertiary level. Quinlan (2000) and Jackson, de Munk and Elms (2002:
159), note that while OHS has been integrated more successfully into vocational education and training through TAFEs and apprenticeships, OHS in Australian universities has been neglected, leading to a contraction of OHS components in degree courses in Australian universities. According to Jackson et al. (2002: 159), who analysed MBA courses throughout Australian universities, the majority of courses had minimal or no health, safety and environment content; they argue that OHS has been neglected in favour of subjects that have greater appeal to students.\(^7\)

In addition to reductions to the NOHSC budget and its research capacity, the Coalition government placed new emphasis on OHS reform, moving away from the development of standards and codes, and instead focusing on national consistency, particularly in meeting the needs of small business through red tape reforms and reduced operating costs (Parliament of Australia, 2005; Labour Ministers’ Council, 1997). The decision, which was reached by the Labour Ministers’ Council in 1997, and again largely influenced by the Industry Commission’s report *Work, Health and Safety*, meant less emphasis on the development of OHS standards, and a decision that future standards would need to be consistent with the overall objectives of regulatory reform (Parliament of Australia, 2005; Labour Ministers’ Council, 1997). The Labour Ministers’ Council declared itself as the peak OHS policy body in Australia and imposed a requirement that NOHSC seek prior agreement before developing new standards or codes of practice (Labour Ministers’ Council, 1997).

With the election of the Coalition government in 1996 came a change in political ideology. The shift was to the detriment of collectivist policies, severely curtailing the right to collective action as well as marginalising the role of trade unions within the industrial relations landscape (Bohle and Quinlan, 2000: 309). Radical industrial relations reform by the Coalition government also had an impact on the national uniformity of OHS creating barriers to integration of OHS laws at the national level. As reinforced by Bohle and Quinlan (2000: 309), following the election of the Coalition government, “barriers to a direct form of integrated OHS laws at the national level were primarily due to political reasons”. This was evidenced when the Coalition government ignored the Industry Commission’s (1995) call for a more coordinated system but instead chose to downgrade the NOHSC staff, role and resources significantly (Bohle and Quinlan, 2000: 309).

\(^7\) Similarly, the School of Risk and Safety Sciences was disestablished at the University of New South Wales on 10 December 2010 (School of Risk and Safety Sciences, 2010). Despite being “the largest, oldest and considered one of the best of its type in Australia” the School was closed as its research areas were not considered to “fall within the core sciences like chemistry, physics and psychology” (ABC News, 2009).
The demise of the NOHSC and its replacement agencies

The Coalition government abolished the NOHSC after 20 years of operation, replacing it with the Australian Safety and Compensation Council (ASCC) in October 2005. Like the NOHSC, the ASCC remained a tripartite body, although two new differences distinguished the ASCC from its predecessor. Firstly, the functions of the ASCC were extended to include workers’ compensation as an additional area of focus alongside OHS. Secondly, the ASCC was established as an administrative body. It therefore lacked the statutory powers and functions of the NOHSC and only had legal powers to declare national standards and codes of practice (Quinlan, 2006; NOHSC, 2005: 27). As it was not a statutory body, the ASCC and its resources were transferred to the Australian Department of Employment and Workplace Relations (DEWR) (Parliament of Australia, 2005). Apart from these changes, the ASCC still assumed many of the same functions as the NOHSC, including the coordination of research and policy advice to the Workplace Relations Ministers’ Council (previously the Labour Ministers’ Council), as well as to provide a forum for national discussion and coordination (Parliament of Australia, 2005). The ASCC would also assume responsibility for the National OHS Strategy.

Influencing the Coalition government’s decisions to replace the NOHSC with the ASCC was the 2004 Productivity Commission’s Report National Workers’ Compensation and OHS Frameworks (NOHSC, 2005: 27). In responding to the report, the Australian Government noted its commitment to achieving national consistency in both workers’ compensation and OHS. However it did not support key elements of the Commission’s proposed national framework, including the requirement that all jurisdictions adopt uniform OHS regulations or calls for a smaller NOHSC board to be appointed on the basis of their skills or expertise (Johnstone, 2004a: 142). These same sentiments had been noted ten years earlier in the Industry Commission’s 1995 inquiry, where it was proposed that NOHSC members should be selected based on their skills in policy and management rather than as representatives of tripartite bodies (Biggins, 1995: 120). The Federal Government chose to pursue greater national coordination of OHS and workers’ compensation by establishing the ASCC to replace the NOHSC (Johnstone, 2008; ASCC, 2006a: 2).

The ASCC operated for only three years before it was abolished and replaced with Safe Work Australia in September 2008 following the election of a Federal Labor Government in late 2007. Safe Work Australia was established in response to an Intergovernmental Agreement for Regulatory and Operational Reform in OHS (ABC News, 2008) and unlike the ASCC, which fell under Federal Government control, Safe Work Australia was
established as an independent body with the power to make recommendations directly to the Workplace Relations Ministers’ Council. Like the ASCC, Work Safe Australia maintained focus on workers’ compensation, although changes were made to the composition of its membership base. Previously, the NOHSC and ASCC comprised representation from the OHS agencies from each jurisdiction as well as three employer representatives from the ACCI and three employee representatives from the ACTU. With the introduction of Safe Work Australia, the membership structure was changed. While all OHS regulatory agencies continued to be represented on Safe Work Australia, trade unions and employer associations had their representation reduced to two members each compared with three members each on the NOHSC. The ACCI, which had previously been the only employer representative on the NOHSC and the ASCC, had its membership reduced with the introduction of the Australian Industry Group who assumed the second employer body position on Safe Work Australia. Upon its establishment, the Commonwealth Government provided 50 per cent of Safe Work Australia’s initial $17 million budget while the States and Territories contributed the remainder according to their population (Connolly, 2008). The focus of Safe Work Australia was OHS reform. While the five priority areas of the National OHS Strategy remained as objectives of Safe Work Australia’s activity, the primary area of focus was shifted to achieving national uniformity in OHS legislative frameworks (Safe Work Australia Council, 2009a). The Federal Labor Government’s decision to introduce a new model OHS Act was in direct response to the 2004 Productivity Commission report, which presented the argument for the harmonisation of Australia’s OHS laws. According to the then Federal Minister for Education, Employment and Workplace Relations, the Commission had found that a national framework would set the foundation for improved outcomes through enhanced coordination, encouragement of best-practice standards and methods, and efficient means for measures to be adopted across Australia (Gillard, 2007: 7).

**OHS developments in New South Wales**

Institutional change has been less extensive in NSW than at the Federal level. Firstly, from 1995 to 2011, NSW had an ALP Government, providing a relatively stable political environment in the management of OHS. The most significant change to NSW’s OHS system was the introduction of the *Occupational Health and Safety Act 2000*, which replaced the *Occupational Health and Safety Act 1983*. Although the new legislation came into effect in 2000 and supporting regulation was introduced a year later, by the time the National OHS Strategy was introduced, NSW stakeholders were still becoming accustomed to the new legislative provisions. While it is not possible to assess how far organisations and their representatives had progressed by 2002 towards incorporating and finalising the new
legislative provisions into their OHS management systems, it is possible that progress was still being made when the *National OHS Strategy* was introduced in May of that year. WorkCover NSW and employer and employee representatives had committed to a *National OHS Strategy* while simultaneously ensuring the rollout of new legislative provisions.

**Discussion**

**The National OHS Strategy, a complementary policy to OHS legislation**

The *National OHS Strategy* is the first major policy document of a non-legislative nature that has been introduced to assist with improvements to health and safety in Australia. The *National OHS Strategy* can be considered as a complementary policy to OHS regulations. Like the *Robens Report*, the introduction of the *National OHS Strategy* signifies the need for further action to address OHS across Australia. In its time, the *Robens Report* was significant as it represented a fundamental paradigm shift in the way OHS was approached. Since the *Robens Report*, there have been significant changes to the economy, labour market and the organisation of work. Some of these changes have challenged some of the assumptions underpinning the *Robens Report*, and while some OHS legislation across Australian States and Territories has been amended further since Robens, the *National OHS Strategy* can be thought of as another step in the progression of adapting to changes in the employment relations environment. The introduction of the *National OHS Strategy*, two decades later, is further representative of the on-going pursuit of unification and improved OHS outcomes across Australia. Given that Australia has been seeking national coordination and consistency in OHS for over two decades indicates that it is a complex process, presenting numerous challenges.

**Funding and research**

The establishment of the NOHSC brought the benefits of having additional OHS activity such as standards development, research, and information and data collection done at the national level. This approach helped to support and build upon activity that was already taking place within each State and Territory. In the years that the NOHSC had a research capacity, it was able to focus research efforts on best practice for business. According to Quinlan (1995: 19), the NOHSC was active in sponsoring research on improved management practices in OHS as a means of providing businesses with an easier guide on how to improve their OHS practices and performance. This type of research would have
been suitable in supporting the *National OHS Strategy* priority of improving employer capacity to manage OHS. While there still may be research to help assist businesses in the management of OHS, the reduced research capacity of the peak OHS agency suggests that due to a scarcity of resources, research capacity may have been scaled back across a raft of areas including management practice.

In the context of this thesis, resources and funding represent material conditions in the IAD framework. Changes to resources and funding impact upon the action arena in which the *National OHS Strategy* is situated. The *National OHS Strategy* was introduced when reductions to funding and research had been made to the NOHSC for a number of consecutive years. Diminished funding, particularly for research, may have placed constraints on the *National OHS Strategy* especially since one of the *National OHS Strategy*’s areas of national focus advocated the need for increased data collection and research into OHS.

Changes in funding to NOHSC may also have had implications for the actors within the action arena. Funding and research by the NOHSC ensured that the same resources could be used by actors across all States and Territories, helping to limit the duplication of efforts and allowing OHS agencies to focus resources on other key priority areas such as the enforcement and management of legislation. The downsizing of research capabilities at the national level would have shifted some of the responsibility for OHS research to the State and Territory OHS authorities.

Furthermore, changes to resources at the national level suggests the need for improved organisation and communication across the States to confirm a coordinated research plan and to ensure that research efforts are not being duplicated. Cooperation and the pooling of research across jurisdictions will be necessary if Australia is to ensure the survival of long-term, high quality projects that help to deliver meaningful contributions to the *National OHS Strategy* and OHS in general. In light of the changes to Safe Work Australia’s funding arrangements, (50 per cent of Safe Work Australia’s funding being derived directly from the States and Territories), there is a greater need for a coordinated research plan by the jurisdictions to avoid duplication of research efforts.

The contraction of OHS studies and research at the tertiary level has paved the way for a workforce that lacks appropriate knowledge of OHS. This creates potential challenges for organisations as future recruits, particularly those holding management positions, enter the workforce without sufficient awareness and knowledge of OHS. Improving employer
capacity to manage OHS should be a long-term goal that extends beyond the life of the National OHS Strategy. To make this a realisation, research, education and training efforts need to be enhanced and maintained.

**Government and OHS**

The IAD framework allows rules to be analysed at different levels: constitutional, collective, and operational; rules are varied at each of these levels. Ostrom (2007) notes that rules at a higher level in a government or organisation will influence other levels, therefore to understand the policy process, multiple levels of government also need to be understood (cited in Birkland, 2011: 303). Applying these assumptions to this research, it is necessary to consider the role and impact the actions of Australia’s Federal governments have had at the collective level at which the National OHS Strategy operated.

The findings presented in this chapter suggest that despite the tripartite arrangements that were in place for OHS, the decisions of the Federal Government had a more significant impact on the governance and structure of the peak OHS agency. Although OHS is managed by each Australian jurisdiction, decisions made by the Federal Government, including changes to the structure of the peak OHS agency, had implications for State and Territory activity and the National OHS Strategy. Despite employer association and trade union opposition to the abolition of the NOHSC, the Commonwealth Government rejected grievances about the abolition of the NOHSC. Although tripartite, the ASCC was controlled by the Commonwealth. Actions by the Government bring into question the credibility and role of tripartism, the premise upon which the National OHS Strategy was endorsed, given the control and decisions that were exerted by the Government without consultation of other key stakeholders. Since the ASCC was not a statutory body, this provided further impetus for the government to control the ASCC more than was possible with the NOHSC. The loss of autonomy for the peak body made it susceptible to politicisation. This is explored from the point of view of stakeholders in the next chapter. The general observation that is drawn from the findings of this chapter and the next is that the politicisation of the ASCC under the Coalition government meant that there was a loss of independence for the ASCC, particularly in allowing industry and unions to participate fully. Under the new reforms, decisions concerning the ASCC could be made solely by the Coalition government, limiting debate and input from other parties.
The de-regulatory approach instigated by the Coalition government also changed stakeholder relations and its impact posed indirect consequences for OHS despite the separation of OHS legislation from industrial relations legislation. It dismantled collectivist approaches that had been in place and instead encouraged individualism at the expense of collectivism. It sought to weaken the power and influence of unions, thereby challenging the role and legitimacy of tripartism and ultimately the ability of unions to participate in the delivery of the *National OHS Strategy*. From a Coalition perspective, collectivism may not have been considered appropriate given that unions represented a declining minority of the workforce. The Coalition’s deregulatory approach sought to dismember the systems and relationships that were vital to working together to drive the *National OHS Strategy*.

Many of the Coalition government’s decisions arguably were not conducive to promoting and achieving national consistency of OHS nationally, the fundamental principles underlying the *National OHS Strategy*. The reduction in funding to the peak OHS agency, the development of the ASCC as an administrative body and the additional responsibility of dealing with workers’ compensation without additional funding to manage this responsibility, placed greater demands on the peak OHS agency. Furthermore, it challenged the possibility of cooperative federalism being able to operate successfully, and it questioned the Government’s commitment to OHS and therefore the *National OHS Strategy*.

Minimising regulatory burdens and costs of regulatory compliance have been dominant in political thinking and action on OHS, and arguably have been pursued at the expense of the *National OHS Strategy*. Despite the fact that the *National OHS Strategy* identifies a harmonised system and the continued development of standards as key national action areas, there has been little, if any, association of the *National OHS Strategy*, with the Commonwealth’s pursuit for reform. The Commonwealth government’s reform agenda for OHS has had a primary focus on reducing on the regulatory burdens and costs on business. While the Coalition government may argue that there is no necessary conflict between cost reduction and better OHS practices, the other side of this argument would suggest that these actions eclipse the true role of OHS in helping to reduce workers’ suffering. The influence and power of the Australian Commonwealth Government over OHS was further witnessed with the Rudd Labor Government of 2007, who fast-tracked the objective of national uniformity via the establishment of model OHS laws. While harmonisation of OHS legislation is identified as an area of action under the *National OHS Strategy*, focus on other goals of the *Strategy* was sacrificed while the development of model legislation became the key priority for the newly established Safe Work Australia.
Lack of national uniformity across State, Territory and Federal governments

State, Territory and Federal governments have been criticised for a lack of commitment to achieving national uniformity, with suggestions that developments toward a national OHS have been ad hoc and with little coordination between the OHS agencies from each jurisdiction (Emmett, 1995: 115; Purse, 2004a: 419). One of the key objectives in the establishment of a peak national OHS agency in Australia was the pursuit of national uniformity in OHS, and the development of the National OHS Strategy was viewed as necessary to help achieve this. Despite the peak OHS agency providing a forum in which to pursue OHS uniformity, it has been argued by Johnstone (2003b) that the Commonwealth, States, and Territories had not been pursuing a common OHS model but were rather developing idiosyncratic OHS statutory provisions. This lack of uniformity has possibly undermined the influence of the National OHS Strategy by being less fertile ground for progress. In its final report on the inquiry into National Workers’ Compensation and OHS Frameworks, the Productivity Commission raised criticism of the implementation of the National OHS Strategy. The Productivity Commission argued that the implementation of the National OHS Strategy rests with the individual jurisdictions and at the point in time of the review their action plans lacked uniformity in both content and pace needed to achieve a nationally consistent regulatory framework (Productivity Commission, 2004: xxvii). The National OHS Strategy was intended to encourage all its signatories to work together to achieve its goals and targets, although criticisms of State and Territory cooperation highlight the potential inability of the National OHS Strategy to achieve a cooperative national approach to OHS. In 2010, the Productivity Commission noted that harmonisation of OHS laws in Australia was still incomplete and that a significant degree of complexity with the progress remained (Productivity Commission, 2010: xv). Therefore, despite the National OHS Strategy’s introduction in 2002, uniformity in OHS laws continued to remain problematic even up until 2010.

The slow and fragmented uptake of national standards has emerged as a significant impediment to Australian State and Territory commitment to national consistency in OHS approaches. The case for adopting standards and codes of practice is relevant to the National OHS Strategy in two respects. Firstly, the timely and consistent implementation of national standards and codes of practice is one element to achieving a national OHS system and a key component of the National OHS Strategy. The lack of State and Territory progress in this pursuit questions commitment to the National OHS Strategy and the goal of national uniformity. It might also indicate that national uniformity is not a goal for all stakeholders, therefore raising questions about the legitimacy of tripartism in practice.
Secondly, the non-legality of standards and codes of practice may provide one explanation for their poor rate of adoption. Standards and codes of practice are advisory in nature with no repercussions if they are not adopted by the jurisdictions. The Commonwealth relies on voluntary collaboration and commitment by the States and Territories to implement standards and codes of practice as part of a uniform system of OHS. This is in contrast to the approach taken for industrial relations, where State governments ceded their industrial relations powers to the Commonwealth government. Similarly, the implementation of the National OHS Strategy rests on the same principles. The lack of success in the uptake of standards and codes of practice may serve as an indicator of the likelihood of success for the National OHS Strategy, highlighting the challenges and problems associated with voluntary collaboration of national OHS initiatives.

Conclusions

This chapter began with a brief examination of the key historical developments in Australia’s system of OHS, highlighting that most changes were amendments to legislative provisions while non-legislative OHS policy remained significantly under-developed. The National OHS Strategy is the first major piece of national policy in Australia to influence OHS beyond legislation. The chapter discussed a number of factors that have had an impact on OHS at the national level, including the allocation of resources, Federal government ideology, and commitment to cooperative efforts by Australian States and Territories.

The chapter discussed the history of OHS governance and changes to the peak OHS agency in Australia, highlighting instability in the bureaucratic structures underpinning the National OHS Strategy. The NOHSC was set-up to focus on achieving national uniformity in OHS and overseeing the National OHS Strategy. However, changes to the NOHSC’s operations had detrimental effects on OHS. Cuts to resources and funding, particularly for research, meant that the National OHS Strategy was developed upon weak foundations. For a national strategy that advocates and requires continual research and data collection, it means Australia is challenged at meeting such a requirement because of its weakening research infrastructure. Therefore, there is a greater dependence on the States and Territories to deliver on this requirement so that research specific to Australia’s workplace needs can continue to be produced, otherwise, there will be a heavier reliance on research from overseas to fill this gap. Even with the most recent funding arrangements where the States and Territories jointly fund Safe Work Australia, there is no certainty as to how this funding
will be allocated, whether it will aid cooperative federalism or whether it will positively impact the **National OHS Strategy**.

Since the **National OHS Strategy**, the political pursuit of national consistency and uniformity has dominated the OHS agenda, leading to a diminished focus on the **National OHS Strategy** as the key priority area for Safe Work Australia. Given the shift in focus toward the harmonisation of OHS laws currently being driven through Safe Work Australia, there is a high probability that short-term funding will be used to achieve this target at the possible expense of the **National OHS Strategy**. A reinvigorated focus on national uniformity could lead to the neglect of the other priorities in the **National OHS Strategy**, a theme explored further in Chapter 6 from the point of view of key stakeholders.

The **National OHS Strategy** was an initiative introduced in Australia under a conservative government. The removal of collectivist industrial laws diminished the capacity of trade unions to participate in workplace issues. Collectivist industrial laws are more aligned to tripartism and although the ASCC was still tripartite, the administrative nature of the body was another means of moving away from effective tripartite measures and toward marginalising the union movement. To help achieve the goals of the **National OHS Strategy** there needs to be greater uniformity across the States and Territories. Such uniformity has been lacking, evidenced through the lack of uptake and consistent implementation of OHS standards and codes of practice. The inability to achieve uniformity across States and Territories has impeded the achievement of uniformity through the **National OHS Strategy**.

Although many of the discussions in this chapter provide a retrospective account of OHS prior to the introduction of the **National OHS Strategy**, they are relevant to establishing the conditions within which the Strategy was introduced. When placed in context with the IAD framework, it is important to understand the external factors that will have an impact on the action arena and the actors themselves. Overall, the conditions under which OHS was governed and the activities of the NOHSC prior to the election of the Coalition government in 1996 were better suited to the **National OHS Strategy** objectives and goals. In light of this statement, it is arguable that the foundations that would have helped support the **National OHS Strategy** were dismantled even before the **National OHS Strategy** was created. The implications of changes for the material conditions for the action arena for national OHS policy based on analysis of documents conducted in this chapter are considered further in the following chapter. Stakeholders’ views about resourcing, politicisation and the institutional underpinnings for the **National OHS Strategy** are presented and discussed.
Chapter 6: Key Findings from Interviews with OHS Agencies, Trade Unions and Employer Associations

Introduction

This chapter presents the findings of interviews with OHS agencies, trade unions, and employer associations. Twelve interviews were conducted across eight organisations. Interviews were used to gain an understanding of stakeholders’ views and knowledge of the National OHS Strategy and to identify how the Strategy has operated in practice. The purpose of this information is to provide insight into the policy process underpinning the Strategy. The interviews also explored stakeholders’ views on their working relationship with one another, with the goal of understanding how tripartism has functioned in practice. The key findings from this chapter show that the National OHS Strategy, while known to most of the participants, has had limited impact on the actions of the stakeholders. The National OHS Strategy had a stronger presence in its earlier years although this diminished as stakeholders focused their efforts on other priorities. There is a strong need to re-engage stakeholders back with the Strategy, to provide clarity on the roles of the stakeholders under the Strategy, and overall to achieve buy-in so that stakeholders regard the Strategy as more than just an overarching statement on OHS. The chapter begins with an overview of the development stage of the policy process and is followed with discussions on the Strategy’s implementation. The chapter then discusses the evaluation of the Strategy and follows with an analysis of stakeholder relationships and the role of tripartism. To conclude, the chapter discusses the impact that changes in Australia’s peak OHS agency have had on OHS practice.

Interview participants

Table 4 lists all the organisations that participated in an interview. In some instances more than one representative from each organisation participated in an interview.
Table 4: Institutions that participated in an interview

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<thead>
<tr>
<th>OHS Agencies</th>
<th>WorkCover NSW</th>
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<tr>
<td></td>
<td>Safe Work Australia – Participant A and Participant B</td>
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<tr>
<td>Trade Unions</td>
<td>The ACTU – Participant A and Participant B</td>
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<td></td>
<td>Trade Union A – Participant A (National Branch); Participant B (NSW Branch)</td>
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<td>Trade Union B</td>
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<tr>
<td>Employer Associations</td>
<td>ACCI – Participant A and Participant B</td>
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<td>Employer Association B</td>
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**Awareness and views of the National OHS Strategy**

Each interview began with a question on the participant’s awareness of the National OHS Strategy. All the participants, with the exception of Trade Union B, identified that they were aware of the National OHS Strategy. In the case of Trade Union B, the National OHS Strategy was mistaken for the harmonisation of OHS legislation process that was taking place at the time of the interview. The depth and detail of the stakeholder’s knowledge of the National OHS Strategy become more apparent over the course of each interview. These results are discussed throughout the chapter. Beyond Safe Work Australia, the administering body of the National OHS Strategy, there were variations in the level of knowledge of the Strategy among respondents. Prior to commencing these interviews there was an expectation that the institutional stakeholders would be familiar with the Strategy as they either are represented directly as signatories on the Strategy or are affiliated with the signatories to the Strategy.

**Participants’ thoughts on having a national strategy for OHS and the National OHS Strategy itself**

Gauging stakeholders’ views on a national strategy for OHS was considered essential in setting the tone of each interview as well as contextualising the value and importance that each of the stakeholders placed on the National OHS Strategy, particularly the role of the Strategy in driving OHS related activity. WorkCover NSW, the trade union, and employer association interviewees were broadly supportive of having a national strategy for OHS. These sentiments also extended to the National OHS Strategy. Some of the perceptions were that a national strategy would bring a new element to occupational health and safety alongside legislation. The National OHS Strategy was described as ‘aspirational’, as providing a focus for governments, setting benchmarks and timeframes, getting more mature about OHS and having something more than legislation:
We should have an idea about where we should be going and also having a reference point to say where we have been and what we have achieved (Participant 2, ACTU).

The National OHS Strategy is targeted at the governments to turn around and focus because there was no focus, there were no benchmarks or timeframes (Participant 1, Trade Union A).

The National Strategy has made the States more outward looking than they were in the past. They were much more autonomous and inward looking organisations. Now they are more attuned to developing common material where they can learn from what's worked well in other states. They have a much more developed sense in terms of where they stand in relation to each other and much greater preparedness to learn from each other and put out common information whenever they can (ACCI).

There was a need for some kind of coordinating approach to OHS because the jurisdictions were doing their own thing - inconsistencies, overlap, inefficiencies and it just made sense at the time to have some kind of coordinated approach at the national level as well as trying to put in place some kind of targets that all the bodies could work towards trying to achieve collectively (ACCI).

Safe Work Australia also believed that the National OHS Strategy was successful as a coordinating document that has helped to focus the attention and priorities of the jurisdictions. Safe Work Australia did note suggestions had been made about improving the design of the National OHS Strategy, particularly the inclusion of baseline data. Safe Work Australia derived their knowledge of stakeholder views from the Triennial Reviews of the National OHS Strategy.

Trade Union B was the only respondent to question the role of the targets and expressed caution about becoming complacent with simply achieving the 40 per cent and 20 per cent targets. Trade Union B placed great emphasis on employer responsibility as the key to addressing OHS issues:

They can set all the targets that they like, educating people is all well and good but it is not going to change the deaths and injuries in the workplace unless somebody is in the face of the boss reminding him that it is his responsibility and that there are very serious consequences for not doing what he's supposed to do.

While there was general support for having a guiding document such as the National OHS Strategy, respondents did note that the National OHS Strategy is not a policy that drives their activities but is rather a policy that sits in the background of their day-to-day operations. Both trade union and employer association interviewees noted these views. Respondents
provided further detail to substantiate their reasoning, the details of which are discussed throughout the chapter. Dealing with competing priorities was the principal reason to explain why the *National OHS Strategy* did not serve as a driver for OHS activity.

**Development and consultation on the *National OHS Strategy***

Information collected from the interviews was not sufficient to provide an in-depth understanding of the consultation and development process employed for the *National OHS Strategy*. Safe Work Australia provided the most insight, although their responses lacked certain detail. The limited knowledge of how the *National OHS Strategy* was developed was largely a consequence of many of the individual participants (from ACCI, WorkCover NSW, ACTU) not having been employed by their respective organisation in the period in which the *National Strategy* was developed. Staff movement since the introduction of the *National OHS Strategy* has resulted in a loss of corporate knowledge, especially as the details and history of the *National OHS Strategy* had not been transferred to new personnel.

According to Safe Work Australia, the *National OHS Strategy* is an evidence-based policy, developed over years of consultation and extensive negotiation among the NOHSC members to reach consensus on the *Strategy’s* content:

> There was two years of consultation and the consultation actually fed into the development of the *National Strategy*. It went on for years. It was a very negotiated document which is why it is like this, because it is a document of consensus.

> I can absolutely tell you that it was evidence-based and it was poring over data from research reports, thinking about opportunities but it was also informed deeply by the members. They [NOHSC members] are sophisticated they are running multi-million dollar businesses, they know what is important for their members, so it was informed by political awareness as well as evidence. So it was not just pulled out of the air, it was a highly negotiated document. I mean even the targets, the issues around the development of the targets was highly contested.

Beyond Safe Work Australia, some of the other participants were able to provide some basic information on the development of the *National OHS Strategy* based on second-hand knowledge that they had received. According to Participant 1 of Trade Union A, the *National OHS Strategy* came about because of the push by the ACTU in response to the unions not being satisfied with the “lacklustre, uncoordinated approach to OHS across Australia…the unions pushed for benchmarks, time periods, and goals to be put in place”. Supporting this argument was ACCI, who acknowledged that the ACTU was insistent on the
use of specific targets in the *National OHS Strategy*. Although ACCI felt the use of targets was slightly contentious they agreed to the specification of certain targets; this agreement was integral to giving the *National OHS Strategy* the tripartite support it needed to get off the ground. Participant 1 from Trade Union A also discussed the development of the *National OHS Strategy* based on information they had gathered by participating on an OHS and workers’ compensation advisory council. In comparison, Trade Union B, who was not a participant on the OHS and workers’ compensation advisory council, was not able to demonstrate knowledge of the *National OHS Strategy* and its history. Trade Union B noted that as a small union it was difficult to keep abreast of everything and was reliant on higher reaching bodies such as Unions NSW and the ACTU to disseminate information.

Participant 2 of Trade Union A thought the *National OHS Strategy* could have been better developed so that it avoided a common denominator approach. Trade Union A associated the flaws of the *National OHS Strategy* as a consequence of the decisions of the Coalition government to cut resources to OHS in Australia:

> Well any of these processes are subject to negotiation between the jurisdictions and what was the NOHSC. The *Strategy*, from 2002 to 2007, was done under a Howard government and they had no intention of doing anything. The approach that was being discussed was about the obscuring of issues, not exploring issues. Total cut back under the Howard years and anything to do with research, independent thought, gutting of the funding, mind you it isn’t any better now. Changing it from the NOHSC to the ASCC meant that you had a focus on compensation issues, lack of engagement with the social partners, freezing out of trade unions, establishment of HWSA, which are actually the jurisdictions running their own race, which doesn’t have the social partners, can I go on, there’s a lot of problems. That’s why it didn’t work.

**Implementation of the National OHS Strategy**

One of the objectives of the interviews was to gauge a better understanding of how the institutional stakeholders had implemented action against the *National OHS Strategy*, in particular the objective of helping to improve employer capacity to manage OHS. Stakeholders were asked to relate their knowledge and views on the implementation of the *National OHS Strategy* as well as to discuss the influence of the *National OHS Strategy* in guiding OHS activity within their own organisations. Overall, interview responses highlighted a few key themes influencing the *National OHS Strategy*’s implementation. Firstly, the *National OHS Strategy* was generally viewed as an ‘aspirational’ document that helped to raise the profile and importance of OHS; however, the *Strategy* was less influential
in actually guiding stakeholder activity. Secondly, certain stakeholders were able to recall that the National OHS Strategy had greater prominence in the initial years of its launch, yet attention and focus on the Strategy had diminished over time. Lastly, the National OHS Strategy was most influential in guiding the actions of WorkCover NSW rather than the actions of the trade union and employer organisations. This absence of activity on the part of the trade unions and employer associations was partly in consequence of a lack of clarity of stakeholder roles under the National OHS Strategy.

The National OHS Strategy – a living thing?

Interview participants who identified as being familiar with the National OHS Strategy were asked if the Strategy had any influence in shaping or guiding their OHS activities. Overall, most respondents felt that it had little influence in shaping their OHS activities. While the stakeholders were supportive of the National OHS Strategy and commended it as setting a new direction for OHS in Australia, inherent weaknesses in the National OHS Strategy were noted, in particular the view that the National OHS Strategy had not been a driver of institutional stakeholder activity. Instead, the Strategy had primarily served to raise awareness of OHS:

I can't think of too many specific changes that would have occurred as a result of the Strategy but certainly there was awareness out there. Whether that awareness is still the same level than it was three or four years ago, we are not sure (ACCI).

Like I said, it is not a document that we pick up and use every day, it is something that we are aware of and something that is there (Participant 2, ACTU).

The significance of the National OHS Strategy to stakeholders was largely symbolic; it did not elicit radical or deliberate actions and was described as a policy that “sits in the background while other matters are happening in the foreground” (Participant 1, ACTU). The Strategy was also described as not being a ‘living thing’, and was relegated as a compliance tool, “it was something people ticked boxes on some years ago and then the jurisdictions and industry and union got on doing what they were always doing” (Participant 1, ACTU). Participant 1 of Trade Union A, who described it as no longer “breathing life”, shared similar sentiments. Stakeholder knowledge and association with the National OHS Strategy appeared to be strongest and most apparent in the initial years following the Strategy’s launch. However, over the life of the National OHS Strategy, focus has waned:
At the start we would have had more reference to it in 2002 than we do today…It gave us a signpost for where we wanted to be, I think we referenced it a lot and now it has just sort of fallen away. I can’t give you an explanation as to why to be honest.

A loss of continuity in the way stakeholders’ engagement with the Strategy was another reason why the National OHS Strategy had lost some of its prominence: “I haven’t pulled this stuff out and I don’t know where it is filed, it’s been three or four years since we’ve had a Strategy meeting” (Employer Association A).

The National OHS Strategy takes a backseat to competing priorities

Where the stakeholders identified weaknesses in the Strategy’s implementation these weaknesses largely reflected challenges present in the external environment in which the National OHS Strategy operated. There was a common view that the focus on the National OHS Strategy had been lost in the later years of the Strategy because energies and efforts had been diverted to other priorities, in particular progressing and finalising the model OHS legislation for Australia. The role and relevance of the National OHS Strategy was thought to have been watered down due to this process. There was a general view that efforts and resources needed to be dedicated to finalising the model legislation before focusing on other policies such as the National OHS Strategy.

I think it has just got run over with all the other stuff going on and frankly from our perspective what is happening with harmonisation is infinitely more important than this and my rationale would be getting the legislation right and the framework right is actually going to contribute to this (Employer Association A).

The harmonisation of OHS laws across the country has meant for us that rather than trying to establish new initiatives, what we’re doing is actually just benchmarking what we have across the country and making sure that we do not lose anything, and that is more or less a full-time job for us. That process has been going on for 2 1/2 or three years and that is all that we are doing at the moment so the development of new initiatives or standards at the moment has more or less stopped. We do not get an opportunity to think about those because we are too busy trying to protect what we won last time (Participant 2, ACTU).

Implementing the National OHS Strategy – the role of the stakeholders

Further complicating the implementation of actions against the National OHS Strategy was a lack of understanding of the roles that the stakeholders were required to assume under the National OHS Strategy. Participants from the ACTU and ACCI had not been employed with their organisation when the National OHS Strategy was introduced. Participants from these
organisations made assumptions as to what they thought were the roles of the stakeholders under the *Strategy*:

There weren’t specifics as to what exactly it would mean for employers and unions. There was probably expectation back then that it would be a genuine collective and collaborative approach between all three parties. We assume that what would have happened back then is that ACCI would have promoted the *National OHS Strategy* to members and there would have been some variation in how much each of the different member organisations picked up of the Strategy. The way in which the *Strategy* probably had the most influence was that the State-based jurisdictions began to look at their business objectives, targets and strategies and perhaps shifted the focus of their priorities to fit in with the *National OHS Strategy*. They then worked with organisations like the NSW Chambers and others to spread the message about their new focus. They looked for input from those organisations as to how best that new approach might be aligned with what they were doing (ACCI).

I wasn’t around when it was developed but I think it has been around long enough that all the players understand the different roles of the different parties (Participant 2, ACTU).

In certain cases, the *National OHS Strategy* was deemed a policy designed for OHS agencies such as WorkCover rather than for trade unions, employer associations, and businesses. Trade Union A held the view that government needs to drive the *National OHS Strategy* and that business also needs to play a role:

Government needs to drive it and business needs to play a role. Government is in the driver's seat, they need to facilitate it and use the mechanisms at their disposal and they have multiple mechanisms such as WorkCover. Government, as facilitators, need to use resources to move the economy along to those targets. Problem is they are pulling the wrong levers and using the wrong strategies.

Participant 2 of Trade Union A thought that the *National OHS Strategy* was not aimed at Trade Union A because it stifled capacity to address new and emerging OHS issues that trade unions deemed important to their members:

The *National OHS Strategy* is a strategy that binds government. Government will always be behind what particular social partners are doing. They are regulators, they are not barrier breakers, they are not forward thinking in terms of creating new vistas. The trade union movement and particularly our union, because we represent our members and we take up issues, hopefully we actually have that ability and therefore the *National OHS Strategy* is not aimed at us. It will never be. It will be very unlikely if a national strategy actually addressed the stuff that we would take up. It does not mean that we would not engage in things that the *National OHS Strategy* does. But in terms of forward thinking and changing the way things are done, the *National OHS Strategy* will always be running behind what we’ve been asking for.
The National OHS Strategy is about getting jurisdictions to do stuff, we have a role in that in terms of encouraging jurisdictions to participate in programs but it’s not aimed at us. We don’t see that we should be waiting for a national strategy before we do anything that would be counterproductive.

How was the National OHS Strategy intended to operate?

The interviews also sought to gain clarification on how the National OHS Strategy was intended to operate. This information would be helpful to distinguish between the ‘intended’ and ‘actual’ implementation of actions and therefore identify any disconnect between espoused theory and practice. Clarity on the intended implementation was primarily captured in the responses of the OHS agencies, WorkCover NSW and Safe Work Australia.

In general, WorkCover NSW described the National OHS Strategy as being “too high level”, seeing the Strategy as being beyond the knowledge of “those outside the National OHS Strategy world” and that it contains “too many high-level words and not concrete activities”. It is the view of WorkCover NSW that the National OHS Strategy was to be driven through the Heads of Workplace Authorities (HWSA) although this role for HWSA was never made explicit. Trade Union A and Safe Work Australia also identified the HWSA as providing a significant role in delivering compliance campaigns against priority industries. According to WorkCover NSW, responsibility fell to the HWSA because of uncertainty as to whether the other institutional stakeholders would take action. WorkCover expressed their desire to have other stakeholders take greater responsibility for OHS rather than placing all responsibility with the regulatory agencies:

HWSA have had to come out because quite frankly business and unions are not going to do these things. In an ideal world, they would. So it is up to the jurisdictions. The jurisdictions have cooperated in doing things…going back to the Safety Summit we set up a number of tripartite groups but employers and unions would say ‘well what is WorkCover doing about that and what is WorkCover going to do about that?’ We thought ‘well what are you going to do about it?’ I think what we need is to start pushing back more at the national level. We are the regulatory owners so we have to take ownership and that is right and proper, but it should not always be on the regulatory agency to have to own everything (WorkCover NSW).

After having reviewed a draft of this chapter, Safe Work Australia noted that: “the HWSA campaigns were in fact one of the good news stories that emanated from the Strategy, where the Heads of Workplace Safety Authorities came together in a
collaborative way and cooperated across the country in targeted campaigns to improve OHS” (personal communication, 28 August 2012).

Employer Association B was the only other institutional stakeholder to share similar views to WorkCover NSW in arguing that responsibility lies not just with WorkCover but also other stakeholders. However, Employer Association B noted the capacity to do so was challenged by competing priorities:

It is true that the behaviour of some regulators and employer groups like us where we have to take some responsibility but I think largely that we have been tied up in local issues, the State level issues rather than the overall issue. That has changed a bit in the last couple of years for various reasons.

In the opinion of Safe Work Australia, there has been varied implementation of the priorities contained in the National OHS Strategy. In theory, WorkCover NSW and the relevant unions and employer associations should have been the drivers for change. However, Safe Work Australia recognised that “in fact the only ones who would have done anything, where one can actually draw any sort of relationship to the National Strategy, will be WorkCover NSW through the audit compliance campaigns. The other two players would actually say it is not our responsibility”. Safe Work Australia recognised that a sole reliance on OHS agencies is problematic and noted that in future OHS strategies there “will be increasing focus on, how can the social partners take more ownership of delivery of more messages to their own membership”.

Safe Work Australia provided feedback on the National OHS Strategy’s operation at the national level, advising that the Strategy is incorporated into Safe Work Australia’s strategic plans. While action plans are not available for the National OHS Strategy, Safe Work Australia noted that other action plans for OHS are in operation:

Yes, that’s reflected in our strategic plans…the National Strategy sits here with the Safe Work Australia strategic plan. So we don’t have action plans but we have a strategic plan and we have an operational plan and there is a research and evaluation action plan which is published and the data action plan and now we have a workers comp action plan.
What has the National OHS Strategy achieved?

Participants were asked to identify examples of initiatives or outcomes that are directly attributable to the National OHS Strategy. Many of the participants were not able to provide specific examples to the question although Safe Work Australia, Trade Union A and WorkCover identified a number of outcomes including the introduction of safety awards, the national OHS Act and the development of national codes of practice and guidance instruments:

If we look at the output of NOHSC before the National Strategy they were fairly weak and uncoordinated and we had no national act and we had no national codes of practice, now we do. It achieved national cooperation and development of national guidance instruments, it’s achieved that (Safe Work Australia).

Participant A of Trade Union A, Employer Association A, Employer Association B and WorkCover NSW were the only participants to identify an association between the NSW Safety Summits (Chapter 5) and the National OHS Strategy. Participant A of Trade Union A and Employer Association A identified that they attended the Summits. According to WorkCover NSW, the first Safety Summit was to help build bridges among stakeholders and to help introduce the National OHS Strategy, while the second Safety Summit was to help consolidate stakeholder relationships:

The first summit in 2002 was a building bridges type of summit. It helped with the National OHS Strategy, the first phase in particular because it was about 12 months after the National OHS Strategy had been launched and in NSW there was a great deal of aggravation between employers and unions in 2001 due to the workers’ compensation reforms. WorkCover and the government saw the need to build bridges between those two groups and also to push the National OHS Strategy forward, therefore it was quite significant in helping getting things kicked off again because there was a lot of distrust at the end of 2001.

The 2005 Summit helped to consolidate the good relationship that had been built in 2002. People still remark about it, many of the participants saying it was fantastic and wonderful helping people to talk to each other and actually build partnerships.

WorkCover NSW noted that there was no intention of running another safety summit for two key reasons. Firstly, stakeholders preferred to concentrate their efforts on the new model legislation. Secondly, WorkCover NSW had identified that most OHS problems existed at the sub-industry level or with particular occupations while the Safety Summits were too ‘broad-brush’ to accommodate such level of activity.
Participant A, Trade Union A, Employer Association A and Employer Association B considered the Safety Summits to be of merit because they were tripartite, helping to bring stakeholders together and to build partnerships:

It was open, frank discussion from all sides and the concepts that were arrived at were very good, particularly when everything was developed in consensus. Overall the Safety Summits delivered (Participant 1, Trade Union A).

They were both valuable and I think they both progressed things to some degree and I think as much as anything getting the stakeholders together. There are suspicions. We think the unions have got an agenda to push, they think we have an agenda. Eventually if you spend enough time together you get through that but that’s also a product of having the right people there (Employer Association A).

I know I went to both. The second one in particular, the Industry Reference Groups as I recall, The first one was overwhelmed by the issue of workplace deaths stuff, industrial manslaughter, but the second one in particular, the industry sector work, the outcomes, the performance, the statistics that were looked out were looked down in terms of the sort of changes that were necessary to achieve the national outcomes, (Employer Association B).

However, Employer Association A did note that a lack of senior executive involvement in OHS took away from initiatives such as the Safety Summits:

Sometimes in safety there are not many union secretaries who go to safety issues, for instance, there is not many senior employer people who go to safety issues, they tend to send their safety people. So there is still a tendency for it to be, the enthusiasm to be at the safety personnel level but the degree of organisational commitment is variable.

After reviewing a draft of this chapter, Safe Work Australia provided feedback to note their view that “the National OHS Strategy has been a major impetus for the significant progress which has been made on consistent data collection and work health and safety legislation across Australia” (personal communication, 28 August 2012). Supporting evidence was not provided to substantiate these views. Safe Work Australia places much greater value on the success of the National OHS Strategy compared to the other actors.

The National OHS Strategy at the organisational level

Responses from the ACCI, Employer Associations A and B, WorkCover NSW and Safe Work Australia noted that it was very unlikely that the National OHS Strategy would be known to anyone outside of the key institutional players. Respondents thought that
employers would have limited, if any, knowledge of the *Strategy* and where there was knowledge of the *Strategy*, the respondents questioned whether it would have had any impact on driving organisational behaviour:

> At the level of individual employers, most of them probably have a limited understanding of what the *National Strategy* is about. It would have been on the radar of their employer bodies because of the links that they have with ACCI and their State-based jurisdictions and the way they were realigning themselves to better fit in with the *National Strategy* targets and priorities (ACCI).

> Outside of the institutional players, I do not think it is well known. You might have a couple of senior people in companies that are aware of it but I do not think that it has driven the behaviour of OHS on the ground…. I wouldn’t think that it’s a widely known strategy on the ground of the safety community (Employer Association B).

In the views of Safe Work Australia, the *National OHS Strategy* was directed away from the organisational level to ensure manageability of the *Strategy*. The *Strategy* was intended as a national policy rather than a national program with individual jurisdictions being required to put in place programs to support the policy. Furthermore, Safe Work Australia noted the importance of recognising the *National OHS Strategy*’s implementation in terms of ‘translatable action’, meaning that the institutional stakeholders may have translated the *National OHS Strategy* into a form that is more meaningful to employers. Consequently, this would mean that employers might not recognise the actions of institutional stakeholder actions as being directly related to the *Strategy*:

> So whether your employers even recognise it as something of a national strategy is a moot point. But if your employer said we care more about workers health and safety now than when we did 10 years ago, I would say that they don’t really need to know how it all got influenced. That there is an increased focus through the activities, and whether that's the compliance and enforcement campaigns or new codes of practice and compliance, then there is some success happening. But to say that it's due to the *Strategy*, why would they know?

**Reporting and evaluation of the *National OHS Strategy***

Policy evaluation represents the third critical component of the policy process following policy development and implementation. In order to gain a better understanding of the evaluation process behind the *National OHS Strategy*, the institutional stakeholders were asked to describe their knowledge of the reporting and evaluation mechanism used for the *National OHS Strategy*. Similarly, interviewees were also asked to share their knowledge
and comments on whether the *National OHS Strategy* had been referenced and discussed in OHS forums, such as Safe Work Australia meetings.

**Stakeholder knowledge of the review and reporting process of the National OHS Strategy**

With the exception of WorkCover NSW and Safe Work Australia, there was a general absence of knowledge of the review process of the *National OHS Strategy*. Trade Unions A and B, together with the ACCI, had no knowledge of review and evaluation mechanisms. In the instances that the stakeholders were able to address this question, albeit with minimal detail in most cases, three main reporting and evaluation mechanisms were identified (i) mandatory reporting requirements; (ii) comparative performance monitoring reports; and (iii) *National OHS Strategy* Triennial Reviews.

i. **Mandatory reporting requirements:** WorkCover NSW was the only entity to confirm sending progress reports in the early years of the *National OHS Strategy*. According to WorkCover NSW, the six monthly reporting in the first years of the *Strategy* resulted in a lot of paperwork, which was a big burden. WorkCover NSW questioned whether the reporting added any value, believing that the move away from the reporting was because the *Strategy* became more embedded in work plans and therefore became part of the natural kind of way to do business. WorkCover NSW further identified a lack of feedback and communication from the reporting process to be problematic; reporting was a one-way process with the jurisdictions providing information but not receiving feedback on that information:

The reporting by WorkCover NSW and the other jurisdictions went to the Workplace Relations Ministers’ Council and that seemed to be it (*WorkCover NSW*).

ii. Comparative performance monitoring (CPM) reports (noted by Participant 1 of the ACTU and Employer Association B)

iii. *National OHS Strategy* Triennial Reviews – Participation in the consultation process of the triennial review was the only major evaluation activity identified by respondents. Participants 1 and 2 of the ACTU and WorkCover NSW were the only respondents to identify participating in the Triennial Review of the *National OHS Strategy*. However, neither participant could recall details of the review. Safe Work
Australia also noted the Triennial Review although, as the administering body of the *National OHS Strategy*, this knowledge from Safe Work Australia was expected.

Staff turnover across a number of the institutions (ACTU, Trade Union A, ACCI, WorkCover NSW) impaired knowledge of the *Strategy’s* evaluation process. Changes in personnel meant that at the time of the interviews respondents had not been with their organisation over the life of the *National OHS Strategy*. This consequently meant that there was a lack of knowledge concerning the history of the *National OHS Strategy*. Furthermore, at the time of the interviews, Safe Work Australia was still a newly established body that’s membership had only met on two occasions. Both the ACTU and ACCI noted that there had been no discussion about the *National OHS Strategy* at Safe Work Australia meetings because the focus primarily had been on the harmonisation of OHS legislation.

**Safe Work Australia and evaluating the *National OHS Strategy***

As the administrator of the *National OHS Strategy*, there was expectation that Safe Work Australia would be the most informed of the policy process, including the evaluation of the *National OHS Strategy*. In addition to the progress measures already described, Safe Work Australia also noted the use of Safe Work Australia meetings to gather information from members as well as quarterly reporting by members; the outcomes of these reports were not public documents. The other institutional stakeholders did not identify these reporting measures in their responses.

The members meet quarterly or more often now. The OHS strategic issues group is meeting monthly and information comes out through that. There is a quarterly report, which is provided to us but I don’t believe it is publicly available, on all the activities that the members have been doing against each component of the *Strategy*. They provide that quarterly to the secretariat and that’s produced and consolidated and provided to members (Safe Work Australia).

In discussing review and reporting mechanisms, Safe Work Australia identified a number of problems with the current review process including an absence in action plans, a lack of baseline data and not being able to draw logical links between stakeholder activities and the *National OHS Strategy* outcomes. Safe Work Australia acknowledged that there had been an absence of action plans for the *National OHS Strategy*, recognising the importance of incorporating action plans into future strategies:
Well they always intended to have action plans under these. A strategy is just a strategy. It needed to have been unpacked more and there was some various political reasons why the action plans fell by the wayside but that's another lesson learned is that next time there will be a strategy and there will be action plans and those will be the actual things you measure because you will be able to see the program logic between this and this and this.

Safe Work Australia discussed a lack of baseline data as a further challenge to the National OHS Strategy review process, the lack of measures being problematic in aligning and reviewing OHS outcomes against the National OHS Strategy objectives. To help improve the relevance of future strategies on OHS, Safe Work Australia had run a workshop for members a few months prior to participating in this research. The purpose of the workshop was to identify, address, and focus on future priorities.

**Stakeholder relationships and tripartism**

A commitment to work together to drive the National OHS Strategy was made by the key signatories when the Strategy was introduced in 2002. As the National OHS Strategy represented the first national OHS policy in Australia’s history to command the commitment of governments and the social partners, it was necessary to explore stakeholder relations and their influence in furthering the objective of improving employers’ capacity to manage OHS in the manufacturing industry. The following section begins with an overview of the concept of ‘working together’ followed by a summary of discussions on stakeholder views of trade union, employer association and WorkCover NSW relationships.

**Governments and social partners ‘working together’**

The relationship between governments and social partners and the translation of ‘working together’ was not clearly defined within the National OHS Strategy. In the absence of a definition of the term ‘working together’, a literal interpretation can assume that it reflects cooperative tripartite mechanisms that help to deliver the objectives of the Strategy. This assumption was applied to the interview questions. The stakeholders were asked to identify and describe instances of working with other stakeholders on the National OHS Strategy. The ACTU and Safe Work Australia provided basic comment on the term ‘working together’. The ACTU identified it to mean participation and input into existing OHS arrangements. While the ACTU thought that the employer associations shared a similar
understanding of the meaning, they questioned whether governments shared the same interpretations:

I suppose it means that we will continue to participate in any arrangements that were set up under Safe Work Australia. We will continue to make sure that we attend and that we have input and actively participate in those things… I just think it means that we need to keep going back and keep putting our view forward and then at the end of the day if our view does not win we continue to participate, I think that's what it means rather than saying that we actually have to achieve something. I think ACCI and AiG have a similar understanding to us, I'm not sure at times that the Federal Government or other jurisdictions understand that.

It was the view of Safe Work Australia that there will be improvements in cooperation between stakeholders following the implementation of model OHS legislation in Australia in 2012. Safe Work Australia also identified a number of other policies to further support greater uniformity in approach. These include a national compliance enforcement policy to ensure actions are implemented uniformly across Australia’s jurisdictions and the development of a ‘regulators and harmony document’ by the Heads of Workplace and Safety Authorities to ensure inspectors use consistent approaches across Australian workplaces.

**Trade union and employer association interactions**

One goal of exploring stakeholder relations was to develop an understanding of the interactions between the peak bodies (the ACTU and ACCI) and their members and similarly the ACCI’s relationship with its members and non-member employer associations. Focusing firstly on trade union interactions, trade union participants identified that dialogue occurs throughout the trade union hierarchy, and while there is room for improvement in trade union relationships, there is an overall level of satisfaction with those relationships. Reasons varied as to why the trade unions thought they had positive relationships with each other and the circumstances under which these relationships were developed. The ACTU attributed their strong relationship with their affiliate unions as a reflection of (i) the dialogue they engage in, particularly through ACTU initiated OHS meetings; (ii) the capacity to have “lively debates on OHS issues”; and (iii) the ACTU’s capacity to represent its affiliates through the provision of joint submissions to OHS inquiries. Trade Union B noted strong relationships with other unions across NSW, having received their support at rallies and in working together to promote campaigns on OHS in factories. Trade Union B acknowledges

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8 The ACTU convened OHS meetings three times a year. Unions NSW attends these meetings and takes information back to the trade unions of NSW.
sharing OHS information with union counterparts outside NSW, describing this relationship as “not perfect but still pretty good”. The difficulty in relationships with unions in other jurisdictions was largely attributed to differences in the political climates of each jurisdiction; unions adapted their approaches in response to the political regime of their jurisdiction, leading to differences in union approaches across the jurisdictions.

The employer associations participating in the research described relationships across the various employer associations as “broadly constructive”. Employer Association A noted that in the past employer groups have been able to come together and provide collective submissions on various matters:

> Broadly I think it is constructive. Over the years we have come together, we have made collective submissions on matters, we talk to each other, we have differing views. The way that we have tried to work is ‘hey look, guys we will agree where we can agree’, or we might have the general view put in and then somebody will put in something specific about their own industry or whatever so there is a reasonable degree of common ground.

However, unlike the responses of the trade unions, there was less indication of cohesive and strong relationships. Perceptions of political alliances were noted in employer association responses and appear to have been an influential factor in shaping the separation in employer association relationships:

> ACCI was perceived as having got too close to the Howard government (ACCI).

> We are overtly apolitical and we do not get dragged into that sort of thing. ACCI was certainly seen as very close to the Howard government (Employer Association B).

**Trade unions and employer associations working together**

In addition to understanding trade union and employer association relationships on OHS, the research sought to understand relationships and interactions across the two groups. Exploring this relationship between the two social partners was necessary to understand the nature of interactions on the National OHS Strategy. Overall, both the trade unions and employer associations were positive about the relationships with each other although participants did note some constraints in the relationships. Trade union participants noted that relationships with employer associations can ‘wax and wane’ (Participant 1, ACTU) depending on the issue that is being addressed and the person they are dealing with (Trade Union B).
According to Trade Union A “the relationship is influenced by the approach that the employer associations take on OHS - some are viewed as having traditional or old fashioned ideas around OHS while the more modern thinkers are better to get along with” (Participant 1, Trade Union A). The employer associations also acknowledged that there are matters on OHS on which they will never agree with unions but seek to try to find common ground where possible. Like Trade Union B, ACCI equally noted that in the instances where relationships had been strained with the ACTU, it was attributable to differences in personnel and not a reflection of the ACTU as an organisation.

Beyond these caveats, most of the participants were complimentary of their relationship with each other. Both the ACTU and Trade Union B thought that they shared a professional relationship (Participant 2, ACTU) where OHS could be addressed in a positive manner (Trade Union B). Both the ACTU and Trade Union B thought that they could liaise directly with employer associations, with Trade Union B further noting:

> If there is an OHS issue and the boss is reluctant to do anything then we can pick up the phone and talk to the employer association and try and persuade the boss to do something.

Similarly, all the employer associations who participated in interviews noted that overall relationships with the trade unions were ‘fairly mature’ (Employer Association B) and that they could have meaningful discussions with them over most OHS matters. The employer associations described a ‘mutual respect’ between the two groups, which allows them to “discuss OHS issues outside of formal forums such as meetings” (Employer Association B; ACCI). According to ACCI, commitment to OHS outcomes by both social partners means they have more in common than differences with OHS.

The development of relationships and recommendations for improvement

Trade Union A thought that the relationship between the trade unions and employer associations had not improved but rather stayed the same. However, this was mainly a reflection of other political issues such as industrial relations. According to Trade Union A:

> Relationships can be complicated by the fact that we deal with each other on an industrial front and that’s more a battle type mentality, with OHS there is a parallel interest.
The impact of industrial relations on stakeholder relations was further noted by the ACTU:

Obviously the ACCI in particular were pretty strong supporters of WorkChoices legislation and the ACTU were pretty strong opponents of the WorkChoices legislation. So the relationship towards the end of 2007 was pretty sour but when it comes to health and safety matters I wouldn’t say that the relationship was as bad as it was on industrial relations matters.

The ACTU described relationships as “more mature and rational” compared to previous years, although the ACTU did not attribute this improvement to the National OHS Strategy but rather to “a general preparedness of the unions and employer associations to sit and have a genuine and frank discussion (which) has led to the change” (Participant 1, ACTU).

Employer Association B commented that they would like to see the unions engage more constructively in the OHS arena, particularly in moving beyond apportioning blame and responsibility based on legal requirements and toward accepting greater responsibility at the operational level. According to Employer Association B, this approach by the unions has stymied a genuinely cooperative way of approaching OHS and the leadership shown by unions in the 80s and 90s and the inroads that were made in driving Australia’s productivity agenda:

It is really about making sure the debate happens in a genuinely cooperative way.... It has worked before, we made great inroads in the productivity agenda with that kind of approach of working with the unions, including some tough unions, in the late 80s and early 90s.... at the national level, at the institutional level, the strategic stuff. We still tend to get bogged down in the iconic arguments over the big ticket items about responsibility and blame and stuff like that. It would be good to have, maybe it needs to be separated out into a different regime to look at the actual behavioural stuff on the ground, day-to-day that improves safety, not the big picture law stuff.

WorkCover NSW and the social partners

All institutional stakeholders spoke of having positive relationships with WorkCover NSW. WorkCover NSW had worked with and assisted the institutional stakeholders through the provision of grants for research (Trade Union A and Trade Union B), worked with stakeholders on specific OHS related projects (Trade Union A), provided joint delivery of OHS information to employers and employees (Trade Union B), and invited stakeholders to strategic planning sessions (Employer Association B). Funding assistance provided by
WorkCover NSW was particularly valuable to Trade Union B who acknowledged having fewer resources at their disposal due to being a smaller sized union.

The trade unions and employer associations held diametrically opposed views on the role of WorkCover NSW and the regulation of OHS. While these discussions generally focused on the general governance of OHS rather than on the National OHS Strategy itself, they served to highlight potential implications in stakeholder relations for the National OHS Strategy. Of particular concern was the shift in WorkCover NSW’s stance on OHS following the introduction of the National OHS Strategy:

They have recognised in the last few years that it is important that they do play an educational role. They did go through a period in the 90s largely and an earlier part of this decade where they saw their major role as an enforcer and as a prosecutor and that just, that really did limit the influence they could have over workplaces (Employer Association B).

In comparison, the trade unions preferred that WorkCover NSW pursue OHS outcomes and compliance through legal enforcements and sanctions. The employer associations were less vocal on government involvement and were satisfied that in the past few years WorkCover NSW had shifted its focus to an educative role rather than a punitive role:

They are now also taking a more constructive, co-operative approach to the actual dealings with employers. They are less likely to turn the prosecution approach. They are trying to do what they can to work more cooperatively (ACCI).

WorkCover NSW’s shift to an educative approach in the delivery and enforcement of OHS regulation proved a strong area of contention for the trade unions and was influential in shaping the social partners’ views of the agency. Both trade unions and employer associations recognise that WorkCover NSW has changed its regulatory approach to OHS in NSW from a primarily prosecution and punishment approach to an educative role. Employer associations welcomed the change while the trade unions thought it detrimental to OHS improvements as it diluted employers’ commitments to workers:

NSW decided to change tactics and bought the line that OHS will be improved by engaging employers in becoming their mate, ‘stop the prosecution, stop the fines, let's provide the advice, let's create relationships’. Injuries in NSW have plateaued and we are not seeing the same decreases and I think it’s a direct relationship to the enforcement protocols of WorkCover (Participant 1, Trade Union A).
There has been a cultural change in WorkCover that is being driven by a team of management whose focus isn't on workers but more about establishing relationships with employers. So there is a major issue as far as their commitment to workers (Participant 1 Trade Union A).

An educative role means that employers, as busy people, stick information in drawers and don't look at it...there needs to be a big stick (Trade Union B).

Unlike the trade unions, employer associations commended WorkCover’s shift to an educative approach. The employer associations commented that by adopting an educative approach WorkCover NSW is able to increase their influence over workplaces as well as to improve relationships with the employer groups:

Look at our relationship with WorkCover NSW, it is much better than it was 10 years ago... They are more inclined to bounce ideas off us than they were 10 years ago. Yes they will call in, they will ask us to put them in touch with our members. So that has improved a lot in the last five years in particular (Employer Association B)

WorkCover NSW commented that trade unions lost trust in them in 2001 in consequence of reforms to the workers’ compensation system in NSW. However, WorkCover NSW believes that the relationship improved during the 2005 Safety Summit. Unlike the trade unions, WorkCover NSW thought that the change to an educative approach has led to greater dialogue with the unions:

The change to a more educated approach to OHS meant that there is more dialogue between WorkCover and the unions in getting them to understand the role of WorkCover and raising the argument that prosecution is a sign of failure in that something dreadful has happened.

WorkCover NSW and the ACTU made similar observation in explaining that the motive for relationship building was for reasons beyond the National OHS Strategy. According to WorkCover NSW, an educative approach to OHS was used to build trust along the entire chain from employer representation to the workplace:

Research tells us that people who belong to an organisation are more likely to trust that organisation than they will a third party, in this case, WorkCover is a third party. We know employers will go to the peak association to get information. WorkCover works with the peaks to get that information to employers but in order to do that we had to build a proper relationship and get back credibility from those peaks and it's taken a lot of time. It was a quite deliberate strategy.
Improving the services of WorkCover NSW

In addition to discussing interactions and relationships with WorkCover NSW, the social partners provided feedback on how WorkCover NSW could improve its delivery of services. Key recommendations included (i) the development of a more interventionist model to include greater input from other stakeholders; (ii) improvements to the quality and availability of information on the WorkCover NSW website; (iii) greater engagement with the ethnic community; and (iv) a greater focus on customising information and advice based on the individual needs of workplaces.

i. The development of an interventionist model:

I think they have consulted fairly well with the stakeholders but I also think that they have fallen short of and may have difficulty in moving toward that more interventionist model in getting a statement of responsibility and sharing responsibility that they had tended to take on themselves as the regulator (Employer Association B).

ii. There was criticism of the material available on the WorkCover NSW website, particularly a lack of sufficient information for employees. Trade Union A noted their belief that WorkCover NSW operates under the premise that by making information available to employers it will be filtered through to workers – Trade Union A argues this is not the reality of the situation:

WorkCover recognises and is self-critical of their own web page, it's a bloody nightmare trying to find information on their website. At the end of the day the ideology that has been adopted by WorkCover, which I think is problematic, it is a drip feed ideology in the way information is passed on to workers, i.e. we will develop programs or projects to target employers and that information would drip feed on to workers. The reality is that doesn't happen. They provide information to employers and they hold on to that information, make decisions without consulting workers and move on their merry way. We believe you should want to actively engage with workers, you need to have systems in place. WorkCover is the only website in Australia that does not have a section for health and safety reps and yet they have functions under the Act.

iii. Greater engagement with the ethnic community through ethnic media, radio, TV and newspapers in the languages of people working in the industry:

There is suspicion within the non-English community of authority and those barriers need to be broken. WorkCover is addressing some of these issues by having translated material into various languages. However, the biggest issue is the cultural stuff, it's about getting face-to-face with people because you can't do it remotely, you can't call them up over the phone and say look do you understand OHS, you've
actually got out there and meet them and in a lot of cases this should be done by people from the same backgrounds (Trade Union B).

iv. Customised approaches to OHS information and service delivery:

So WorkCover has made one shift and that is we need to be back in the influence and educative game the next step for them is to be more responsive to the different cultures and that is not easy because it has to be seen. One company might say how can you make us do this paperwork but you don’t make the guy down the road. Well it would be difficult to say well you have a literate workforce and they don’t. So they need some tools to measure effectiveness and efficacy of the outcomes and while it is complicated and expensive, the training of inspectors in different skills, that is where we have to go if we are going to do this properly (Employer Association B).

Changes to Australia’s peak OHS agency and tripartism

The transition from the National Occupational Health and Safety Commission to the Australian Safety and Compensation Council and then Safe Work Australia has been criticised both academically and politically. Changes to the roles, functions, and structures of the peak OHS agency has had consequences for OHS activity at the jurisdictional level as discussed in previous chapters. To understand the effects of these transitions to the peak OHS agency, participants were asked to describe any impact that it has had on their OHS practices.

Like many other previous questions, the capacity of respondents to address this question was limited by their employment history with their respective organisation. Not all respondents (ACTU, ACCI) were employed with their organisation during the transition across all three agencies. However, despite these absences in employment, many of the respondents still had knowledge of the changes and therefore provided general comments on the matter. Respondents did not comment on the impact that the changes have had for the National OHS Strategy.

The changing face of Australia’s peak OHS agency

Overall, the NOHSC was highly regarded by respondents. General impressions of the NOHSC were that while it had certain shortcomings, it was preferred to its successor agencies, “NOHSC, despite it not being a perfect organisation there was a lot going for it” (Participant 1, Trade Union A). Trade Union B was the only institutional stakeholder to note
that the changes to the peak OHS agency had not resulted in differences in the delivery and receipt of OHS information.

Preference for the NOHSC was justified by views that it represented “more of a collaborative approach” (Participant 2, ACTU), it was supported by legislation, it embraced new initiatives and challenges, was better resourced, and had a more proactive approach to OHS. Participant 2 of Trade Union A, who provided considerable comment on the changes to the peak OHS agency, identified a number of shortcomings in consequence of the removal of the NOHSC:

It was a body that was funded. While it made mistakes it actually had a philosophy about improving and taking up challenges which were shown in its research programs and its program to encourage young researchers in the awarding of PhDs, industry based programs that were about getting jurisdictions and social partners working together, about developing information campaigns etc. It actually had much more of a cooperative, proactive approach. That changed, it got defunded, de-skilled, narrowed in approach…. they lost technical expertise, they lost visionary expertise, they lost the research focus...the whole organisation narrowed….it no longer became a place where anyone who was interested in OHS would really want to go (Participant 2, Trade Union A)

NOHSC was quite approachable in that they had a lot of resources… it had a huge research capacity, it was out at Camperdown building so it had links with the University of Sydney, it had lots of stuff (WorkCover NSW).

WorkCover NSW noted that the changes to the peak OHS agency signified a change in priorities for OHS. The most notable changes were a shift in responsibility for the jurisdictions to undertake activities, such as research, that had previously been the responsibility of the peak OHS agency:

When it was downsized in fact it pushed the State and Territory jurisdictions into having to do a lot more which is probably in the longer term not a bad thing but I do think there was capacity lost at the time in OHS across Australia. It has taken a while to rebuild that capacity and to get jurisdictions aware of what they can and should be doing.

**Tripartism in occupational health and safety**

One of the core functions of Australia’s peak OHS agency is to provide a tripartite forum to represent the views and interests of employers, employees, and government. Representatives from both the trade unions and employer associations were critical of tripartite arrangements, claiming that employer and employee representation had been reduced following the abolition of the NOHSC, “our representation has been reduced and the role is a lot different
to NOHSC” (Participant 2, ACTU). Participants thought the most significant consequence of this outcome has been a shift in decision-making power to government, which both trade union and employer representatives deemed as detrimental to being able to represent the interests of their constituents:

Safe Work Australia has reduced stakeholder participation by reducing the representation of workers and employers…. under the old scheme if the social partners had a common view which occasionally happened, which was contrary to the government’s position, we actually have the numbers to stop or get through a proposal. But by reducing our numbers, regardless of our forces joining to form common good in delivering OHS outcomes, we don't have the numbers, we'll never have the numbers. This delivers a future where politics rules the day, which is a terrible outcome for OHS (Participant 2, Trade Union A).

Currently the biggest difference is that the number of social partners on these bodies has decreased, that we felt sent a bit of a message around how these tripartite bodies were going to work. Our understanding of the way that NOHSC used to work was much more of a genuine tripartite body rather than being driven by the bureaucrats (ACCI).

We can get outvoted by a collection of governments and we say that is not tripartite and for us that is a stumbling block. There is a problem, it's a flaw in the legislation, it's a flaw in how OHS is regulated and how policy is developed in this country (Participant 2, ACTU).

Respondents identified the ASCC and Safe Work Australia as political tools. Respondents viewed the introduction of the ASCC as an attempt by the Government to “noble good work that was coming out of NOHSC” (Participant 2, ACTU) and to rein in control:

Another issue was the control the Minister had directly over the ASCC - it undermined the whole concept of tripartism and by virtue of doing that, Australia fell into breach of ILO Convention 155 (Participant 1, Trade Union A).

This is the problem, OHS has become a game of Federal and State politics…. What replaced it [ie NOHSC] was a bureaucracy whose aim was to control, not to take initiatives, so there is a very different mindset that occurs (Participant 2, Trade Union A).

The big issue with Safe Work Australia has been the dominance of the bureaucrats and at the expense of the stakeholders ….we have a very clear view, in this system there are only two stakeholders – the employers and employees, everybody else is either a regulator or service provider (Employer Association A).
Consequently, stakeholders felt that less emphasis was being placed on tripartism, that OHS has become an area that is “not sufficiently independent of day-to-day government bureaucracy” (Participant 1, ACTU) and that OHS expertise was sacrificed:

OHS is an enormously complex area so much so that when ministers and decision makers are confronted with it their eyes glaze over. What that means is that by default the decision-making resides with regulators (Participant 1, ACTU).

Although respondents were critical of the balance of power and structure of the peak OHS agencies since NOHSC, respondents clearly identified that these criticisms did not reflect the positive work of the secretariat who undertakes the work of the peak OHS agency (WorkCover NSW, Employer Association A).

While the changes to the peak bodies attracted criticism from the institutional stakeholders, Employer Association B and WorkCover NSW identified two positive outcomes from the reforms. The decision to include a second employer association alongside ACCI on Safe Work Australia was viewed positively by Employer Association B who thought the new representative arrangements allowed for improved industry representation at the national level and a better model of tripartism. WorkCover, on the other hand, noted that the change in Australia’s Federal Government (the election of the Rudd Labor Government) has led to “more cooperation at the federal level” and a “greater willingness to share information and to work collaboratively on things” (WorkCover NSW).

Discussion

Interviews were conducted with OHS agencies, trade unions and employer associations to (i) gauge the institutional stakeholders’ views, knowledge and implementation of the National OHS Strategy; (ii) gather information on the policy process underpinning the Strategy; and (iii) to identify the dynamics of stakeholder partnerships in ‘working together’ to implement the Strategy. Prior to commencing the interviews, there was an expectation that the key signatories to the National OHS Strategy – for the purpose of this research, represented by WorkCover NSW, ACCI and the ACTU – would possess the greatest levels of knowledge. This assumption was based on the roles of the actors as signatories to the National OHS Strategy and their involvement and participation in key tripartite bodies such as Safe Work Australia and its predecessors. However, despite these assumptions, the depth of information and detail provided by respondents was limited. Overall, the findings
highlight that while there was general awareness of the existence of the National OHS Strategy, there was a lack of detailed understanding of the Strategy by most of the participants. Furthermore, the findings show that although stakeholders described the Strategy as inspirational and as a representation of OHS maturity beyond legislation, in practice the National OHS Strategy has not had a strong influence in driving the stakeholders to action. Participants’ responses show that the National OHS Strategy had a much stronger presence when it was first launched. However, attention to the Strategy diminished over time as efforts were redirected away from the National OHS Strategy and toward other areas of competing priorities. There were a number of underlying impediments to the implementation of the National OHS Strategy including stakeholder buy-in, resource constraints, dependence on government to drive the Strategy and the challenge of competing priorities that drew time and energies away from the National OHS Strategy. The remainder of this chapter discusses these issues through the lens of the IAD framework.

The actors and the National OHS Strategy

Within the IAD framework, the decisions that the actors make about a particular policy are influenced by factors including the resources that they bring, their values on what they would like to see happen, the extent to which they can control outcomes and the costs and benefits of these outcomes to the actors. These assumptions held true in the case of the National OHS Strategy, particularly when the actors made the choice to prioritise their efforts away from the National OHS Strategy and toward the development of model legislation. Furthermore, the problem of staff retention and the lack of knowledge transfer of the National OHS Strategy within institutions suggest that the National OHS Strategy was of less value to the stakeholders than other areas of OHS.

OHS legislation – a competing priority against the National OHS Strategy

The harmonisation of OHS legislation was noted as being of importance and priority to the stakeholders and that efforts needed to be shifted away from the National OHS Strategy in order to focus on the development of the new legislation. This prioritisation of activities is arguably a logical one; organisations operating with limited resources will re-direct their efforts to areas that are the most strategic to their survival. Since OHS legislation is a legal requirement that affects both employers and employees, trade unions and employer associations have a responsibility to represent and service their members’ needs as best as

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9 A national consistent regulatory framework was one of the nine action areas under the National OHS Strategy.
possible in relation to the legislation. The re-direction of stakeholder efforts away from the National OHS Strategy highlights that institutional stakeholders are driven by their members’ needs and requirements rather than government policies such as the National OHS Strategy.

Knowledge transfer within organisations and the actors

The departure and movement of key OHS personnel, particularly in WorkCover NSW, ACCI, ACTU, and Safe Work Australia, consequently meant that some interview participants were not employed in their respective roles during the development period of the National OHS Strategy. Consequently, staff movements have resulted in a loss of corporate knowledge. This absence in knowledge highlights a number of key issues (i) the importance for organisations to ensure the continual transfer of knowledge across staff; (ii) the importance of transparency in the policy process, in particular the documentation of policy and the availability and accessibility to such information; and (iii) ensuring that the National OHS Strategy is continually reinforced across the entire hierarchy of institutional stakeholders to ensure that it remains a visible document.

Staff movements not only signified a loss in corporate knowledge of the National OHS Strategy but they also highlight a more fundamental issue for the field of OHS – the development of the OHS professional. Frequent movements across OHS positions are possibly indicative of systemic problems with career development opportunities within these institutions. Opportunities for career development, coupled with an organisational culture that awards OHS with an increased strategic profile could assist with the retention of OHS personnel and broaden their depth of interest and pursuit of strategic, long-term commitments.

Physical and material conditions: Resources and institutional hierarchies

Resourcing the National OHS Strategy

The availability of resources was important in guiding the actions and commitments the stakeholders could award to OHS. It is arguable that a dearth of resources allocated to the National OHS Strategy was a contributing factor to its fragmented implementation. The social partners discussed the importance of financial assistance provided by WorkCover NSW, which allowed them to engage in activities such as research projects, the provision of OHS information and the delivery of awareness campaigns that would not have happened
Chapter 8 discusses in further detail the delivery of OHS programs by the social partners using funding provided by the regulatory agencies. Overall, the interview findings, coupled with the documentary analysis findings in Chapter 8, highlight that the social partners have a genuine interest in getting involved in OHS initiatives as long as they are provided with additional resources to do so. These findings support the IAD framework, which argues that the actors will make decisions on a policy according to the resources that they bring. Since trade unions and employer associations engage in actions that will create benefits for their members, the economic incentive for the social partners to engage more actively in the National OHS Strategy may be realised with additional financial assistance. For organisations such as Trade Union B, which represents one of the smaller, and therefore less resourced social partners in NSW, there is an even heavier reliance on financial assistance to be able to support OHS services to members.

The complexity of institutional hierarchies and structures

The hierarchical structure under which the institutional stakeholders operate had some significance in the delivery of the National OHS Strategy. In this thesis, hierarchical structures represent the various layers of trade union organisations and employer associations. The ACTU represents the peak union body in Australia and through Unions NSW, represents individual unions such as Trade Union A and Trade Union B within NSW. As not all employer associations are represented under a peak association, their hierarchical structures are more fragmented. These structures had an influence in the delivery of the National OHS Strategy. Throughout their responses, participants did not indicate any evidence to demonstrate that communication and interaction on the National OHS Strategy had occurred between the ACTU and ACCI and its members. This signifies a disconnect between actors operating at the collective level compared to actors at the operational level. According to the IAD framework, decisions made at the collective level are said to affect the actions of the actors at the operational level. However, the National OHS Strategy does not appear to have ‘trickled’ down to individual unions at the State level. Based on participants’ responses, there are two possible explanations for this outcome.

Firstly, it might be a consequence of the ‘broad brush’ nature of the National OHS Strategy as described by Participant 2 of Trade Union A. Organisations such as the ACTU and the ACCI, which sit at the national level of policy making, tend to advocate a generalist approach to OHS. That is, one that reflects the general ideology of the institution and one that broadly satisfies all its constituents. The interview participants indicated that union
relationships are strongest within each jurisdiction. Once outside the jurisdictional boundaries there are differences in approach to OHS, largely guided by the different political landscapes that govern each jurisdiction.

Secondly, not all constituents support or adhere to the *National OHS Strategy*. This outcome was also discussed by Participant 2 of Trade Union A, who noted that Trade Union A was pursuing matters more relevant than were contained in the *National OHS Strategy*. Returning to the literature, these findings highlight Traxler’s (1999: 345) discussion on the capacity of associations in getting members to comply in accordance with collective decisions. The *National OHS Strategy* represents a case where peak associations face a challenge in getting their members to comply. These assumptions also question the IAD framework’s assertions that decisions at the collective level affect decisions at the operational level. The *National OHS Strategy* represents an example where this has not occurred.

**Tripartism and the *National OHS Strategy***

As noted in earlier chapters, tripartism is a fundamental ideology associated with the *National OHS Strategy*. Most interview participants expressed their support for tripartism in OHS. Stakeholders considered tripartite relationships around OHS as positive and less adversarial than other industrial relations matters. However, despite the importance placed on tripartism, there was limited evidence to indicate that the stakeholders had ‘worked together’ on the *National OHS Strategy*. Where stakeholders spoke about tripartism, it was in reference to participation on tripartite forums such as the NOHSC, ASCC, and Safe Work Australia, or participation at the *NSW Safety Summit* IRGs. Therefore, stakeholders perceived tripartism as the coming together to discuss ideas and make decisions on the courses of action, rather than acting cooperatively in practice. Where examples of cooperation were noted they were primarily bipartite in nature.

A strong theme throughout the interviews was the dependence the social partners placed on OHS government agencies, such as WorkCover, to drive OHS, including the *National OHS Strategy*. This was partly a reflection of the Strategy’s failure to communicate the roles of each of the stakeholders in delivering the Strategy. A failure to articulate stakeholders’ roles under the *National OHS Strategy* translates to a lack of accountability on the part of the stakeholders and a lack of motivation to drive the Strategy. The reliance on government is also a reflection of the resource limitations the social partners face and it quite possibly reflects traditional views that place the delivery of OHS services solely as the responsibility of government. While governments are resourced and have a responsibility to deliver OHS services (predominantly concerning OHS legislation to) to businesses, the *National OHS
Strategy represents a new phase in governance in OHS, one that moves beyond the status quo of OHS simply being a government regulatory activity. This will entail the establishment of new roles and boundaries for all stakeholders, including the roles that the social partners assume in the delivery of future OHS activities. The provision of resources to implement the National OHS Strategy can potentially help to create opportunities for stakeholders to engage in improved OHS delivery as well as holding them accountable for their actions. Furthermore, the allocation of resources also sends a positive message about government (State, Territory and National) commitment to the National OHS Strategy and the significance of the Strategy, particularly its role in guiding and shaping future OHS actions.

As noted in the literature review, the theory of tripartism is based on the assumption that there will be basic consensus among actors. Therefore, while there may be some disagreement between parties, fundamental disagreements will be set aside in order to arrive at policies that will be acceptable to all the parties (Marsh and Grant, 1977: 197-198). Despite this assumption, there appear to be clear differences in opinion between the trade unions and the employer associations regarding the role of WorkCover NSW. WorkCover NSW’s adoption of an educative approach to OHS was supported by the employer associations but rebuffed by the unions. These differences in opinion present some challenges to the notion of ‘working together’. Although the National OHS Strategy identifies common goals and objectives, there will be differences as to how each of the stakeholder groups would like these achieved – the trade unions with a greater emphasis on enforcement and punishment while employer associations will support the educative approach of WorkCover NSW.

Evaluation of the National OHS Strategy

Regular evaluation over the life of the National OHS Strategy would have potentially identified and sought to address problems as they occurred. Increasing the frequency in which the National OHS Strategy was referenced and discussed in forums such as NOHSC, ASCC and Safe Work Australia meetings would have created opportunities to reinforce the National OHS Strategy to stakeholders as well as allowing for modifications to be made to the Strategy itself in line with changes to the context in which it operated. While Safe Work Australia recognised problems with the review mechanisms underpinning the National OHS Strategy and have instigated measures such as workshops to provide information for future OHS policies, the inability to access this information beyond the interview creates challenges to the documentary analysis process.
Conclusions

This chapter presented the findings from interviews with OHS agencies, trade unions, and employer associations. Through these interviews, a number of observations were drawn about the National OHS Strategy. In general, while the National OHS Strategy is recognised by most stakeholders it has had limited impact in driving their activities. Attention to the National OHS Strategy has diminished over time. Within NSW, the National OHS Strategy had some links to the NSW Safety Summits, although this was primarily based on the adoption of the 40 per cent 20 per cent reduction targets. Competing priorities, particularly the development of new model legislation, drew attention away from the National OHS Strategy. The interviews demonstrated that the social partners were dedicated to engaging in OHS efforts with assistance provided through WorkCover NSW. This finding highlights that there is a genuine interest on the part of the social partners to do more to improve OHS outcomes across workplaces although the capacity to do so is contingent on the availability of resources. The relationships between the stakeholders represented another key theme in the interviews. The findings highlight that tripartite mechanisms are relegated primarily to discussions and decision making of forums with limited evidence of tripartism in practice outside these forums. Many of the outcomes observed from the interviews can be drawn back to the IAD framework, although one of the findings provided new insights into how trade unions make decisions at the operational level compared to rules at the collective level. The following chapter revisits the themes of this chapter from the perspective of individual employers in the manufacturing industry in New South Wales.
Chapter 7: Key Findings from Interviews with Manufacturing Businesses

Introduction
This chapter presents the findings of interviews with three manufacturing organisations in New South Wales, plus a consultancy firm that provides OHS risk assessment and auditing services to Australian companies, including those in the manufacturing industry. The purpose of the interviews was to gather information about how manufacturing organisations manage OHS, identify approaches to improving capacity to manage OHS, and to better understand the relationship between business, WorkCover NSW, trade unions and employer associations. The chapter begins with an overview and discussion of the key issues that were discussed during the interview process beginning with each company’s awareness and views of the National OHS Strategy. The chapter then explores the idea of business capacity by presenting each company’s knowledge of OHS fundamentals and perceptions of their OHS performance. The chapter also discusses three variables that played a significant role in shaping OHS within each company: the availability of resources; senior management involvement and commitment to OHS; and the application of OHS management systems. Key motivators are then explored to help provide insight into the factors that drive the organisations to take OHS action. Each company’s views on the roles that trade unions, employer associations and WorkCover have had in influencing their approach to OHS are summarised. The research in this chapter reveals low levels of awareness of the National OHS Strategy and diminution in perceived relevance over time. The findings highlight significance differences in capacity between small and large businesses, largely attributable to the availability of resources among larger companies. Businesses were motivated to improve OHS in order to be recognised as industry leaders and in order to satisfy tender requirements. Senior management awareness remains an important issue for OHS specialists as well as identifying the need to reach small business owners beyond the traditional channels of information provided by WorkCover NSW.
Overview of the companies

The findings presented in this chapter are based on the responses provided by the four participating organisations in face-to-face interviews. The following is a brief description of the participating companies. In order to maintain the confidentiality of participants, fictitious names have been given to each of the companies.

Fundamental Foods

Fundamental Foods is a large national food manufacturer. At the time of the interview, Fundamental Foods employed around 700 people across Australia, with the majority of employees located across two manufacturing facilities in NSW. The company had a dedicated full-time national OHS manager who participated in the interview. He acknowledged being relatively new to his position. Two trade unions represent employees of the company. An employer association represents the company although the national OHS manager was not aware of which one, as he has not interacted with the employer association.

Precision Printing

Precision Printing is a print manufacturing company with one facility in NSW. At the time of the interviews, the company employed around 350 people. Precision Printing employed a dedicated OHS manager and a part-time rehabilitation manager. A small number of the company’s employees were members of a union. The company was a member of an industry association.

Bexter Brewery

Bexter Brewery is a microbrewery established in 2000 that manufactures boutique beer. The company comprises the company’s owner and one employee. The company is a member of the Institute of Brewing and Distilling. The owner of Bexter Brewery did not have any formal qualifications or training in OHS apart from introductory studies in OHS as part of a food technology course.

C&G Consulting

C&G Consulting provide management consultancy services to a broad client base including large organisations (namely those on the stock exchange – ASX200 listed companies), public (government) and private organisations, research organisations, and higher education institutions. They provide services across a number of industries including energy, mining, manufacturing, construction and transport. Two consultants from the company’s OHS risk
management unit participated in the interview. C&G’s participation in the research provided two types of contribution. Firstly, they presented information specific to their own practices and services as an OHS consultancy and secondly, their responses incorporated a second-hand account of details specific to their clients’ experiences.

Awareness and views of the National OHS Strategy

To better understand the role and influence that the National OHS Strategy has had on the participant companies, participants were asked to provide comment on their awareness of the National OHS Strategy as well as any views they may have specifically on the National OHS Strategy or generally on having a strategy for OHS in Australia. Fundamental Foods and C&G Consulting were the only participants who were familiar with the National OHS Strategy, having come across it through research on OHS. For both companies, it was a document that was read “a little while ago”, therefore, neither company was able to recollect the details of the Strategy. The representative from Fundamental Foods was the only participant to have applied the National OHS Strategy albeit having done so at a previous place of employment rather than at Fundamental Foods. According to Fundamental Foods’ national OHS manager, he had referred to the National OHS Strategy, together with WorkCover’s OHS Strategy, when developing the OHS policy for his previous employer. The intention of this exercise was to align the company’s OHS policy to the National OHS Strategy and WorkCover’s OHS Strategy. However, this alignment was not achieved and the National OHS Strategy simply served as a reference within the OHS policy:

At the time at my previous employer I was writing our internal strategy so I had got the strategies from the National OHS Strategy and the WorkCover strategies and tried to align what we were doing with that… I can't recall that there was actually any content taken out of it but at least we had a procedure for OHS plans and did reference the National Strategy as part of that. So when writing any strategy or plans for the organisation we were referring the National Strategy (Fundamental Foods).

Unlike Fundamental Foods, C&G Consulting had not utilised the National OHS Strategy as they considered there to be a disconnect between their clients’ needs and the Strategy. C&G Consulting described their clients as “mature in their OHS management controls because of the nature of their work or because of the size of their business”. C&G’s clients were said to require services that are “well beyond the type of things covered by government strategy”. According to C&G Consulting, even their government clients are challenged in being able to deliver on the Strategy: “they are barely across their requirements at the State level”. C&G
Consulting made two observations about the National OHS Strategy. Firstly, the Strategy was not considered to reach businesses as it was at “at such a high level”, therefore the National OHS Strategy needed to be relevant to business:

If you're going to have a strategy it has to be specific enough for people to be able to apply it and this is not specific enough (C&G Consulting).

The second comment was to make the Strategy more attractive for businesses to sign up to. Industry and peer recognition were provided as examples of such benefits. According to C&G Consulting, benchmarking across an industry helps to ensure that top performers are recognised by their peers, therefore helping to create competition within the market. This approach would also need to be coupled with reinforcement from the regulator “so if you aren’t performing you are actually getting hit hard”.

Although Bexter Brewery was not familiar with the National OHS Strategy, they were asked to express their views on what a national strategy for OHS should contain. Bexter Brewery’s views on what should be contained in a national strategy largely mirrored many of the elements contained within the National OHS Strategy:

Things that cover a lot of different industries but should also be quite specific to the specific industry that you work in and actually to the specific workplace that you work in as well. And by that this particular industry has got some rather problematic issues from OHS perspective that other industries wouldn’t face so it is quite important that there are general guidelines across the whole of the workplace but also specific identifiable items according to each specific industry.

The National OHS Strategy and the harmonisation of Australia’s OHS legislations

With the exception of Bexter Brewery, the remaining participants all discussed the harmonisation of Australia’s OHS laws. Although participants were not asked a direct question about the harmonisation process, the matter was noted during discussion of their views on the National OHS Strategy; the Strategy was strongly associated with the harmonisation of occupational health and safety laws.

As the only participant to have applied the National OHS Strategy, Fundamental Foods’ national OHS manager was asked if he would use the National OHS Strategy within Fundamental Foods. He indicated that he would not refer to it again until Australia’s model OHS legislation had been finalised, believing that OHS harmonisation needed to be sorted
before the *National OHS Strategy* attempted anything else. Harmonised OHS legislation also featured in the responses of Precision Printing and C&G Consulting when asked to express a general view on having a national strategy for OHS in Australia:

> If what they are talking about is that there is different legislation, safety legislation in different States, different workers’ compensation legislation a whole lot of stuff. And if by that they mean sort of bringing it all together so that it is more uniform then to me that makes sense *(Precision Printing)*.

C&G Consulting spoke on behalf of their clients with operations in more than one State, noting their desire for a standardised OHS system across Australia, coupled with standardisation of the workers’ compensation system. Without standardisation of workers’ compensation systems, C&G Consulting’s clients regard the harmonisation of OHS legislation as a hindered process, coupled with further concerns as to “whether the States will actually deliver on the national requirements” and their enforcement.

**Organisational perceptions of OHS performance and knowledge of OHS fundamentals**

There were variations in how companies perceived their OHS performance and knowledge. On the topic of OHS performance, two of the companies, Precision Printing and Bexter Brewery, spoke positively of their company’s OHS performance while Fundamental Foods identified changes that were required to improve OHS. C&G Consulting provided a third-hand account of OHS performance and knowledge among their clients with the general conclusion being that at the level of senior management there is a lack of OHS knowledge. Precision Printing’s view of their OHS performance was optimistic and represented a company that was confident in its OHS approach. According to Precision Printing, there had been a significant change and improvement in OHS as the company’s approach to OHS has become more “professional and systematic”:

> Ten years ago there probably wasn't a proper system in place. It was more *ad hoc* whereas now it is more of an OHS management system. There is a database where injuries get entered, training gets entered, it is systematic in every sense of the word. It is properly audited, internally and externally, policies, procedures and training improvements, if things go wrong they get investigated.
Precision Printing noted that they had achieved significant reductions in lost time injuries, incidents, major accidents and insurance premiums on account of all the changes that had occurred in their management of OHS. These improvements were possible due to the “huge amount of money and huge amount of time” that the company had invested in OHS, coupled with a change in culture:

The safety record has gone down tremendously… that has happened for a whole variety of reasons. It really is a cultural change that has happened here, and I think that's where organisations have to aim. That has largely been driven from the top down but it is also about getting the shop floor involved. We have a strong safety committee.

As an OHS service provider, C&G Consulting commented on the OHS knowledge and expertise of their clients. C&G Consulting suggested there was “a general lack of understanding around OHS and where it is heading” among directors of large companies despite the fact that they are “the ones that will be impacted the most”. This absence in knowledge among senior executives was largely attributable to busy workloads and a lack of training and information:

There are so many other things that directors are across and they know that OHS is in the bucket and they are worried about it, and there are a number of indications that they are worried about it, but they just don't have the detail and no one has given them the training and the detailed information.

Fundamental Foods and Precision Manufacturing both had specialist OHS managers to oversee OHS functions while Bexter Brewery was the only participant where the owner was responsible for all OHS functions. The owner of Bexter Brewery felt confident in his ability to manage OHS. This confidence was based on the belief that 20 years of work in the brewing industry had made him “appreciate the dangers” while in the ten years of Bexter Brewery’s operations there had not been any significant OHS issues “apart from the occasional slip on the floor”:

I think I’m across everything pretty much in this plant and I can say that with confidence in that, touch wood when I say this, we haven’t had any major issues in 10 years of operation. The occasional slip on the wet floor I don't think constitutes a major problem. I have to admit though a lot of the issues that could have a problem with here are actually long term. So the results aren’t always immediate but I feel that what I am doing is at least to an industry standard.
While Precision Printing and Bexter Brewery were positive about their OHS performance, Fundamental Foods noted that the biggest challenge facing the company was an absence of a “proper OHS system”. Fundamental Foods had been prosecuted on two prior occasions and the current national OHS manager noted a failure on the part of the previous national OHS manager to implement a sufficient OHS system. Fundamental Foods acknowledged that senior management was committed to OHS and that the organisation “just required the right person to get the job done”.

In terms of OHS knowledge, there was significant variation in the sophistication and maturity of OHS knowledge and expertise between the larger organisations and Bexter Brewery. The owner of Bexter Brewery, while confident in his knowledge of OHS risks specific to the brewing industry, identified a lack of knowledge of the legislation that governed OHS in NSW and ‘guessed’ that the legislation would fall “under the broad umbrella of WorkCover”. The larger companies acknowledged having a well-grounded understanding of OHS laws, noting that their actions were focused on advanced approaches to OHS that exceeded the minimum requirements of the law.

**Key approaches and mechanisms to managing OHS performance**

There were variations in the approaches and mechanisms used to address OHS. They ranged in sophistication with Bexter Brewery having the most basic of approaches compared to the other companies where OHS was managed on a larger scale. Table 5 is a summary of the key features of OHS management in each company. Some of the main differences across the companies were:

1. availability of resources including an OHS specialist officer, training, education and information
2. complexity of the OHS management system – i.e. OHS committees, being standards certified
3. senior management involvement; an aspect of safety culture.
Table 5: Approaches to the management of OHS by the manufacturing companies

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<th>Company</th>
<th>Approaches</th>
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| Fundamental Foods     | - The national OHS manager is responsible for OHS management across all sites in Australia. There is also an onsite OHS manager at one of the manufacturing facilities.  
                         - The national OHS manager travels to the two manufacturing facilities each week  
                         - The company has three OHS committees – one at each of the two manufacturing facilities and another at the main administration offices  
                         - The national OHS manager developing a safety management system, safety strategy and plans  
                         - Safety leadership Group comprised of national OHS manager, OHS manager from factory, plant managers from both factories and two executives. Group meets every two months  
                         - OHS statistics presented to Fundamental Foods’ Board of Directors every two months. |
| Precision Printing    | - Employs a full-time OHS manager and a part-time rehabilitation officer  
                         - The managing director sits on the OHS committee  
                         - Training is provided for all levels of the workforce. Refresher courses provided  
                         - Consultation with workers takes place via a safety committee and tool box talks  
                         - OHS is communicated through written rules and procedures  
                         - Equipment is maintained and updated regularly  
                         - Internal and external audits are carried out  
                         - OHS management meetings are held for department managers |
| Bexter Brewery        | - Safety practices involve making sure to wear safety equipment  
                         - Refers to previous work experiences as a guide and follows practices common to the industry  
                         - Discusses OHS informally with staff  
                         - Gains new information by attending brewing conventions and networking |
| C&G Consulting        | - Provide the following services to clients:  
                         - OHS audits  
                         - OHS assessments and gap analysis  
                         - OHS advisory support – safety climate and safety culture assessment surveys  
                         - Safety leadership programs  
                         - OHS strategy development  
                         - Coaching and training for executives |

Availability of resources: OHS specialists, training, education and information

Interview participants were asked to provide information about the resources, tools, and methods that they used to fulfil their OHS responsibilities. Overall, the mechanisms used by Fundamental Foods, Precision Printing and C&G Consulting to manage OHS were more sophisticated compared to those of Bexter Brewery. The fundamental difference that separated Bexter Brewery from the other organisations was its size. As a small business that has only ever had two individuals working on the premises (the owner and an employee), Bexter Brewery has not had the capacity or resources to engage specialist OHS knowledge thereby leaving the owner solely responsible for all facets of OHS management. In comparison, Fundamental Foods has multiple OHS specialists working within the organisation including the national OHS manager as well as an OHS manager at the larger of the two manufacturing plants that Fundamental Foods operates. Equally so, Precision Printing also has dedicated OHS resources including a full-time OHS manager, a part-time rehabilitation officer and a full-time human resources manager who also played a key role in the company’s OHS management system. While C&G Consulting is not a manufacturing
business, it works to provide OHS advice to organisations. Given the nature of C&G Consulting’s work there is a requirement for the company to have extensive knowledge in the field of OHS in order to provide OHS advice and expertise to clients. The differences in capacity between Bexter Brewery and the other organisations was further evidenced by the differences in knowledge of OHS laws and the means through which OHS information and training was acquired.

**Accessing OHS information and training**

Each of the participants was asked to identify the sources they primarily referred to for OHS information as well as any OHS training and information that is provided. Overall, the findings highlight a similar pattern to previous findings whereby the outcomes for Fundamental Foods, Precision Printing, and C&G Consulting were parallel in scope. Bexter Brewery’s sources of OHS information and training are much more rudimentary than the larger companies. Table 6 is a summary of the main sources of information and training available to each company.

**Table 6: Sources of OHS information and training**

<table>
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<tr>
<th>Company</th>
<th>Sources of Information and Training</th>
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| **Fundamental Foods** | - Board members are trained in board responsibilities every two years. This training includes OHS.  
                         - Safety Leadership Group attend six-day training course designed by a consultant  
                         - Seeks legal advice where needed on OHS legislation  
                         - Information sourced via the internet  
                         - Previous work experiences |
| **Precision Printing** | - External training course  
                            - Information from Print industry Association  
                            - Information from Magazines  
                            - Information from WorkCover NSW  
                            - Information sourced via the internet |
| **Bexter Brewery** | - Previous Studies in food technology  
                            - Experience gained from previous employment  
                            - Publications on brewing  
                            - Institute of brewing and distillery and their initiatives including:  
                                - Brewers technical meetings  
                                - Conventions  
                                - Symposia  
                            - Talking ‘shop’ with other industry players  
                            - Department of Gaming and Racing publication which includes some information on OHS from WorkCover  
                            - Reading warnings and instructions on packages  
                            - Learning from other’s workplace incidents  
                            - Suggestions from staff |
| **C&G Consulting** | - The information and resources used by C&G Consulting to enable them to provide their services to clients:  
                            - Previous work experiences  
                            - Learning from different client cases  
                            - Contacts within the OHS industry  
                            - Paid subscriptions to Workplace OHS and SIA  
                            - Use of technology to source information |
During their interview, Precision Printing presented documentation to demonstrate the extensiveness of OHS training provided to both employees and managers. Precision Printing showed that its employees receive induction training on joining the organisation, including basic safety procedures and detailed OHS procedures for their specific area of work. Employees are provided with an induction book that captures all procedures and are required to sign-off once all OHS training has been completed. Refresher training is provided and toolbox talks are regularly held to keep employees abreast of OHS issues and to allow them to raise matters. Precision Printing was able to demonstrate that management also undertakes extensive training. The training record of a senior manager was shown during the interview, highlighting a detailed list of all the training and refresher courses in OHS that had been completed. External training providers have delivered much of this training. Precision Printing sources OHS information through seminars and printed information that is made available through their print industry association and WorkCover NSW.

Fundamental Foods note that their key sources of information include membership to associations such as the Safety Institute of Australia and the Fire Protection Association, subscriptions to OHS sources such as OHS Alert, WorkCover NSW publications and emails, material from the Australian Council of Trade Unions, Safe Work Australia and material from WorkSafe Victoria. According to the national OHS manager of Fundamental Foods, he scheduled time to look for new updates and has a preference for the information provided by WorkSafe Victoria and international organisations such as the United Kingdom’s Health and Safety Executive:

I have a schedule in my calendar, every two weeks I go onto various websites to look up information including WorkCover NSW and WorkSafe Victoria. I pick WorkSafe Victoria because even though my last job wasn't a national role I still pick WorkSafe Victoria because I think that they have the best publications out of anywhere in Australia by a long shot. And also the HSE in the UK I find as a very good source as well.

According to Fundamental Foods, the distinguishing factor between WorkSafe Victoria and WorkCover NSW was the quality of the publications and information that WorkSafe Victoria produced:

I just think that the quality of them is far superior. It is obvious that they invest more money into the quality of the publications. You can find publications very easily through them. I think WorkCover NSW has lots of old material, their searches don't work very well and a lot of repetition I find, which I find annoying. They repeat the consultation requirements in every publication rather than just having a consultation publication.
On the matter of Safe Work Australia, Fundamental Foods felt that they did not have a large range of information that is updated regularly. Fundamental Foods was attracted to Safe Work Australia because of Safe Work Australia Week. The national OHS manager of Fundamental Foods had promoted Safe Work Australia Week at his previous place of employment but was of the opinion that the standard of Safe Work Australia Week had diminished:

Well I have been involved in Safe Work Australia week with my previous employer for about 3-4 years… leading up to it they had been providing a lot of promotional material which was really great, you could make something of it. Last year they didn't do that which made it very difficult to promote a Safe Work Australia week. But I will still try and do something here but not sure what we'll do just yet but it depends on the promotion material.

C&G Consulting sources information from OHS regulatory bodies and Austlii (the Australasian Legal Information Institute) for information on OHS legislation. Information is also obtained through subscriptions to professional associations such as the Safety Institute of Australia (also used by Fundamental Foods) and Workplace OHS, a subscription based news and information service for OHS professionals provided by the Australian Business Chamber. C&G Consulting also draw on contacts from other organisations for information. As a consultancy business, C&G Consulting is itself a source of OHS information for the clients it services. C&G Consulting describe their clients as generally well resourced companies that employ in-house OHS expertise. Clients often engage C&G Consulting when additional OHS advice and support is required beyond the expertise of in-house OHS specialists.

Bexter Brewery’s access to OHS information was not as extensive or formal as the other companies. The most formal mechanism for OHS information was the company’s membership with the Institute of Brewers and Distillers, which was described as a “valuable source of information”. The Institute organises conferences every two years, symposiums intermittently, and technical meetings three to four times a year. Through these provisions, Bexter Brewery receives information from suppliers about new products and their associated risks, and information about emerging risks within the industry and international developments. Bexter Brewery spoke of a particular filter medium used within the brewing industry, noting the risks associated with the filter, the literature that has been presented at symposiums over the years as well as the regulations and standards under which the filter is manufactured including comparisons in standards and regulations between Germany and China. Beyond the conferences, symposiums and technical meetings, Bexter Brewery
networks with other breweries during promotional meetings as they provide opportunity to discuss and exchange ideas as well as to learn about OHS incidents that have occurred in other workplaces:

> There is a lot of this sort of information that is sort of absorbed through osmosis, it is just out there and industry people do tend to talk shop. We do actually tend to pick up quite a lot of stuff.

Bexter Brewery was willing to accept new information and suggestions for OHS from staff and others in the industry. This openness to embrace new ideas from staff was a strong theme in Bexter Brewery’s responses:

> Just one thing with my casual employee as well, he is from within the industry, and he works in a different workplace, in a permanent position and casually here, and he has brought some of his own OHS skills along as well…I often think to myself ‘I should have thought of that’, so I’m very open to any suggestions, any information that I can get regarding safety issues, I don’t want to find out later after they has been a problem, which was totally avoidable.

Previous work experience was a significant contributing factor to Bexter Brewery’s knowledge of OHS and was repeatedly emphasised by the company’s owner as a strong influence in guiding how he addressed OHS:

> I follow what I would say is sort of general industry guidelines and what I have learned from working in other places, nothing has actually come from an organisational body or guidelines from anywhere. And I mean simple things from wearing safety equipment, storing things a correct way, cleaning chemicals for example.

Bexter Brewery’s owner also discussed how he imparts information and knowledge to others in the industry, particularly to individuals who seek his guidance in establishing a brewery. He also noted that the more OHS information the more he could pass onto others in the industry. The owner described himself as “quite a good conduit for that sort of stuff”. Government produced magazine publications are a further source of OHS information for Bexter Brewery, albeit a less significant one. As a liquor licence holder, Bexter Brewery receives a quarterly publication from the NSW Government agency responsible for administering liquor licences. Bexter Brewery noted that the publication occasionally contains OHS information although this is not specific to the brewing industry:
I have only just realised there is actually another way I have received information from WorkCover. It is through an industry magazine that I receive from the State government from the Department of Gaming and Racing, or whatever they are called these days, which covers a lot about licensing conditions and that also includes quite a lot about potential OHS issues, not so much about this specific industry in brewing but it is mainly about hotels, but a lot that can be transposed into other industries as well of course.

Technology and time restrictions make it difficult for Bexter Brewery’s owner to further his knowledge of OHS:

I have only recently started using electronic communications; normally I would just rely on the old fashion ways of doing things. People who would be in my situation, I don’t mean just in brewery, people who are shop owners or tradesmen, like running small electrical companies for example, or a lot of friends of mine who are butchers for example, they’re too busy with their jobs and lives to be sitting in front of an Internet and having stuff downloaded to them. And I think that this is going to be an issue into the future as well. Probably as us older fogies die out it might not necessarily be an issue but the idea that not everybody, even in industry, is totally up to speed with using the internet.

In the case that Bexter Brewery did require information the owner noted that he would “either try WorkCover or some other government agency”.

**Senior management training in OHS**

The companies were asked to comment on senior management qualifications in OHS and the mechanism available to help enhance their capacity to manage OHS. These insights were particularly important to understand, in the context of Fundamental Foods and Precision Printing, where management was reliant on the expertise of OHS specialists to ensure their company was fulfilling their OHS responsibilities. C&G Consulting provided a third-hand account of the experiences of their clients.

Fundamental Foods and Precision Printing have mechanisms in place to develop senior management knowledge of OHS. At Fundamental Foods, management training is directed at two levels – the company’s Board and at a Safety Leadership Group (comprised of the national OHS safety manager, the OHS manager from the main manufacturing facility, plant managers from each factory and two executives).
Our Board get training on board responsibilities…that occurs every two years. The safety leadership group they all attended I think it was like a six-day training course. So we had a consultant come in and developed a training course for these guys on covering all sectors such as risk management and incident investigation and how to apply safety in the workplace.

Similarly, Precision Printing also undertakes OHS training specifically for senior management. During the interviews, documents were provided to demonstrate the various types of training components that senior management are required to undertake. All training is external to Precision Printing and includes courses in OHS risk management, incident investigation analysis, manual handling training, forklift training, general plant safety, and a mock court trial seminar:

They run cases of an OHS prosecution and it demonstrates to managers and supervisors if you get prosecuted how WorkCover will get you and it's really good training because it shows you how very little you have got to defend because OHS legislation is very broad. In actually saying that point you have to be conscious of what is happening on the shop floor and you basically can't go 'oh he is an idiot and should have known better’, that is not a defence.

**Senior management involvement and commitment to OHS**

The interviews sought to establish an understanding of senior management commitment and involvement in OHS. Such insight is useful in understanding how management approaches OHS in organisations where dedicated OHS managers are employed or where OHS expertise is outsourced. Bexter Brewery did not feature within this analysis, as the company’s small size did not reflect the same hierarchical structures as the other companies.

Overall, the most common form of senior management involvement in OHS was participation on an OHS committee. Fundamental Foods has two key mechanisms in which senior management is involved in OHS. Firstly, OHS is discussed at monthly board meetings during which time the national OHS manager provides board members with the company’s OHS performance statistics. The company’s national OHS manager also delivers presentations to board members every second month. Secondly, Fundamental Foods also have in place a safety leadership group that comprises the national OHS manager, the OHS manager from the main manufacturing facility, managers from each manufacturing facility, and two executives. The Safety Leadership Group meets every two months and was established with the following purpose:
It sits above all the OHS committees so that they can deal with issues that aren’t getting resolved at the committee level. It’s a forum for safety managers to discuss our plans and strategies and the development of the system or common issues that are across all sites. It is a way of bringing people from the different sites together and getting their input.

Precision Printing identified two forums in which senior management are involved in OHS. Firstly the company’s managing director is represented on the company’s OHS committee. Secondly, Precision Printing conducts monthly OHS management meetings for departmental managers.

Interview participants were also asked their views on senior management commitment to OHS. Fundamental Foods and Precision Printing were positive about senior management commitment to OHS. The national OHS manager of Fundamental Foods acknowledged being “surprised” by management involvement and interest in OHS:

Yes it definitely works well. I was surprised when I came here how much senior management involvement they do have. I just expected that at a lot of companies senior management has very much a token interest in safety, they say that they are committed but they would not attend meetings like this or if they did it is only under duress because they think that they have to but they won’t participate in the meeting. Whereas here I found that they will participate and that they are willing to come… I'm quite able to have conversations with the chair of the board, they do have an interest in safety and they do ask questions about it.

However, Fundamental Foods’ national OHS manager felt that the good intentions of senior management were undermined because of a lack of knowledge among senior management:

In practice, there is a very high commitment to occupational health and safety from senior management. They have very good intentions here. The problem that they had in the past is that they haven't had the knowledge about how to make that work but the intention is certainly there from a management view. I think their intention is looking after staff is something that they are interested in and not just saving costs, and the cost does become part of it for certain people in management as it is a part of their control.

Precision Printing commended management commitment to OHS, identifying it together with “involvement from the shopfloor” as reason why a “cultural change” had taken place in the company. Precision Printing further noted that the provision of a safety committee, regular toolbox talks, safety procedures, risk assessments, training and the purchase of new equipment for the shopfloor as evidence of the change in culture within Fundamental Foods and its commitment to OHS. Precision Printing noted two factors that provide further insight
into management commitment to OHS and the company’s cultural change. The first of these is the role and influence of the company’s managing director:

It is obviously something that our MD [managing director] takes very seriously and everybody knows that. The managers know that so ultimately people are going to respond accordingly because they know it is important... he makes sure that department managers know that safety is a priority in everything that they talk about from running the tool box meetings 12 times a year to making sure that people are trained safely. Generally, when he talks to a new person who is starting he will emphasise safety to them.

This statement identifies that within Precision Printing, OHS is driven as a directive from the top of the organisational structure right through the hierarchy. The second key factor driving management commitment to OHS in Precision Printing is that OHS is a performance measure against which departmental managers are assessed.

C&G Consulting drew on their experiences with clients to provide some general comment on their perceptions of senior management involvement and commitment to OHS. In most cases, the need for organisations to acquire the services of C&G Consulting is indicative of failures or weaknesses with the OHS management approach employed by in-house OHS specialists. One of the challenges facing C&G’s clients is that their in-house OHS expertise is largely concerned with the operational side of OHS management and lacks a strategic focus and the ability to address OHS culture. C&G Consulting cautioned that senior management can become reliant and complacent when there is a dedicated OHS specialist to manage an organisation’s OHS requirements.

It is always easier to know that you can delegate a whole lot of stuff to someone else and not worry about it. So if you don’t have to worry about safety because there is a safety person over there that makes my life so much easier, fabulous...So you end up with an organisation of about 15,000 people with a group of specialists who are really just operational people that work on safety 100 per cent of the time and through that you end up with everybody else putting off safety because we have people who look after it. So nobody else worries about it. And again that is a culture and maturity thing but it is a big problem and it is a particularly big problem with organisations that invest in safety people but then allow those people to take on all the responsibility. So that poses a challenge in getting organisations to understanding health and safety and how it affects everybody.

C&G Consulting note that the danger with complacency is that management do not fully comprehend their responsibility under OHS legislation. According to C&G Consulting, “most senior managers know that they have some responsibility under OHS laws and that
they could end up in jail” and therefore they treat OHS as a compliance exercise by hiring an OHS specialist to look after safety. Furthermore, many senior managers “do not realise that even though they have a safety specialist looking after OHS, if somebody gets killed, the safety specialist is not the one who is going to end up in court”. For C&G Consulting, getting that message across to senior management is imperative. However, it often does not happen because the safety specialist feels uncomfortable about having that conversation. According to C&G Consulting, OHS specialists can be distanced from the executive level. This separation leads to communication problems as well as the ability of OHS specialists to authorise certain decisions relating to OHS:

The problem is the safety people generally don't have the authority to act so they can't go to line managers and say “you need to do this” because they are not actually in a position where they have the power.

Communication problems arise because OHS specialists do not have a comprehensive grasp in dealing with OHS strategically. C&G Consulting commented that OHS specialists are good at systems but not so good at engaging executives or addressing concepts such as OHS culture:

They are good at systems. So most, this is going to be a very bad thing to say, the OHS community may hate me, the OHS people are generally very good at operational OHS and OHS systems and driving incident reporting and getting incident investigations done and getting inspections done. They are great at that. Generally the OHS community is not so good at engaging executives and directors around strategic change and they are generally not so good at culture change or change management and that is where they come to us and that is probably the disconnect that we see even when we are trying to recruit people even within our own team is that a lot of OHS people are really good at the day to day operational stuff but they can't lift up beyond that. And I think I might very well get shot down by a lot of OHS people for saying that.

Motivators and drivers for improving OHS performance

The National OHS Strategy notes that managers need to be motivated in order to help them improve their capacity to manage OHS. Due to the emphasis that the National OHS Strategy places on motivation, the research sought to identify the key motivators for each of the participating companies. For Companies A and D, who were the only participants familiar with the National OHS Strategy, the Strategy itself did not serve as a motivator to improve capacity. A number of motivators were identified across the four companies and summarised in Table 7. As with previous observations, there is a greater similarity in the motivators
identified by the larger companies compared to the key motivators identified by Bexter Brewery.

**Table 7: Business motivators for improving OHS performance**

<table>
<thead>
<tr>
<th>Fundamental Foods</th>
<th>Moral – protecting employees</th>
<th>Financial – savings on workers’ compensation</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Contracts</td>
<td>Industry leader</td>
</tr>
<tr>
<td>Precision Printing</td>
<td>Moral</td>
<td>Financial – have had a large reduction in their workers’ compensation premiums</td>
</tr>
<tr>
<td></td>
<td>Contracts</td>
<td>being able to demonstrate to clients that they are the best in the field</td>
</tr>
<tr>
<td>Bexter Brewery</td>
<td>Moral</td>
<td>Business survival</td>
</tr>
<tr>
<td>C&amp;G Consulting</td>
<td>Clients recognise OHS as a risk and therefore they look to have audits of their OHS practices audited on a regular basis</td>
<td>Boards specifically request that the organisation undertake a an OHS gap analysis</td>
</tr>
<tr>
<td></td>
<td>Prosecution – reduced risk of prosecution</td>
<td>Keeping morale up</td>
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<tr>
<td></td>
<td></td>
<td>Production – limiting effects on production</td>
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<td></td>
<td>Best practice - recognition through industry awards for safety performance</td>
<td>Standards certification</td>
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<td></td>
<td></td>
<td>Employment of a full-time OHS officer</td>
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<td></td>
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<td>Efficiencies and productivity gains</td>
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**OHS and moral responsibility**

Fundamental Foods, Precision Printing, and Bexter Brewery identified that the key motivator for servicing OHS within their organisations was for moral reasons. This response was the only unanimous response provided by all four participants. Precision Printing was particularly vocal in stressing the moral importance of OHS management, reinforcing this point in a number of responses:

I think for any business there is a moral kind of emphasis on wanting to do the right thing. No one wants to have anyone injured and certainly not badly injured.

Beyond the moral reason for OHS, Bexter Brewery’s motivations for being responsible in OHS differed considerably to the other companies. Bexter Brewery had fewer motivators than the other companies, only nominating two other motivators: self-protection and business survival. According to the owner of Bexter Brewery, an OHS incident could put him out of business: “If I am off work then the business is out of business” (Bexter Brewery). Workers’ compensation premiums and financial savings were far less a priority for Bexter Brewery than in the larger organisations:
The motivating factor for me is their safety. It’s more of an altruistic perspective…I am not implementing any workplace safety issues here to save my workers comp costs, I am really doing it with a genuine need to keep everybody safe.

Achieving financial savings, efficiency and improved productivity

There were similar motivators for improving OHS across the larger companies. Fundamental Foods, Precision Printing, and C&G Consulting note that improving OHS helps to achieve financial savings through reductions in workers’ compensation premiums:

There is a financial incentive in terms of, and we’ve had a massive reduction in our workers comp costs so there is obviously a moral reason for doing it which is the primary reason that there is definitely a financial benefit to it and a cultural benefit to it as well (Precision Printing).

According to C&G Consulting, achieving savings through OHS is highly imperative in certain organisations such as government. As many government organisations struggle with resourcing and funding, OHS is an avenue to potentially save money. Achieving efficiency and improving productivity was another common reason for engaging in OHS. Fundamental Foods seeks to improve OHS in order to reduce OHS incidents and therefore limit disruptions to production. Precision Printing believes that the development of safety procedures allows for efficiencies in work processes to be identified:

When you are doing all those procedures and looking at the way so that a task can happen safely and your writing that down and while you are doing that you are naturally looking at how you do it to see if you can improve your efficiency, and there is a whole lot of benefits to be gained from it and we have gained.

Improving OHS performance featured prominently in the responses of C&G Consulting who identified that their clients seek their services for a number of performance related reasons. Occasionally clients seek expertise when (i) something goes wrong; (ii) they are trying to be proactive; (iii) they have noticed a spike in the level of incidents and do not know how to remedy this increase; and (iv) the “board is nervous because they do not understand the trends in the business and they want some comfort”. C&G Consulting also noted that occasionally some clients seek their services because they want to do better:

The occasional client will turn up because they want to do better and they have just run out of ideas but there is usually a trigger and it is usually ‘oh we seem to have stopped improving and we do not know what to do next’ or ‘we were going really well and then all of a sudden things have gone sliding back a bit’ that type of thing. It is not always a big incident though; it is not always a catastrophic event that has happened.
Achieving industry excellence through OHS systems and awards

Fundamental Foods and Precision Printing discussed achieving industry excellence and being recognised for high standards more extensively than any other motivating factor. C&G Consulting also noted the importance of industry leadership to their clients. A certified OHS management system and being the recipient of safety awards were considered as two mechanisms useful for demonstrating industry excellence. Fundamental Foods and Precision Printing discussed the importance of having a “systems based approach” to OHS, the term used to refer to an AS/NZS 4801 Occupational Health and Safety Management. At the time of the interviews, Precision Printing was the only company to have a certified system in place and they were the recipients of a number of safety awards issued by the Print Industry Association. According to Precision Printing, since the introduction of an OHS management system there has been a substantial reduction in incidents and an improvement in processes and actions:

A large emphasis is placed on all of those systems, so what has driven it is a lot of effort, changing the culture and getting a good committee working to running a lot of training and toolbox meetings, to making sure that your induction is right to getting all the safety procedures written and out there... Internal audits get done, external audits get done all the procedures are written and are there...you see people reporting incidents, they want to improve the safety committee, the safety committee is highly engaged and the statistics speak for themselves. There has been a substantial reduction in all the safety statistics.

Precision Printing obtains industry recognition through their OHS system and awards, and uses these achievements as a platform to showcase and market the organisation’s capabilities to clients. Precision Printing described the safety awards as “recognition for being the best in the industry” and therefore allowing them to go to their clients and say “look we’re the best”. A certified OHS management system and safety awards are important qualifications when making submissions to tender for contracts:

Yep we definitely use them in terms of our sales team, when they are trying to win a contract or sometimes when there is a bid for a big tender and in the tender documents, they will often ask about the company's industrial relations, the company's safety, and the company's environmental accreditation.

The national OHS manager of Fundamental Foods noted that he was in the early stages of introducing an OHS system into Fundamental Foods to shift the focus away from purely lost-time injuries:
Here there is still a fair focus on negative outcomes such as how many lost time injuries happened...there hasn't been enough on applying a good system... yep, it is very much something that we need to do here. When I came in there were bits of a system in place but certainly not a complete system and it is not consistent across all sites. But I have been very vocal since I have been here about developing one safety system that works across the country on all sites... I did present to the board last month about that particular topic and how it would work and they were all very positive about it so it is happening I suppose.

The motivation for the national OHS manager of Fundamental Foods to introduce a new OHS system into the organisation stems from his previous work experiences, which have taught him that a well-developed system can deliver OHS improvements to an organisation:

Yeah I know they work well, I have come from a background of systems-based companies so I am very much into systems and can develop good systems, and I know that they can work. And it is obvious to me that what they developed here didn’t work previously because it is not here today, it’s a bit lost. You can show improvement with a proper system in place, which is what they need.

The national OHS manager of Fundamental Foods also identified the importance of an OHS system and maintaining contracts and relationships with clients:

When I have been pushing that we have to go down the systems way of doing things, that was part of the process of telling senior management that one of the advantages of it is our customers and that they see that we are managing safety very clearly... so our big clients, like Rusty’s Supermarket, will have ethics audits where they want to see safety as part of the thing they look at. They look at a lot of different things and safety is one of those. And also big suppliers, catering supplies like Sam’s Catering, they want to know that our safety practices because we actually have started going to their premises fixing coffee machines and things… I think it is also potentially good for WorkCover to see, so if WorkCover are coming in to see an incident and they see you are a certified company you can avoid them asking a lot of the basic questions about stuff that you are doing and just focus on the incident. So I think it is nice to have and it can give you some advantages.

While Fundamental Foods’ national OHS manager was dedicated to introducing a new system into the company, he was able to draw from his previous employment experiences to identify the challenges that would be faced in introducing an OHS system into Fundamental Foods. According to the national OHS manager, time, multiple manufacturing and operations facilities and a unionised workplace would be the key considerations when developing and implementing the new OHS system:
Time is part of it because my old employer, when I started they had nothing in place as far as systems go either. And it took 4 to 5 years to get a good system really implemented. So here it is like starting all over again. So it might also take us four-five years and it might even be harder here because we are not central, we are spread around the country so it does make it a bit more difficult. And the added difficulty is with the bigger unionised workplace and having a trust between management and staff would make it difficult to get a good system going as well.

While discussing accreditation systems, both Fundamental Foods and Precision Printing noted that while accreditation in an OHS management system sends a positive message to clients, being accredited in an environmental management system is generally a greater priority for clients:

Yep, mainly the environmental part, more and more corporations who are our clients won't deal with a printer who is environmentally accredited (Precision Printing).

I don't think the public opinion for safety is really there. It's not like the environment where you are concerned about having a good environmental image (Fundamental Foods).

Bexter Brewery had no formal policies or procedures in place and did not make reference to a ‘systems’ approach but instead spoke of working to “ensure that the basic principles of a safe working environment are in place and safe work practices are adhered to”. A significant difference between Bexter Brewery and the other companies was the formality of the workplace system, evidenced by the lack of formal policies or procedures in place at Bexter Brewery:

The way that I have always approached the OHS thing is from a very personal perspective firstly rather than an external source applying it to me, I have always been a little more proactive because it is actually in my own interest and of course, it is in everybody’s interest in industry to be more aware of safety.

**Prosecution and OHS**

Lastly, prosecution was another key motivator identified by Fundamental Foods for seeking OHS improvements. Fundamental Foods had been prosecuted on OHS related matters on two prior occasions and although the national OHS manager was not employed by Fundamental Foods during the time of the prosecutions, his views were that the prosecutions would have prompted the need for change:
Fundamental Foods has been prosecuted recently though people do not talk about it here, whether it had a huge impact I would have most certainly thought that it has in the past.

**OHS specialists and OHS performance**

The interview findings provide evidence that OHS is not only contingent on having resources, but that OHS improvements are also contingent on having the right personnel to encourage and ensure ongoing performance. The OHS performance of an organisation can suffer if the OHS manager does not have the knowledge or ability to develop and implement solutions appropriate for their organisation. This example was demonstrated in Fundamental Foods where the national OHS manager felt that his predecessor was not successful in implementing an OHS management system:

There have been bits of systems previously but they have died and they haven't been maintained and they have essentially been forgotten about. Could be due to changes in staff, I suppose that means the system was good in the first place and I think that is part of the reason and just the previous person who was working on safety I don't know why but they did not focus on developing and implementing a system. And I do not think that the organisation knew any better about what they should have had.

Fundamental Foods’ national OHS manager demonstrated interest and motivation in achieving improvements in the company’s OHS performance. He spoke of the experiences and knowledge that he gained from previous work experiences and how he wished to apply this to Fundamental Foods. He also expressed interest in initiatives such as the Safe work Australia Safety Award:

I was actually in the finals of that last year. My last employer organisation was very keen on it and for me personally it was very good. So we entered in the safety management system and became finalists. Here we are nowhere near a level ready to go into that but when we are yes I would hope they would enter.

Precision Printing’s decision to employ an OHS manager ten years ago was considered as a significant contributing factor to the changes in OHS that have occurred within the company. Furthermore, the commitment and leadership of the company’s managing director was considered to complement the work of the OHS manager in driving OHS improvements:

Having someone in a full-time capacity driving it obviously helps…There has been one and one-half people employed in that area that weren’t here eight or nine years ago. When you have got someone driving and they can't do it all but they can certainly drive it and that is exactly what the OHS manager has done with a lot of
support from the top down… Obviously the Company has just decided to put a large emphasis on OHS and put a lot of resources into it in terms of training and machinery we bought. He has decided that it’s an expense that is worthwhile. I think the motivation there has been a moral one and just making the business a better one.

The role of trade unions, employer associations and WorkCover NSW in improving employer capacity

Under the National OHS Strategy, trade unions, employer associations and government agencies made a commitment to work together to drive the goals of the Strategy. As the key drivers of the National OHS Strategy, it was necessary to explore the role that these institutions have played at the workplace level. Where a union and an employer association were present within the four companies, the interview participants were asked to comment on the role and involvement the social partners have had in providing OHS services. All organisations were asked to discuss their views of WorkCover NSW, including the usefulness of the agency as a provider of OHS services and information. Of the four companies that participated in the interviews, Fundamental Foods and Precision Printing both had union and employer association representation. C&G Consulting noted that many of their clients are unionised workplaces as well as members of employer associations. C&G Consulting does not interact directly with unions and employer associations despite many of their clients being associated with these organisations.

Unions and their involvement in OHS at the workplace level

On the role of the unions, the overall conclusions from the participating companies were that unions have not had a direct role in OHS related matters at any of the companies. While the national OHS manager from Fundamental Foods was not sure of the number of union members in Fundamental Foods, Precision Printing noted that the union presence was not a strong one with only a few employees belonging to the union. Precision Printing maintained that the union has never involved itself in OHS matters and Fundamental Foods shared similar views. Fundamental Foods acknowledged that while workplace issues are raised through the union, the unions are more involved in other industrial relations matters and workers’ compensation rather than safety:
They are raising issues, or their reps on site are raising issues. They are probably getting more involved in workers’ compensation than they are in safety at this stage...I haven't really had the exposure to it here but yeah I can’t see the unions getting safety at all, I haven’t heard anything about it really, it’s more the industrial side of things that they are involved with and agreements.

Fundamental Foods’ national OHS manager further noted that his experiences with unions from previous workplaces have challenged his willingness to want to work with unions on OHS matters:

I think we are quite untrusting of them, I haven’t had a relationship with the unions here but I know from where I have worked previously where we have had union involvement I found it very difficult to manage safety. It depends on the union, but I found them resistive in some cases. I couldn't understand why but I just found it difficult and I would try and avoid having them involved in safety because of that.

**Employer associations and their involvement in OHS at the workplace level**

Both Fundamental Foods and Precision Printing were represented through an employer association. The national OHS manager of Fundamental Foods was not familiar with the details of the representative employer association and therefore could not provide comment except to acknowledge that there had been no interactions with the employer association on OHS matters. Furthermore, he would not consider contacting the employer association for OHS matters as he does not think that “they would be that useful”. Precision Printing, who is member of the Print Industry Association, noted that while the Print Industry Association provides OHS information, Precision Printing is not reliant on them for OHS information and advice as the company’s OHS manager is considered to have a more sophisticated level of OHS knowledge and capability. According to Precision Printing, the OHS services of the Print Industry Association are oriented to smaller organisations that have fewer resources and expertise in OHS:

Under the Print Industry Association website there is a lot of OHS information and I know that they have help going to different companies but to be honest we don't do that much in terms of health and safety with the Print Industry Association because we are basically doing everything already that they would tell us and more. You gotta remember the print industry is full of a lot of little companies and medium sized companies who are a lot smaller than us. We are doing pretty high end stuff and we are doing it pretty well. So they’re (i.e. the Print Industry Association) like 'here’s a sample risk assessment’, you know we’ve run risk assessments here for years and we could teach them…so they're not a great resource for us basically, we have got professional people here who would realistically know more than they do.
Precision Printing’s main interactions with the Print Industry Association have been to nominate for safety awards and non-OHS related purposes such as demonstrating support for the industry and having a voice when dealing with government:

We have been a member of them for years, you get a whole lot of information from them not just OHS; there is industrial relations information. You're supporting your industry and if you want to deal with governments you need an association to represent your industry. There is a whole lot of reasons why we would be a member and not just OHS.

**WorkCover NSW and their involvement in OHS at the workplace level**

Unlike the social partners, who are not accessible to all businesses in Australia, OHS agencies, such as WorkCover NSW, have a role in being able to provide services to all businesses. Therefore, as the only signatory to the *Strategy* that is accessible to all businesses, it was necessary to understand the views that the participating companies had of WorkCover NSW and the role it has played in helping them to improve their OHS capacity.

Overall, there were mixed views about the services of WorkCover NSW. The difference in views varied according to organisational size, previous experiences and interactions with the agency, and the level of in-house knowledge and expertise within each of the companies. Of the four companies, Bexter Brewery was the least familiar with the services of WorkCover NSW. To help understand Bexter Brewery’s awareness of WorkCover NSW, the owner was asked to explain what he understood to be the role of WorkCover NSW. In short, his response was mainly to describe WorkCover NSW as a “watchdog” that dealt primarily with workers’ compensation issues:

Sort of like the watchdog and this is only an opinion I suppose. But mainly to cover the workers’ compensation issues. I think, and this is going to sound rather cynical when I say it but I think it is more about keeping insurance premiums and whatever in check rather than any specific ‘save the employee’ criteria. Like I say I know that is going to sound cynical but the whole world revolves around insurance [laughs].

The owner of Bexter Brewery acknowledged that he had never attempted to source information from WorkCover NSW, jokingly laughing, “I try not to”. The owner of Bexter Brewery felt that while he does all that is necessary in the area of OHS he would welcome help if it were provided:
To be completely honest about this, because it is my actual occupational health and safety and because it is my business viability, there is not a great deal that they can do. I am fairly motivated because of those two conditions. But every bit would help. Now it is not so much about motivating me to be more safety aware because I am already aware and understand that there are issues but there is also more that you can do. I guess the word motivation isn’t quite right because I am quite motivated already but I would certainly welcome more information and to be a little more engaged.

Precision Printing acknowledged referring to WorkCover NSW for information but would not seek other WorkCover NSW services, as the company prefers the services of external OHS providers and trainers. The national OHS manager of Fundamental Foods was able to provide greater insight into his views and experiences with WorkCover NSW. Similarly, as with previous examples, many of his experiences with WorkCover NSW had come from previous employment. According to the national OHS manager, the services of WorkCover NSW are not sufficient in helping to meet the OHS needs of larger organisations. The availability of resources on WorkCover’s website and their training sessions were described as “very basic stuff” and that they “lack a lot of tools that people could use or adapt for their own organisations”. Fundamental Foods criticised the lack of training sessions available in city locations, claiming the majority of training is provided in regional locations. Fundamental Foods also commented on the lack of focus that WorkCover NSW places on OHS systems:

I think there is still a lot that they could improve. People won’t be going down the systems track because they wouldn’t have a clue what a system is. Even here when I talk systems I really have to go in and explain what that means because people think that is a bit of software that you buy.

Furthermore, Fundamental Foods noted that WorkCover needed to improve the quality of advice that they provide on OHS legislation:

I don't think that I would get an answer that I want or a good answer necessarily. I have had inconsistent information from WorkCover. I had an incident where someone had an electric shock and the regulations say that you must report that and I have gone to report that and the person on the phone told me that I did not need to report it and then I called up different people. I had two people saying that I had to report it and two people saying I didn't have to report it. So there is that inconsistency and I find it extremely frustrating. That is actually in the regulation that you can be prosecuted for not doing it and they are making decisions where they are telling you not to do it. It is very difficult that they cannot answer questions about something that you could possibly be prosecuted for.
Due to dissatisfaction with WorkCover NSW, Fundamental Foods’ national OHS manager seeks legal advice where necessary rather than contacting WorkCover NSW for assistance. When Fundamental Foods was asked whether WorkCover NSW have taken an educative approach in their delivery of services, the national OHS manager felt that WorkCover still carried a “bad reputation” as being an enforcer rather than an educator:

It depends if their opinion of educating is through issuing improvement notices maybe, but I don't know what WorkCover's opinion of an improvement notice is but I think any employer would see it as a negative. That's not education it is still enforcement. So even though I have had inspectors tell me that this is educational they still issued improvement notices. So they're still forcing you to do what they are telling you to do essentially. And I think that WorkCover will have a long way to go before they can shake of the bad reputation that they got in the past.

According to Fundamental Foods, it would benefit businesses if WorkCover NSW did provide advice but not through inspectors that prosecute. This approach would allow businesses to feel comfortable to invite representatives from WorkCover and not feel that they are being assessed in a ‘negative way’. Fundamental Foods made recommendations on changes that WorkCover NSW could implement to improve their services including changes to their website and publications, and in particular, a standardisation of publications across OHS agencies:

I think their website has improved, it's still not perfect, but it has improved from what it was a couple of years ago. Their publications I don’t think have improved...I would like to see them properly standardised between the States, and I know that WorkCover NSW and WorkSafe Victoria had their cross-border agreement but I don't see it working - WorkCover and WorkSafe Victoria still produce their own publications and there are different commercials in different States\(^\text{10}\). I would like to see them standardise and go with the higher quality of work.

**Discussion**

There were variations in knowledge of OHS and the application of OHS management across the four companies. Bexter Brewery had the least sophisticated level of OHS knowledge and the company owner applied the most basic form of OHS management. In comparison, Fundamental Foods, Precision Printing, and C&G Consulting were further advanced in their OHS management systems and capacity to deal with OHS. The various levels of OHS maturity and approach can be expressed visually in the following diagram:

\(^{10}\) Commercials are awareness campaigns advertised on television.
Figure 9 is a basic representation of different levels of OHS capacity. The first box represents organisations that have no knowledge of OHS matters. The arrow in the diagram represents the direction in which organisations should ideally be headed as part of improving OHS performance. At the optimum level of the scale are organisations where there is a strong safety culture and demonstrated management involvement and commitment to OHS. Although management systems emphasise management commitment, they can often amount to simply paper compliance or management speak. An OHS culture goes beyond paper compliance and seeks to ensure the visibility and communication of OHS across all levels of an organisation on a daily basis. Using information provided during the interviews, each of the companies has been placed along the diagram to indicate their level of capacity. The broken-lined arrows in the diagram represent where the companies can improve their OHS capacity. The broken-lined arrows in the diagram represent where the companies can improve their OHS capacity. The fundamental element of Figure 9 is the broken-lined arrows, which indicate where the companies can improve their OHS capacity.
An OHS management system, for the purposes of this research, refers to a management system as envisaged by the Australian national standard AS4801:2001–Occupational Health and Safety Management Systems, and differs from systematic OHS management as described throughout the literature. Although it is common for the terms systematic OHS management and OHS management systems to be used interchangeably, the literature makes a distinction between the two. According to Quinlan, Bohle and Lamm (2010: 357), systematic OHSM “refers to the efforts of government agencies to secure a more proactive and planned approach to OHS by employers” while OHS management systems “refers to the internal systems that employers develop to manage OHS”. Quinlan et al (2010: 357), further distinguish systematic OHS management and OHS systems by arguing that systematic OHS management can be achieved without the need for formal device such as an OHS management system. In addition, a formal OHS management system may not necessarily comply with regulators requirements for systematic OHS management (Quinlan et al, 2010: 357). OHSM has been made mandatory for employers through the Framework Directive and through Internal Control requirements in Norway and Sweden (Frick, Jensen, Quinlan, and Withagen, 2000: 1; Saksvik and Quinlan, 2003: 34; Quinlan et al, 2010: 357) although its adaptation has varied across countries. In comparisons, Australia is said to have a “hybrid” regulatory system as legislation does not mandate a systematic approach but rather employers are encouraged to adopt non-mandatory systems (Quinlan et al, 2010: 357; Frick, Jensen, Quinlan, and Withagen, 2001: 1-2; Saksvik and Quinlan, 2003: 34). This hybrid system in Australia is reflected in AS4801, the national guidance standard on OHS management systems (Quinlan et al, 2010: 357; Saksvik and Quinlan, 2003: 38).

In the context of the National OHS Strategy, which seeks to improve employer capacity to manage OHS, there is a need to identify and understand the factors hindering companies from progressing in capacity. Table 8 is a summary of the core components/factors identified through the interviews as most affecting employer capacity. They include: (i) commitment and motivation; (ii) time and resources; and (iii) a driving force to ensure ongoing commitment to OHS practices.
Table 8: Factors to increasing employer capacity to manage OHS

<table>
<thead>
<tr>
<th></th>
<th>An ‘Ideal’ Company</th>
<th>Fundamental Foods</th>
<th>Precision Printing</th>
<th>Baxter Brewery</th>
<th>C&amp;G Consulting’s clients</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commitment and Motivation</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
</tr>
<tr>
<td>Time and Resources</td>
<td>✓</td>
<td>✓</td>
<td>✓</td>
<td>×</td>
<td>✓</td>
</tr>
<tr>
<td>Someone to drive OHS/Driving Force</td>
<td>✓</td>
<td>❁</td>
<td>✓</td>
<td>×</td>
<td>❁</td>
</tr>
<tr>
<td>Ability to increase capacity</td>
<td>✓</td>
<td>×</td>
<td>✓</td>
<td>×</td>
<td>×</td>
</tr>
</tbody>
</table>

Legend: ✓ = the company appears to have addressed and achieved this requirement
 ❁ = the company has stalled and additional efforts are required to progress further
 × = the company has not achieved the component because it has either stalled at previous components or the company faces other challenges.

Table 8 indicates that an ‘ideal’ company satisfactorily addresses all components and therefore is better positioned to increase its capacity to manage OHS. Based on the information provided by the four companies that participated in interviews, Precision Printing is closest to being an ideal company. Fundamental Foods and C&G Consulting’s clients have generally demonstrated commitment and motivation to OHS and provided time and resources. However, their progress has stalled at having a driving force to direct OHS in the right direction. Clients seek the services of C&G Consulting because of internal company failures to drive OHS while Fundamental Foods’ biggest challenge has been a lack of competent OHS personnel to drive OHS across the organisation. Fundamental Foods’ new national OHS manager hopes to remedy this discrepancy.

Motivation and commitment for increasing employer capacity

Three key issues concerning motivation and commitment to OHS emerged from the interviews. Firstly, the employment of dedicated OHS managers in large organisations can lead senior management to become complacent and lessen their involvement in OHS. Fundamental Foods and C&G Consulting’s clients are examples where senior management are significantly dependent on the knowledge and expertise of OHS managers to guide them in their strategic decision-making on OHS issues. Senior management can mistakenly assume that by employing an OHS manager they have met their legal duties under OHS legislation. These findings suggest that where OHS managers are employed in a company there is a greater need to educate senior management of their responsibilities under OHS.
legislation and to ensure that complacency among senior management does not prevail. The National OHS Strategy would benefit in identifying senior management as a specific target under its goal of improving employer capacity. Complacency and the removal of senior management from the OHS management process can limit their motivation and commitment to OHS. Drawing on the practices of Precision Printing, one mechanism to ensure that senior management is active in OHS is to incorporate OHS performance as a key performance indicator in the senior management’s performance package. A model based on the approach of Precision Printing is better suited to achieving the National OHS Strategy’s objective of improving employer capacity as it allows for the expertise of an OHS manager to function without diminishing or drawing away from senior management’s responsibilities and involvement in the OHS process.

The second issue affecting motivation and commitment to OHS management is organisational capacity to progress OHS efforts further. An employer may be highly motivated to ensure OHS is addressed adequately within an organisation, yet their efforts in such pursuits may be limited due to obstacles such as a lack of time and resources; Bexter Brewery represents such an organisation. Business survival was the key motivation for Bexter Brewery to ensure that OHS risks and hazards were adequately addressed. As a micro operator with only one staff member, the owner of Bexter Brewery lacked the time, resources, and ability to further his OHS knowledge through conventional means such as web-based research and training courses. However, he was able to demonstrate motivation and commitment to OHS efforts by welcoming safety advice from the company’s staff member as well as information gained through industry forums. Within the literature review, it was noted that small businesses often work in isolation and are less likely to be part of a network. However, in the case of Bexter Brewery, this was less apparent given the owner’s regular attendance at seminars and conventions and networking with others in the community. A key factor that enabled this outcome for Bexter Brewery was the geographical region of Sydney in which the Brewery was situated. The region is home to a number of neighbouring microbrewers, which allowed the owner to be in close proximity to others in the industry. Furthermore, the owner of Bexter Brewery had established a clear network of contacts from his previous place of employment and was able to maintain these contacts upon opening his new business. Lastly, the owner’s membership with the Institute of Brewing and Distilling enabled him to remain close to others in the industry.
While these non-conventional channels of information and advice have proved useful to Bexter Brewery, the microbrewery is still challenged by a lack of knowledge of OHS legislation (Figure 9). This example of Bexter Brewery demonstrates that certain organisations, primarily smaller businesses, may be motivated to ensure OHS is addressed adequately but require assistance in acquiring information and tools that will help in building their capacity.

Thirdly, in order to motivate an employer to improve their capacity there needs to be an understanding of actual motivators. The interviews highlight that motivators for OHS management varied between Bexter Brewery and the larger companies. The key motivator for ensuring OHS management within Bexter Brewery was to safeguard the survival of the business as a single incident could result in the demise of future operations. Conversely, OHS incidents had occurred in Fundamental Foods yet, due to the size of the organisation, the impact of these incidents was less detrimental to the survival of the organisation.

The motivators for improving OHS performance in the large companies included financial savings, avoiding prosecution, and limiting disturbances on production. However, the motivator that resonated most strongly was the desire to achieve best practice and to be recognised as an industry leader. Both Fundamental Foods and Precision Printing held in high regard the value of a certified OHS management system. It can be argued that these companies seek to achieve such qualifications not because they are trying to go beyond their legislative requirements but rather because it places them at an advantage in business pursuits. Interestingly, the participating companies did not identify legal requirements as a key reason for improving OHS performance. This highlights that while an organisation will generally undertake OHS measures because it is legally required of them, organisations do not frame or justify their OHS endeavours within a legislative framework. These findings suggest that some organisations will rationalise OHS pursuits from a largely economic rationalist perspective rather than a legalist viewpoint. The findings also highlight a lack of connection between OHS motivators and good industrial relations and human resource management outcomes. Drawing back to the literature, these findings add new insights into current debates in the literature. While there are studies to show that managers are more motivated to comply with regulations than voluntary policies (Industrial Relations Victoria, 2005; Hopkins, 1995), the findings from the interviews suggest that managers can be motivated by voluntary initiatives such as a standard certification (AS/NZS 4801 Occupational Health and Safety Management), if there is tangible benefit to be gained. In the case of AS/NZS 4801 Occupational Health and Safety Management, the benefit is recognised as adhering to best practice and satisfying tender requirements. These findings
are similar to those drawn by Vassie, Tomas and Oliver (2000) found voluntary initiatives were successful where there were external pressures for companies to adopt voluntary management accreditation schemes in order to qualify for contracts that required standards accreditation. The key lesson that can be drawn from this for the National OHS Strategy is that where a voluntary initiative is being advocated, there needs to be a clear benefit for businesses to want to engage in any activity. While it remains questionable as to how extensively OHS regulatory agencies can pursue new initiatives beyond their traditional role of enforcers of the law, OHS policies such as the National OHS Strategy should acknowledge and recognise that more than the law generally spur organisational motivations for OHS performance.

**Time and resources for increasing employer capacity**

The interviews showed that the larger organisations were better resourced in time and capital and therefore were more likely to engage in measures that are more sophisticated to improve OHS performance. These findings support the literature review, which argues that smaller businesses have limited access to resources and the ability to manage OHS.

The research highlights that business information and resource needs vary according to the size and maturity of the organisation. As illustrated in Figure 9, Bexter Brewery would benefit from having a better understanding of OHS legislation. Therefore, the resources and information required to allow Bexter Brewery to achieve this will differ from those required by Fundamental Foods, Precision Printing, and C&G Consulting. Bexter Brewery faces greater challenges in acquiring new knowledge because the company’s owner lacks the time and knowledge to attain new information. Unlike the larger organisations that have the resources to pay for full-time OHS managers or to engage external service providers, Bexter Brewery’s owner is challenged in knowing where to look for new information, what to look for or having the financial means to pay for information and advice such as that provided by employer associations. Due to differences in information and resource needs, efforts among the organisations and policy efforts to improve employer capacity need to be targeted to cater for these differences. Smaller organisations require more basic forms of information that is easy to understand and that can be accessed easily. In comparison, larger organisations will be seeking information on more complex OHS matters such as OHS management systems, standards certification, and OHS best practice.
The availability of OHS information and other sources of information

The interviews identified the main sources of information to which companies commonly refer. The findings highlight that the signatories to the National OHS Strategy, that is the OHS agencies, employer associations and trade unions, are not regarded as the most suitable sources of information. Despite employer association and trade union presence at Fundamental Foods, Precision Printing and C&G Consulting’s clients, the social partners were not used for OHS purposes. Figure 10 illustrates the stakeholders that each company uses to access OHS information. The teal arrows indicate that there is a presence of this stakeholder in the workplace although they have no involvement in OHS. The red arrows indicate that the services of these stakeholders are used but in a limited capacity. The solid black arrows indicate the sources that are most commonly used by the companies. The purpose of the chart is to demonstrate that the National OHS Strategy signatories are not readily used as a source of OHS information.

Figure 10: Sources of OHS information used by interview participants

As illustrated in Figure 10 trade unions and employer associations are not used for OHS information and WorkCover is occasionally referred to but in a limited way. The interviews highlight the need for WorkCover NSW to improve its services, in particular its accessibility for micro organisations and the quality of OHS information and services it provides to the NSW business community. Fundamental Foods’ comments about preferring to use the resources of WorkSafe Victoria rather than WorkCover NSW suggest that there is potential for NSW to benchmark its resources to reflect the quality of other States. It also identifies opportunities for State governments of Australia to collaborate on consolidating and improving OHS resources following the harmonisation of OHS legislation across Australia.
Additionally, the resources of WorkCover NSW could potentially be better utilised if companies were less intimidated in contacting WorkCover NSW for assistance. The interview findings highlight that WorkCover NSW carries many connotations as being a regulator, prosecutor, and an administering body for workers’ compensation. These perceptions of WorkCover NSW discourage organisations from not only using the OHS agency’s services but also from accurately understanding the role of WorkCover NSW. From these findings it can be argued that OHS agencies need to be more accessible to businesses because not only are they key signatories to the National OHS Strategy, but more importantly, because they are the only source for OHS information for many organisations such as Bexter Brewery.

The interviews reveal that the participating companies rely more readily on OHS sources beyond those provided by the National OHS Strategy signatories. The interviewed companies acquire information primarily from professional bodies such as the Safety Institute of Australia, subscriptions to OHS publications such as OHS Alert, attendance at conferences, industry networks, and information acquired through the services of professional training providers and consultants. The use of these sources for OHS information demonstrates that there is a broad range of OHS sources that organisations can draw from beyond traditional mediums such as WorkCover NSW. One of the limitations of the National OHS Strategy is that many of these sources are not approached as options under the goal of helping to increase employer capacity. Future OHS policies should seek to broaden sources of OHS information beyond the traditional composition of trade unions, employer associations, and OHS agencies. Consideration of additional sources and stakeholders is important to improving the coverage under which the National OHS Strategy can be delivered. Improved coverage will likely benefit a greater number of businesses, in particular smaller organisations such as Bexter Brewery, which are more reliant and more comfortable in acquiring information from familiar sources such as industry networks and industry conferences.

**Key personnel to drive improvement in OHS performance**

The interviews have shown that OHS managers play an important role in driving OHS within organisations. Although the National OHS Strategy seeks to improve employer capacity to manage OHS, the reality is that in many workplaces OHS is largely the responsibility of OHS managers, with senior management having limited involvement in the OHS process. The interviews found that although an organisation might employ an OHS manager this did not guarantee improvements to OHS performance. As noted by
Fundamental Foods’ national OHS manager, there had been a failure by the previous OHS manager to design and implement an OHS system at Fundamental Foods. Similarly, in the case of C&G Consulting, businesses seek the services of C&G Consulting to remedy failures within OHS management systems or to provide OHS services that are beyond the capabilities and expertise of the organisation’s own OHS department. These findings indicate that there are instances where individuals employed as OHS specialists are not equipped to perform their role satisfactorily. Consequently, these observations identify certain shortcomings in qualifications and skills of OHS occupations. Introducing recognised qualifications for OHS occupations is an option that may improve the level of skill and expertise of future OHS managers.

While the research identified certain shortcomings in qualifications and skills in OHS occupations, it also highlighted positive examples of the value that is added to an organisation’s performance where OHS personnel are: (i) experienced, particularly individuals who are able to draw from previous work experiences and achievements; (ii) highly motivated about achieving best practice; (iii) have served with the organisation for an extended period of time and understand its OHS history; and (iv) able to communicate effectively with senior management on OHS issues. This last factor is particularly significant in linking OHS managers together with senior management and therefore providing another avenue in which employer capacity can be increased. C&G Consulting noted that one of the biggest challenges that many OHS managers face is that they are not able to communicate effectively with senior executive on OHS issues. This is either because OHS managers lack the necessary communication skills or because OHS is not deemed strategic enough to be discussed by the executive team. OHS needs to be a strategic priority to not only help senior executive understand the inherent risks within an organisation but also because it is at this level of the organisation where the ultimate responsibility for OHS lies.

Conclusions

This chapter sought to explore the concept of employer capacity in the management of OHS in three manufacturing companies and a professional OHS consultancy provider which represents clients across a number of industries including manufacturing. A number of themes guided discussions around employer capacity including knowledge of the National OHS Strategy, senior management knowledge of OHS issues, senior management involvement and commitment to OHS, and the availability and accessibility of resources and information on OHS. Insights from discussions were intended to identify current OHS
practices within manufacturing organisations as well as to gauge an understanding of the challenges facing these businesses in achieving further improvements. The interview outcomes show that for the four participating companies the most influential factors on OHS management and employer capacity were organisational size, commitment and motivation, time and resources, and external forces (such as competition in the market place). These findings support, and are generally consistent with the literature, which also identifies the same factors as important to OHS management. Furthermore, the outcomes of the interviews demonstrate that the four participating companies are complex systems, each with different levels of OHS knowledge, capabilities, resources, and motivations. The complexity of these matters indicates that many variables would need to be considered when seeking to improve employer capacity in the manufacturing industry. As there is no ‘one-size fits all approach’ there needs to be separate actions for small and larger businesses under an OHS strategy. This needs to be supported with detailed plans that recognise differences in workplace sizes, needs, and capacity to manage OHS.
Chapter 8: Evaluation of the *National OHS Strategy*: Searching for Evidence of Impact

**Introduction**

In Chapter 5, a description and analysis of key developments in Australia’s OHS history and the context in which they occurred was presented. This chapter presents evidence from a variety of sources, including government agencies and the social partners, to identify the impact of the *National OHS Strategy*. Documentary analysis was used to gather information on stakeholder initiatives, views, and actions under the *National OHS Strategy*, particularly in support of improving employer capacity within the NSW manufacturing industry. The chapter begins with a general introduction and description of the key documents that were used to inform this chapter. This is followed by the key findings of the documentary analysis process, which are presented in theme with the stages approach of the policy process. The chapter concludes with discussion of the context in which the *National OHS Strategy* operated. This analysis is intended to complement earlier discussions raised in Chapter 5. The general conclusions that are drawn from this chapter are that the *National OHS Strategy* has received some recognition and has been addressed by certain stakeholders since its launch. However, attention to the *National OHS Strategy* has diminished over the years, often being challenged by competing priorities in other areas of OHS. Furthermore, while stakeholders provide OHS services, there is a lack of alignment between such services and the *National OHS Strategy*. Consequently, reference to the *National OHS Strategy* and its implementation are not robust enough to allow conclusions to be drawn on its effectiveness in improving employer capacity.

**Documentary analysis of the *National OHS Strategy*: key documents used in the research process**

Documents produced by a range of stakeholders were sourced to gather information on how the goal of improving employer capacity has been advanced under the *National OHS
Table 9: Stakeholders examined for evidence of *National OHS Strategy* activity

<table>
<thead>
<tr>
<th>OHS Agencies</th>
<th>Trade Unions</th>
<th>Employer Associations</th>
<th>Other Stakeholders</th>
</tr>
</thead>
<tbody>
<tr>
<td>National Occupational Health and Safety Commission</td>
<td>The Australian Council of Trade Unions</td>
<td>The Australian Chamber of Commerce and Industry</td>
<td>Workplace Relations Ministers’ Council</td>
</tr>
<tr>
<td>Australian Safety and Compensation Commission</td>
<td>Unions NSW</td>
<td>Australian Industry Group</td>
<td>Council of Australian Governments</td>
</tr>
<tr>
<td>Safe Work Australia</td>
<td>The Australian Manufacturing Workers Union</td>
<td>The NSW Business Chamber (formerly Australia Business Limited – ABL)</td>
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<tr>
<td>WorkCover NSW</td>
<td>Australian Workers Union</td>
<td>Australian Federation of Employers and Industries</td>
<td></td>
</tr>
<tr>
<td>Heads of Workplace Health and Safety Authorities</td>
<td>National Union of Workers</td>
<td>Plastic and Chemicals Industries Association</td>
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<tr>
<td></td>
<td>Textile, Clothing and Footwear Union of Australia</td>
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Implementing the *National OHS Strategy* and the priority goal of improving employer capacity to manage OHS

Documents were analysed to identify how the *National OHS Strategy* and the goal of improving employer capacity to manage OHS were intended to be implemented, particularly within the NSW manufacturing industry. The following section summarises the findings. Programs and initiatives that have been aligned to the *Strategy* are identified and described and key issues affecting the *Strategy*’s implementation are noted. The most significant observations were that in many instances, the *National OHS Strategy* was merely ‘acknowledged’ by stakeholders without reference to actual efforts in support of or in alignment with the *Strategy*. Secondly, many of the initiatives and activities of the stakeholders had originated prior to the development of the *National OHS Strategy* while certain OHS initiatives had been delivered for reasons other than as a response to the
Strategy. The research could not identify sufficient documented evidence of stakeholders working collaboratively to achieve the goals of the National OHS Strategy, with most efforts being largely driven or executed by WorkCover NSW.

How was the National OHS Strategy intended to operate?

Identifying the intentions behind the implementation of the National OHS Strategy is necessary to assess the extent to which these actions had been translated into practice, particularly the influence the National OHS Strategy has had in improving employer capacity in the NSW manufacturing industry. Overall, despite the breadth of documents examined, there was only enough information to provide rudimentary insight into the intended operation of the Strategy. Documents such as the National OHS Strategy, NOHSC and ASCC business plans and the 2002-2005 Priority Action Plans identify activities to be achieved under each of the five priority areas of the Strategy. However, they lack detail on the specific roles and responsibilities of each of the signatories in driving the National OHS Strategy. According to the National OHS Strategy’s Statement of Commitment, the following functions and roles have been identified for the ACTU, ACCI and Federal and State governments:

The parties to the NOHSC:

- have accepted responsibility for the development and implementation of the National OHS Strategy and share the responsibility for ensuring that Australia’s performance in work-related health and safety is continuously improved
- are committed to working cooperatively on the priorities and actions identified in the Strategy
- are committed to regularly reviewing achievements against plans and targets in the Strategy and to further develop the Strategy in light of these achievements
- invite other stakeholders to contribute to the Strategy

The Strategy will focus the efforts of the parties to the NOHSC in working together to implement interventions to improve Australia’s OHS performance

Table 10 provides a summary of statements made by stakeholders on the *National OHS Strategy*. These statements reinforce certain elements contained in the *Strategy*, namely the emphasis placed on stakeholders working together to drive the *National OHS Strategy* as well as the need for regular reviews. In summary, the key messages delivered throughout the *Strategy* and stakeholders’ statements are that NOHSC members are responsible for driving the *National OHS Strategy* by incorporating its targets and priorities into their own business plans. Emphasis is placed on the role of the national priority action plans that underpin the *National OHS Strategy* as well as NOHSC members working in cooperation to undertake particular activities contained in these action plans.

**Table 10: Stakeholder references to the National OHS Strategy**

<table>
<thead>
<tr>
<th>Importance, function and commitment to the National OHS Strategy</th>
</tr>
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<tbody>
<tr>
<td>“NOHSC members complement our work in taking forward the National Strategy. They reflect its targets and priorities in their own business planning...NOHSC members will also continue to undertake particular activities under action plans for the National Strategy’s priorities” (NOHSC, 2003a and 2004)</td>
</tr>
<tr>
<td>“The ACTU, TLCs and unions will work to improve health and safety through implementation of the National OHS Strategy and its Action Plans….. the ACTU, TLCs and unions will promote action under the Strategy at the national, State/Territory and industry levels” (ACTU, 2003a: 4-5)</td>
</tr>
<tr>
<td>“The National OHS Strategy is a focal point around which industry sectors, government, regulators, employers, employees and trade unions can develop and implement complementary strategies, programs and action plans to prevent injuries and disease” (ACCI, 2002a: 32)</td>
</tr>
<tr>
<td>“The Strategy was intended to provide a blueprint for how industry associations, unions, professional groups, individual employers and employees can focus and prioritise efforts.... stakeholders are urged to participate by setting targets, prioritising their prevention efforts” (Else¹, 2002: 6).</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>The role and functions of the stakeholders and working together to achieve the National OHS Strategy</th>
</tr>
</thead>
<tbody>
<tr>
<td>“Parties to the National OHS Strategy recognise that there will be a division of responsibilities between tiers of government in implementation of the Strategy. This will require effective national action and coordination between governments and the industry parties. The tripartite NOHSC is crucial to implementation of the Strategy” (ACTU, n.d.: 7).</td>
</tr>
<tr>
<td>“ACCI is committed to the National OHS Strategy – a partnership between governments, industry and unions” (ACCI, 2006a: 22)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Reviewing the National OHS Strategy</th>
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<tbody>
<tr>
<td>“Ministers have asked the National Occupational Health and Safety Commission to report annually on progress made in implementing the Strategy and to ensure that it is regularly reviewed and refined” (NOHSC, 2002a: iii)</td>
</tr>
<tr>
<td>“NOHSC will undertake and monitor its business, including the implementation of the National Strategy, through regular meetings and through its committees and tripartite working parties. The National Occupational Health and Safety Office carries out its work. NOHSC will continue to provide reports to the Workplace Relations Ministers’ Council on progress with the National Strategy and other key deliverables” (NOHSC, 2003a and 2004)</td>
</tr>
<tr>
<td>“The ACTU, TLCs and unions will seek comprehensive reports on implementation which reflect both improvements achieved and areas requiring improvement” (ACTU, 2003a: 5).</td>
</tr>
<tr>
<td>“Evaluating what works and what doesn’t and sharing the solutions” (Else, 2002: 6).</td>
</tr>
</tbody>
</table>

¹ Dennis Else was the former Chair of the NOHSC from 1997 to 2002.
In 2002, the NOHSC produced three-year priority action plans for each of the five priority areas of the *National OHS Strategy* while business plans were produced annually. These documents identify the activities to be undertaken by the peak OHS agency and its members. The content of these documents that are specific to improving employer capacity to manage OHS have been reproduced in Appendix 5 and Appendix 6. In summary, there are four key areas of focus in the priority action plan for improving employer capacity, they are: (i) the development of skills; (ii) the adoption of systematic OHS management approaches; (iii) the provision of motivators and incentives for business operators; and (iv) information products and systems (NOHSC, 2002c). Underpinning each of these four areas is a series of activities; the following list provides examples of some of these activities:

- integration of OHS into national training packages, management and specialist education and school education
- development of training resources and research into improving OHS skills development
- improving the availability and use of data to inform decision making
- facilitating systematic management approaches
- evaluating premium discount schemes (New South Wales to lead) and OHS innovation awards programs (the Australian Capital Territory to lead)
- disseminating information arising from the *National Research Action Plan*
- providing practical guidance material.


**Limitations and challenges of action and business plans**

While the priority action plans and business plans identify activities to improve employer capacity, information on the responsibilities of the signatories under each priority area could not be found. The one exception to this finding was the case in which NSW and the Australian Capital Territory were identified to lead efforts on evaluating the premium discount scheme and OHS innovation awards program (NOHSC, 2002c). If the *National OHS Strategy* is to encourage partnerships and cooperative efforts among the signatories, then clearer direction on stakeholder roles is required. Articulation of roles and responsibilities is important for ensuring accountability and avoiding duplication of efforts.
The changes to Australia’s peak OHS agency have altered the structure and composition of business plans. The NOHSC and ASCC business plans were structured according to the five priority areas of the National OHS Strategy, yet this was changed following the introduction of Safe Work Australia. Operational plans replaced business plans and the National OHS Strategy no longer provided the template upon which to align activities. The initial operational plans of Safe Work Australia continued to recognise the National OHS Strategy by loosely aligning the priority areas of the Strategy with the new priorities of Safe Work Australia in what appears to be a ‘best fit approach’. Table 11 provides a summary of the new strategic areas that informed Safe Work Australia’s 2009-2010 Operational Plan. The National OHS Strategy is noted as one of the areas for action under Objective 2.

Table 11: General framework of Safe Work Australia’s 2009 – 2010 Operational Plan

| Objective 1: Achieve national uniformity of the OHS legislative framework complemented by a nationally consistent approach to compliance and enforcement policy | • Develop national policy relating to OHS  
• Prepare model OHS legislation for adoption by the jurisdictions  
• Prepare model codes of practice relating to OHS for adoption by all jurisdictions  
• Prepare other material relating to OHS  
• Develop a compliance and enforcement policy |
|---|---|
| Objective 2: Achieve significant and continual reductions in the incidence of death, injury and disease in the workplace | • Collect, analyse and publish data or other information relating to OHS and workers’ compensation in order to inform the development or evaluation of policies in relation to those matters  
• Conduct and publish research relating to OHS and workers’ compensation in order to inform the development or evaluation of policies in relation to those matters  
• Monitor, revise and further develop the National OHS Strategy 2002-2012  
• Promote national strategies to raise awareness of OHS and workers’ compensation  
• Advise WRMC on matters relating to OHS  
• Liaise with other countries or international organisations on matters relating to OHS and related matters  
• Develop nationally consistent explosives legislation and support the work of the Australian Forum of Explosives Regulators |
| Objective 3: Improve national workers’ compensation arrangements | • Develop national policy relating to workers’ compensation  
• Advise WRMC on matters relating to workers’ compensation  
• Liaise with other countries or international organisations on matters relating to workers’ compensation and related matters |


Safe Work Australia ceased to include the National OHS Strategy’s priority goals in their 2011-2012 Operational Plan, which was the latest at the time of this research (Safe Work Australia, 2011a). Reference to the Strategy in operational and business plans first began to diminish following the introduction of workers’ compensation into ASCC’s portfolio.

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12 Over the life of the National OHS Strategy, the NOHSC has been replaced with the ASCC and the ASCC with Safe Work Australia.
Consequently business plans went from being entirely devoted to OHS activities (as was the case under the NOHSC) to resources and efforts being shared across both OHS and workers’ compensation (ASCC, 2008).

**Demonstrated evidence of action under the National OHS Strategy and the priority area of improving employer capacity**

The research also sought to identify examples of initiatives that had been implemented in response to the *National OHS Strategy*. Some of these initiatives have been pitched at the national level while some have been managed at the State level and others by industry stakeholders. These examples demonstrate that while there has been activity in response to the *National OHS Strategy*, most activity was directed to address a range of industries and not just specifically manufacturing. The majority of these activities occurred in the first few years following the introduction of the *National OHS Strategy*, with less prevalence of such activities in the later years of the *Strategy*. Two of the most prominent initiatives resulting from the *National OHS Strategy* with a predominantly national focus include the *OHS – Employers Making a Difference* program and activities initiated by the Heads of Workplace Safety Authorities.

**OHS Employers Making a Difference**

Industry and employer engagement with the *National OHS Strategy* was to be developed through *OHS – Employers Making a Difference*, a three-year program (2003-2006) that called on employers to become signatories to the *Strategy* (NOHSC, ACCI, and Business SA, n.d). The program, which was free and open to all employers, required employers to nominate a set of OHS activities to which they were willing to commit and complete progress reports every six months on their OHS performance and improvements against these activities (NOHSC et al., n.d). Participation in the program provided employers with ‘a framed national certificate of recognition, use of the logo, invitations to networking events, participation in a mentoring initiative, promotional exposure, and recognition as an employer of choice’ (NOHSC et al., n.d). The program was spearheaded by NOHSC and ACCI, who worked with business chambers from South Australia, Western Australia, Tasmania, the Northern Territory, and the Australian Capital Territory to host the program; South Australia has been recognised as leading the way in implementing this program (NOHSC, 2003b; ACCI, 2004a). In 2004, ACCI reported that close to 1,000 employers had attended and participated in the program (ACCI, 2004a). According to ACCI, corporate members of the
Business Council of Australia also expressed interest in signing up to the *Strategy* (ACCI, 2004b: 20).

The *OHS – Employers Making a Difference* program was significant for a number of reasons. Firstly, it was a newly created program designed specifically for the *National OHS Strategy*. It was open to businesses of all sizes and across all industries. The program was rolled out in a number of States and demonstrated collaborative initiatives between the ACCI and State business chambers. Based on documented evidence of the program, the program was limited to the States and Territories mentioned earlier and did not appear to reach NSW workplaces. There is minimal evidence that documents the final outcomes of the program. Further research shows that the program was rebadged ‘Business Commit’ in 2006, although the premise of the program remained the same (ASCC, 2006c:7). The Business Commit program was not heavily documented either and little information could be obtained to help explain its overall success and contribution to the *National OHS Strategy*. There are many questions about the program that the documentary analysis could not answer. Firstly, organisations that qualified for the program are said to have been given permission and access to the program’s logo, promotional exposure and recognition as an employer of choice. Did these benefits cease following the end of the program and what value did they have for participants? Secondly, were there any benefits to receiving a qualification under the program, particularly when compared to qualifications such as Standards Australia’s *AS4801 Health and Safety Management*? An evaluation of the *OHS – Employers Making a Difference* program could not be located for this research, although had it been carried out by the State business chambers, the outcomes may have helped to address these questions.

**Heads of Workplace Health and Safety Authorities (HWSA)**

HWSA, a group comprising the general managers of the OHS agencies responsible for the regulation and administration of OHS in Australia and New Zealand, undertakes national compliance campaigns targeted at specific hazards within industries that have been identified as national priorities (HWSA, 2011). HWSA is a noteworthy example for this research because they identify themselves as being committed to achieving the *National OHS Strategy* targets and their campaigns seek to achieve a nationally consistent approach across the *Strategy’s* priority areas (HWSA, 2011). HWSA has initiated and completed the following campaigns for the manufacturing industry:
- Labour Hire in Food Manufacturing (led by Victoria and Western Australia) (Lowing and van IJzendoorn, 2007)
- Guarding of Machinery in Manufacturing (led by NSW) (Menon, 2009)
- Manual Handling – Manufacturing (led by South Australia and NSW) (HWSA, 2008)
- Hazardous Substances in Manufacturing Industry - Fibre-Composite Boat Building Sector (led by Queensland) (HWSA, 2007)

These campaigns represent a sample of the work that HWSA has undertaken over the years, including work in industries other than manufacturing. Appendix 7 provides further detail on these campaigns. Although the campaigns identified above were led by different jurisdictions, there was a significant degree of consistency in the execution of each campaign. This consistency was evidenced in (i) the production of final reports for each campaign; (ii) the production of summaries of campaign objectives; (iii) the processes undertaken to implement the campaigns; (iv) the outcomes of each campaign; and (v) the evaluation of the campaigns and recommendations for future action (Lowing and van IJzendoorn, 2007; Menon, 2009; HWSA, 2007; HWSA 2008). These campaigns highlight the ability of OHS agencies to work together and share resources in order to achieve a common goal. For example, the campaign Guarding of Machinery in Manufacturing (Table 12), which was led by NSW, showcased the ability of NSW to work with other OHS agencies to deliver the campaign and with the Office of the ASCC in evaluating the campaign (HWSA, 2011). It would have been well suited to promote this particular campaign as an initiative under the National OHS Strategy, particularly as part of improving employer capacity in the manufacturing industry.

Table 12: Specific objectives of Guarding of Machinery in Manufacturing campaign

| Determine business owners/managers’ current levels of awareness of the campaign and the impact of campaign awareness and interventions on managers making specific OHS changes to their business |
| Determine the impact of the campaign on the following factors that influence workplace safety: |
| o the rate of use of machine guards |
| o hazard management, that is, policies and operating procedures concerning safe work practice |
| o managers’ attitudes to health and safety issues |
| o managers’ knowledge of and compliance with Australian Standards in relation to safety requirements for machines and machine guarding in manufacturing |
| Determine the usefulness of OHS guidance materials received by managers and how effectively these are communicated to workers |
| Determine the barriers that impede managers from undertaking safe work practices and reasons for non-compliance with OHS practices. |

OHS initiatives at the State level

The NSW Government convened the *NSW Workplace Safety Summit* in July 2002 and again in August 2005 (NSW Government, 2005: 7). While there is no evidence to suggest that the Summits were organised in response to the *National OHS Strategy*, the Strategy and its targets were noted and accepted at the 2002 Safety Summit and continued to feature in the 2005 Safety Summit (NSW Government, 2002b and 2005). The 2002 and 2005 Summits brought together trade unions, employer associations, employers and government stakeholders, demonstrating key stakeholders working together to discuss and decide future actions and priorities for OHS in NSW (NSW Government, 2002b and 2005). Following the 2002 Safety Summit, the NSW Government released a response to the 132 recommendations that were made at the Summit (NSW Government, 2002b). The NSW Government chose to adopt most of the recommendations and provided $13 million over three years for the initiatives to be achieved (NSW Government, 2002b). The NSW Government responded to the 2005 Safety Summit by releasing the *NSW Workplace Health and Safety Strategy 2005-2008*, a 90-page document outlining goals, steps to achieving the goals, and ways to measure these steps (NSW Government, 2005). Both Summits targeted high-risk industries, including the manufacturing industry, with recommendations for action presented in industry action plans. The need to increase employer awareness was recommended across most industries, with awareness goals being unique to each industry.

Despite a general lack of alignment to the *National OHS Strategy*, the Summits indirectly supported a number of elements of the *National OHS Strategy*, including bringing stakeholders together to discuss OHS and focusing actions according to high-risk industries. By focusing efforts according to industry, the Summits were able to identify problems and appropriate action specific to each industry sector, including actions and recommendations for improving stakeholder awareness and knowledge of OHS. The 2002 and 2005 Summits demonstrate strong examples of NSW taking specific and targeted action on OHS and they provide appropriate examples that could demonstrate compliance and commitment to the *National OHS Strategy*. Although the Summits have incorporated the targets and place a strong focus on high-risk industries, they are unique to NSW.

OHS initiatives at the industry level

Documents of employer associations and trade unions were investigated to identify efforts in line with the *National OHS Strategy*. Of those examined, the Plastics and Chemicals Industries Association (PACIA) presented the most direct example of alignment to the
National OHS Strategy. In 2004, PACIA made revisions to their performance measures to ensure consistency with the National OHS Strategy and, since 2004, PACIA have tracked performance against the National OHS Strategy and reported this performance in their annual reports and survey reports (PACIA, 2005-2011). In addition to adopting the targets, PACIA aligned their Responsible Care program to the Strategy (PACIA, 2007a). As part of the Responsible Care program, ‘member companies receive an individual benchmark report, which allows benchmarking of their individual company statistics against their peers’ (PACIA, 2007a). In addition to tracking progress against the Strategy’s targets, PACIA members were asked to report their own company initiatives against the Strategy’s priorities, including improving employer capacity; this reporting has been done annually since 2005 (PACIA, 2005b, 2006b, 2007b, 2008b, 2009b, 2010b).

The PACIA demonstrate a unique example of adoption of the National OHS Strategy among employer and employee representatives. Of all the social partners explored in this chapter, PACIA have arguably demonstrated the most robust reporting mechanisms against the National OHS Strategy. For PACIA, existing programs such as Responsible Care provided a mechanism to incorporate the targets and priorities of the Strategy without the need to introduce new programs and new initiatives. The integration and reporting of the National OHS Strategy under the Responsible Care program also was possibly facilitated by PACIA’s requirement that its members support the performance measurement, verification and reporting initiatives of the PACIA Responsible Care Program (PACIA, 2011b).

Lack of alignment between the National OHS Strategy and stakeholder initiatives

Gauging insight into the National OHS Strategy’s influence on stakeholder activity was challenging. Firstly, stakeholders made broad, general statements about their commitment to the Strategy without substantiating evidence of such activity. Secondly, the research identified that stakeholders provide various OHS services without promoting them under the provision of the Strategy.

On the first matter, Table 13 provides a sample of statements by various stakeholders with respect to their commitment to the National OHS Strategy. What has been observed from these statements is a tendency for organisations to acknowledge that they support the Strategy without substantiating these statements with evidence or further information on how their commitments have been or will be translated into action. This problem is further
exacerbated by the lack of evaluative reports on the *National OHS Strategy*’s implementation. Most of the statements identified in Table 13 have been drawn from annual reports, policy statements and submissions to inquiries. The nature of many of these publications is not conducive to reporting of OHS activity against the *National OHS Strategy* and in cases such as annual reports, where reporting of activities is a requirement, there is still the drawback of achieving succinctness in statements, thereby leading to the omission of details.

Table 13: Statements on the *National OHS Strategy*

| NOHSC | “The National OHS Strategy has successfully provided a focus for closer cooperation amongst NOHSC members” (NOHSC, 2005:15).  

“All Australian OHS authorities have been encouraged to model business plans or strategies on the National OHS Strategy. This has laid the foundation for national efforts, enabling resources to be used to greater effect in achieving the National Strategy targets. NOHSC has been committed to focusing on the causes of injury through education and communication activities with view to changing culture and attitudes” (NOHSC, 2005: 16). |
| ACTU | “The ACTU OHS Policy also supports effective action under the National OHS Strategy 2002-2012” – (ACTU, n.d: 1) |
| ACCI | “The National OHS Strategy is a focal point around which industry sectors, government etc can develop and implement complementary strategies, programs and action plans to prevent injuries and disease” (ACCI, 2002a: 32)  

“ACCI is committed to the National Strategy…we are on track to meet that target” (ACCI, 2006a: 22)  

“ACCI is working with members to develop a process to engage industry sectors and individual employers in the National OHS Strategy” (ACCI, 2002a, 2003 and 2004b) |
| NSW Business Chamber | “Jurisdictional authorities that have responsibility for OHS legislation should change direction to a clearly defined and demonstrated focus on prevention, while pursuing the aims and objectives and particularly the targets of the National OHS Strategy. In this context prosecution should be the last option” (ABL, 2003: 13)  

“The development by NOHSC of the National OHS Framework followed closely by endorsement of the National OHS Strategy has strengthened the working partnership of the NOHSC stakeholders…NOHSC now has the opportunity to use the WRMC-endorsed National OHS Strategy to provide greater national leadership and coordination of national OHS resources through the jurisdictions, leading to improved national consistency and improved national OHS performance. The National Strategy has the commitment of government, ACCI and the ACTU and it is anticipated that through co-operation, with all the parties working together, that these targets will be met. However, a considerable amount of work at both the national and State level needs to be undertaken to realise these targets” (ABL, 2003: 9). |

On the second matter of OHS services not being promoted in relation to the *National OHS Strategy*, the documentary analysis has revealed that there are many OHS initiatives and services provided in NSW by WorkCover NSW, trade unions and employer associations that are representative of the manufacturing industry. However, the majority of these initiatives do not have demonstrable links to the *National OHS Strategy*. In summary, some of the key services that are provided by the stakeholders include:
the provision of information on various OHS issues
- website facilities
- training programs
- consultancy services
- committees, working parties and reference groups
- conferences

Appendix 8 and Appendix 9 summarise some of the specific services and initiatives provided under these groupings. For the majority of manufacturing trade unions and employer associations, the research could not identify evidence of the National OHS Strategy being acknowledged by these stakeholders or being aligned to their organisational activities. It is arguable that, since employer associations such as AiG and the Australian Federation of Employers were not signatories to the Strategy or represented on tripartite bodies, there should be no expectation of their commitment to the Strategy.

Like many of the trade unions and employer associations, WorkCover NSW has also made limited reference to the National OHS Strategy in its undertakings. Following the launch of the Strategy, WorkCover incorporated the 20 per cent and 40 per cent reduction targets into its corporate plan although this was done without direct reference to the Strategy (WorkCover NSW, 2003-2011). Beyond the targets of the Strategy, the remainder of the priority areas and supporting actions have not been introduced into the corporate plans of WorkCover NSW despite similarities between WorkCover’s corporate plan objectives and those of the National OHS Strategy. Analysis of WorkCover NSW’s corporate plans show that they have generally reported activity against four areas: (i) injury and illness prevention; (ii) scheme viability; (iii) stakeholder engagement; and (iv) organisational capability (WorkCover NSW, 2005: 2). It is under the area of injury and illness prevention that the National OHS Strategy targets of 20 per cent and 40 per cent reduction in fatalities and injuries are measured, while ‘stakeholder engagement’ seeks to build the OHS capability and capacity of people in workplaces. Despite the lack of direct association, it is apparent that WorkCover’s focus on ‘stakeholder engagement’ equates to the National OHS Strategy’s goal of improving employer capacity.

The evidence highlights that there is a significant amount of work being done and services provided by stakeholders that would all contribute to the priority area of improving employer capacity to manage OHS. However, the lack of alignment or direct reference to the National OHS Strategy challenges the ability to assess the influence of the Strategy in driving such outcomes. Furthermore, the lack of association with the National OHS Strategy raises
questions as to whether this is an outcome of stakeholders not having sufficient knowledge and understanding of the Strategy or commitment to it.

**OHS actions and initiatives in existence before the introduction of the National OHS Strategy**

Assisting employers to improve their knowledge and awareness of OHS is a function of OHS agencies and industry associations. NOHSC, WorkCover NSW and employer associations were delivering services and initiatives to improve employer capacity well before the introduction of the *National OHS Strategy*. Similarly, initiatives for the manufacturing industry were being planned and implemented well in advance of the *National OHS Strategy*. Existing efforts and actions to improve employer capacity, particularly in the manufacturing industry, would have provided a strong base upon which the activities of the *National OHS Strategy* could have been modelled. Signatories to the *National OHS Strategy* could have drawn on past initiatives, evaluating their successes and failures and using this information as evidence to decide on the best approaches to achieving improved employer capacity. These findings would ultimately be incorporated into the *National OHS Strategy*. Due to a lack of documentation on the development of the *National OHS Strategy*, the research could not identify whether the experiences of previous initiatives helped to inform the development of the *National OHS Strategy* and supplementary documents (for example, the *2002-2005 National Priority Action Plan* for improving employer capacity).

The following section highlights examples of initiatives that existed prior to the *National OHS Strategy*, and discusses how they could have served as an evidence base in the development of activities under the *National OHS Strategy*. These initiatives include (i) WorkCover NSW’s IRGs; (ii) The CEO and Supervisors Drivers Project; (iii) skills development packages; and (iv) WorkCover NSW’s Premium Discount Scheme. Appendix 10 is a further sample of WorkCover NSW initiatives that align to the activities identified in the *2002-2005 National Priority Action Plan* for improving employer capacity.

*Industry Reference Groups (IRGs)*

WorkCover’s IRGs, introduced in 1998 (four years before the introduction of the *National OHS Strategy*), highlight that WorkCover NSW had adopted an industry approach to OHS and therefore had some demonstrable experience in targeting industry specific initiatives.
Thirteen IRGs were established by WorkCover NSW, and enacted into legislation¹³, to focus on OHS issues specific to each industry sector (WorkCover NSW, 1999). Two IRGs targeted industrial manufacturing and consumer manufacturing. Each IRG developed strategies specific to improving injury prevention, injury management and workers’ compensation outcomes within their industry (Appendix 11). IRGs were made up of employer associations and trade unions, industry specialists with expertise in occupational health and safety, injury management and workers’ compensation, WorkCover officers and insurance industry representatives (WorkCover, 2004: 32). This composition of stakeholders represents more than three traditional actors represented on tripartite forums. Lessons learned from the manufacturing IRGs could have been applied in the development of the National OHS Strategy, particularly actions specific to the manufacturing industry.

The CEO and Supervisors Drivers Project

Research commissioned by NOHSC could potentially have aided as evidence in the development of the activities to improve employers’ capacity to manage OHS. One particular piece of research is the CEO and Supervisors Drivers Project, which was commissioned by the NOHSC prior to the National OHS Strategy. The project included a literature review by Gunningham (1999) ‘CEO and Supervisors Drivers: Review of Literature and Current Practice’, followed by a two volume research report by KPMG Consulting (2001a, 2001b) ‘Key Management Motivators in Occupational Health and Safety (Research for the CEO and Supervisor Drivers Project), Volume 1: Main Report, Volume 2: Case Studies’. The purpose of the report was to identify ‘what motivates CEOs and supervisors to be actively involved in improving safety’ and ‘how governments, industry associations, unions and others can use this information to encourage other CEOs and supervisors to improve safety’ (KPMG Consulting, 2001a: 8). The CEO and Supervisor Drivers Project was identified as an action area under NOHSC’s National Improvement Framework (KPMG Consulting, 2001a: 17), which was the predecessor to the National OHS Strategy. While the project may have been specified under the Improvement Framework, it is not entirely apparent of the role it played in informing the National Strategy. The National OHS Strategy argues the need for employers to be motivated to take further action in OHS while the CEO Driver Project provides a strong focus on understanding the key motivators for taking action on OHS. The similarities between the National OHS Strategy and the CEO Drivers project are apparent, highlighting the potential to have used the CEO Drivers project as an evidence base in the development of the National OHS Strategy.

¹³ The IRGs were established under the Workplace Injury Management and Workers Compensation Act 1998 (WorkCover NSW, 1999).
OHS Skills Development

The 2002-2005 Priority Action Plan for improving employer capacity (Appendix 5) identifies a series of activities relating to skills development. The issue of skills development has been long standing in the field of OHS with many initiatives already in effect well before the introduction of the National OHS Strategy. WorkCover NSW had been targeting the inclusion of OHS in school and TAFE education as far back as 1997-1998 (WorkCover NSW, 1998: 19). It also provided funding to the peak union body in NSW, the Labour Council (now called Unions NSW) to their YouthSafe program, the aim of which was to raise awareness and knowledge of OHS among students and teachers (Labor Council of NSW, 1999: 26). At the national level, ACCI were funded by the NOHSC in 2001 to conduct a survey of members OHS and training programs and participation in VET/OHS programs and partnerships (NOHSC, 2001a: 7-8). Two reports were produced from the findings: Review of Occupational Health and Safety Education and Training Activities and Review of OHS/VET Linkages and Activities (NOHSC, 2001a: 8). The survey and reports were intended to provide the basis for the development of a national approach for employers on OHS education and training (NOHSC, 2001a: 7-8). Both the WorkCover NSW and ACCI examples highlight that not only was work being done on skills development before the introduction of the National OHS Strategy but that these initiatives were being carried out at both the State and National levels with no apparent linkages between each other. The research carried out by ACCI could have potentially helped to inform the National OHS Strategy since the survey and reports were completed a year prior to the introduction of the Strategy. The research reports produced by ACCI could not be located in the public domain therefore it is not entirely apparent as to what influence the ACCI research had in informing the National OHS Strategy or the National OHS Skills Action Plan.

The NSW Premium Discount Scheme

Under the 2002-2005 Priority Action Plan for improving employer capacity, NSW and the Australian Capital Territory were nominated to lead two areas of activity. Under the focus area of “providing motivators/incentives for business operators” (NOHSC, 2002c) are the two activities: (i) ‘evaluation of premium discount scheme (NSW to lead)’; and (ii) ‘evaluation of OHS innovation awards programs (the Australian Capital Territory to lead)’. NSW introduced the Premium Discount Scheme (PDS) in 2001 to encourage NSW employers to improve OHS and injury management (WorkCover NSW, 2002: 32). The PDS offered discounts on workers’ compensation premiums for employers who met WorkCover NSW’s OHS and injury management benchmarks (WorkCover NSW, 2002: 32). It is
probable that given the experiences of WorkCover NSW with the PDS, they may have served as a model for efforts at the national level.

These examples of OHS initiatives by WorkCover NSW and NOHSC highlight that activities suited to improving employer capacity were being pursued well before the introduction of the National OHS Strategy. The experiences and expertise gained from implementing all these activities could have served to inform the contents on how to improve employer capacity under the Strategy. Overall, these examples also serve to illustrate that there needs to be greater transparency in Australian OHS policy making, including the evidence from the evaluation of practice.

Stakeholder cooperation on the National OHS Strategy

The research was not able to identify sufficient examples to demonstrate that the signatories to the National OHS Strategy were working together to achieve its goals, particularly since most of the initiatives in NSW were led by WorkCover NSW. The research sought to identify whether any of the following stakeholder partnerships had any achieved outcomes specific to the National OHS Strategy:

- the ACCI working with member employer associations
- the ACTU working with member unions
- employer associations, including ACCI, and trade unions, including the ACTU, working with WorkCover NSW
- employer associations, trade unions and OHS agencies working together.

Overall, the findings suggest that interactions were more evident between ACCI and its members than the ACTU and its members. However, most of these interactions were largely limited to communications and discussions on working groups, reference groups and forums. For example, ACCI administers two such groups: the ACCI OHS Working Party and the National Employers’ OHS Consultative Forum (NEOHSCF) (Appendix 6). These groups allow employer associations to share information and experiences across jurisdictions and industries (NOHSC, 2001b:7). However, these forums were established before the National OHS Strategy and therefore are not a direct response to the Strategy. In terms of activity on the part of the trade unions, the research was not able to identify sufficient examples of the ACTU working with trade union members in NSW to drive the National OHS Strategy.
Although the research did not identify many examples of the ACTU and ACCI working with other stakeholders to further the National OHS Strategy, the ACTU and ACCI maintained their commitment to the Strategy in public statements. The ACTU identified the National OHS Strategy as a priority area in its 2003 and 2009 ACTU Congress campaigns (ACTU, 2003a and 2009) while the ACCI reiterated its commitment to the Strategy throughout annual reports and its landmark document *Blueprint - Modern Workplace: Safer Workplace*. According to the ACCI, the Blueprint is intended to be complementary to the National OHS Strategy, with ACCI members using both to pursue industry specific strategies (ACCI, 2005a: 35). Further discussion of the Blueprint is provided later in this chapter.

**Trade unions and employer associations focusing efforts on strategic priorities**

At the level of NSW, examples of trade unions or employer associations working together to drive the National OHS Strategy could not be identified. The failure to identify such outcomes suggests that either there have not been any such initiatives or they have not been reported by the stakeholders. Although each trade union and employer association investigated in this chapter has a dedicated website, the information contained on these websites is primarily OHS information and advice for members rather than insights into OHS projects. The lack of acknowledgment of the Strategy by employer associations and trade unions may suggest that the National OHS Strategy does not reflect their strategic purposes, which are largely to service the needs and requirements of their members. The lack of focus on the National OHS Strategy by employer associations and trade unions supports the assertions of the IAD framework, which sees actors as economic interest groups that engage in action and activities that will create benefits for their members. As organisations that depend on membership fees, survival of these institutions is dependent on their ability to maintain and increase membership by addressing their clients’ needs for information and advice on workplace issues such as OHS. Members would predominantly demand assistance and advice on legislative compliance.

**Stakeholder dependence on government to support OHS activity**

The inability to use income from membership fees to fund initiatives under the National OHS Strategy has arguably resulted in a dependence on government to drive OHS initiatives. The research highlights that there is stakeholder expectation that OHS agencies will lead the National OHS Strategy.
“ABL is seeking a change of focus and direction by the jurisdictional authorities that have responsibility for OHS legislation to a clearly defined and demonstrated focus on prevention, while pursuing the aims and objectives and particularly the targets of the National OHS Strategy” (ABL, 2003).

“The ACTU, TLCs and unions must implement a common agenda for activity by governments which includes effective action under the National OHS Strategy 2002-2012” (ACTU, 2003a).

WorkCover NSW has provided trade unions and employer associations with the opportunity to participate and contribute to OHS efforts through the provision of research funds. Since 1992, WorkCover NSW has had in place an education and research grants scheme that has enabled non-profit organisations to access funds to conduct specific areas of research and/or to assist trade unions and employer associations to run programs to help educate their members on legislative requirements (WorkCover NSW, 1998: 20). A number of grants have been awarded for OHS research in manufacturing. Unfortunately, there is no direct alignment between these research efforts and the National OHS Strategy, therefore suggesting that these efforts would have occurred irrespective of the Strategy.

The National OHS Strategy not representative of all stakeholder groups

Until Safe Work Australia replaced the ASCC as Australia’s peak OHS agency, employer association representation on the NOHSC and ASCC was restricted to the ACCI. Consequently, this led to the exclusion of employer associations such as the AiG and the Australian Federation of Employers and Industries (formerly Employers First) from representation on the NOHSC and the ASCC as well as being excluded as signatories to the National OHS Strategy. Had these employer associations been signatories to the National OHS Strategy, then significant projects such as the Small Business Advisors Program that was delivered by AiG could have contributed to the Strategy’s goals.

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14 The program, a $7 million initiative funded by the Australian Government, was delivered by AiG over 2006 and 2007. The program was designed to help small businesses (i) implement work safety procedures were cost effective and beneficial to employers and employees (ii) make workplaces safer and comply with OHS laws and standards. The program was open to small businesses in any industry. Small business employers who registered for the program received free advice, training and on-site assistance from specialist OHS Advisers (ASCC, 2006a, 2006b).
Safe Work Australia’s evaluation of the National OHS Strategy and efforts to improve employer capacity to manage OHS

Evaluation represents a core function of the stages approach to the policy process. Evaluation of the National OHS Strategy has primarily been based on the use of workers’ compensation data to track progress against the 20 per cent and 40 per cent reduction targets. Evaluative measures against the priority of improving employer capacity are not available. The following section identifies some of the evaluative measures used to gauge the success of the National OHS Strategy. Overall, the findings reveal that in order to better understand the success of efforts to improve employer capacity, qualitative evaluations are required. There also needs to be greater transparency in reporting.

Documents used to measure progress against the National OHS Strategy

Progress against the Strategy has been documented in two key publications – Comparative Performance Monitoring (CPM) reports and Triennial Reviews.

The National Data Set and Comparative Performance Monitoring (CPM) Reports

Progress against the National Strategy targets has been measured using the National Data Set for Compensation-Based Statistics with the results published in Comparative Performance Reports (CPM) (WRMC, 2006: iii; NOHSC, 2003b: 1). Comparative Performance Monitoring reports, which have been produced annually since 2000 on behalf of the Workplace Relations Ministers’ Council, were established following an endorsement by Australian Workplace Relations Ministers in 1997 to reduce the incidence, severity and cost of workplace injury and disease (WRMC, 2000: i). The purpose of CPM reports has been to ‘provide trend analysis on the work health and safety and workers’ compensation schemes operating in Australia and New Zealand’ (Safe Work Australia, 2011b: iii). Specifically, the CPM reports provide data on the number of serious claims, fatalities, workers’ compensation premiums and entitlements, and workers’ compensation scheme performance. Table 14 is a summary of the key areas addressed in the thirteenth edition of the CPM report (the latest report at the time of writing). These areas of reporting have been relatively consistent in earlier CPM reports. On the National OHS Strategy, each CPM report summarises progress.

The first CPM Report was released in December 1998 (Department of Employment, Workplace Relations and Small Business, 2000: i), however, the report did not become a regular publication until 2000 when the second edition of the CPM report was produced. Since 2000, the CPM report has been produced every year except for 2007. At the time of this research the latest CPM report produced by the WRMC was for 2010 (Department of Education, Employment and Workplace Relations, 2011, Accessed at: http://www.deewr.gov.au/WorkplaceRelations/WRMC/Pages/Reports.aspx, December 2011). Safe Work Australia resumed publication of the CPM report in 2011.
against the Strategy targets of 20 per cent and 40 per cent reduction in fatalities and injuries as well as jurisdictional and industry progress against the targets. As CPM reports primarily serve to provide data on OHS related incidents and workers’ compensation schemes, they are not equipped to evaluate improvements in employer capacity to manage OHS.

Table 14: Key areas of focus in Comparative Performance Monitoring reports

<table>
<thead>
<tr>
<th><strong>Progress against the National OHS Strategy</strong></th>
<th>Injury and musculoskeletal target; Jurisdictional progress; Fatalities target; International comparison</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Work health and safety performance</strong></td>
<td>Serious claims; longer term claims; duration of absence; compensated fatalities; notified fatalities; work-related traumatic injury fatalities; claims by mechanism of injury/disease; claims by size of business</td>
</tr>
<tr>
<td><strong>Work health and safety compliance and enforcement activities</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Workers’ compensation premiums and entitlements</strong></td>
<td>Standardised average premium rates; entitlements under workers’ compensation</td>
</tr>
<tr>
<td><strong>Workers’ compensation scheme performance</strong></td>
<td>Assets to liabilities ratio; scheme expenditure; durable return to work; disputation rate</td>
</tr>
<tr>
<td><strong>Industry information</strong></td>
<td>Claims by industry; premium rates by industry</td>
</tr>
</tbody>
</table>


The National OHS Strategy Triennial Reviews

CPM reports are one avenue for reporting against the National OHS Strategy with the second evaluative method being triennial reviews. Triennial reviews are a requirement under the National OHS Strategy which specifies that ‘the NOHSC is to evaluate the Strategy’s efficiency, effectiveness and impact at least once every three years and to report to the Workplace Relations Ministers’ Council (NOHSC, 2005: 16). While CPM reports have allowed for progress against the Strategy’s targets to be tracked annually, triennial reviews have been less frequent, with only two reviews completed at the time of this research. Both reports were provided to the WRMC, the first in November 2003 and the second out of session in April 2005 (NOHSC, 2005: 15). Despite the NOHSC claiming that a ‘high level of accountability underpins the National OHS Strategy’ (NOHSC, 2005: 15), the outcomes of the triennial reviews have not been published. Little is known of their contents with the exception of basic insights that have been gathered from various sources. The following is known of the outcomes of the two triennial reviews that have been completed to date:

The first triennial review of the National OHS Strategy was conducted between October 2004 and February 2005 (Workplace Standards Tasmania, 2005: 19). According to information published by CCH Australia, the review assessed the extent to which the
stakeholders had implemented the *Strategy*, it considered areas where national efforts should be focused over the years to follow and explored whether adjustments should have been made to the national targets (CCH Australia, 2005: 6). Using information from a range of sources, the following outcomes were reported from the triennial review:

- All stakeholders had implemented and begun to assess the programs that had been introduced as part of the *Strategy*. Australia’s OHS performance continued to improve, although it was too early to determine whether this was due to the *Strategy* (CCH, 2005: 6).
- “The *National Strategy* is achieving its aims of cooperative national efforts to improve Australia’s OHS performance and achieving minimum national targets for reducing the incidence of workplace death and injuries” (NOHSC, 2005: 16).
- The *National Strategy* is contributing to improvements in OHS because (i) “it sets targets based on data”; (ii) “provides a focus for national efforts enabling resources to be used to a greater effect”; and (iii) “establishes a framework which encourages the development of new relationships between governments, business and employees” (ASCC, n.d.).
- “All OHS authorities have modelled business plans or strategies on the *National Strategy*” (Workplace Standards Tasmania, 2005: 19).
- “Member organisations of the NOHSC are working on education and compliance campaigns and industry engagement activities in support of the *National OHS Strategy*’s goals” (Workplace Standards Tasmania, 2005: 19)
- “Stakeholders believed the priorities should remain unchanged until the next triennial review in 2008”, however they made a number of recommendations including:
  - “working with education stakeholders to integrate health and safety into schools”
  - “putting greater focus on the needs of small business, exploring opportunities to contribute to government initiatives aimed at small business”
  - “developing a uniform approach to health and safety laws across each State and Territory to enable timely and consistent implementation of NOHSC national standards”
  - “paying greater attention to national communication activities, including more targeted marketing and reinforcement of messages” (Workplace Standards Tasmania, 2005: 19)
Shortly after the first triennial review, the ILO published a report on the Regional Tripartite Workshop on National Occupational Safety and Health Programmes. A representative of the Australian Safety and Compensation Commission provided commentary on issues that had been raised in the triennial review of the National OHS Strategy. These issues included:

- “the low profile of OHS within society generally and the National OHS Strategy specifically
- the costly burden of complicated and inconsistent OHS regulatory requirements
- the difficulties in identifying baseline data or benchmarks against which programs can be evaluated
- feedback from stakeholders had led to agriculture being added to the list of priority industries for future work focus
- further work on strategic enforcement and improvement in OHS data and research was considered important” (ILO, 2005b: 8-9)

These findings from the first triennial review provide broad, general statements concerning the performance of the National OHS Strategy. However, there is insufficient information to accurately gauge how well the Strategy is tracking. The statement about ‘putting greater focus on the needs of small business and exploring opportunities to contribute to government initiatives aimed at small business’ is arguably the only reference that has some applicability to the priority goal of improving employer capacity to manage OHS despite the statement not claiming direct reference to the priority area.

The ASCC business plans for the years 2006-2007 and 2007-2008 noted that OHS activities would be focused on continuing the progress the key areas identified through the triennial review (ASCC, 2006b and 2007). However the lack of transparency associated with not publishing the outcomes does not allow for accountability against these outcomes.

**Other evaluative methods**

In their 2004-2005 annual report, NOHSC noted that members report twice each year to the NOHSC on how the work of their organisation aligns to the National OHS Strategy (NOHSC, 2005: 30). Similar reporting methods were also required under the National Improvement Framework, the predecessor to the National OHS Strategy. Under the National OHS Improvement Framework, NOHSC members were required to submit reports prior to each NOHSC meeting, providing details on activities in support of the Improvement Framework (NOHSC, 2001b). In 2001, the NOHSC published the National OHS
The National OHS Improvement Framework – NOHSC Members’ Status Reports was published and therefore was accessible to this research. Table 15 lists the criteria against which stakeholders were required to report their activity under the Improvement Framework. The reporting of outcomes against the National OHS Strategy has not been made available in the same manner and therefore was not able to inform the research.

Table 15: Reporting criteria for the OHS Improvement Framework

<table>
<thead>
<tr>
<th>Reporting criteria</th>
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<tbody>
<tr>
<td>1. A description of how the National OHS Improvement Framework has been used to</td>
</tr>
<tr>
<td>structure action/business plans (if applicable)</td>
</tr>
<tr>
<td>2. A description of what action has been taken since the last status report</td>
</tr>
<tr>
<td>against each of the nine areas of the National Improvement Framework:</td>
</tr>
<tr>
<td>- Data collection</td>
</tr>
<tr>
<td>- Research</td>
</tr>
<tr>
<td>- National standards</td>
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<tr>
<td>- Compliance</td>
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<tr>
<td>- Enforcement</td>
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<tr>
<td>- Incentives</td>
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<tr>
<td>- Awareness</td>
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<tr>
<td>- OHS skills development</td>
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<tr>
<td>- Practical guidance</td>
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<tr>
<td>3. An explanation of why the particular mix of actions was determined to be</td>
</tr>
<tr>
<td>the most appropriate in the past year</td>
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</tbody>
</table>


Two further reports were published under the National OHS Improvement Framework: National Improvement Framework – Report 2000 (NOHSC, 2000) and the National Improvement Framework – Report 2001 (NOHSC, 2001a). These reports evaluated activity against the framework’s nine areas of focus. The same level of reporting has not been evidenced under the National OHS Strategy.

Evaluative efforts by WorkCover NSW

Analysis of WorkCover NSW’s documents revealed that over the years, WorkCover NSW has implemented a number of different evaluative measures of its OHS initiatives including progress reports, surveys, and reviews. The most significant of these evaluations include:

Annual progress reports against the NSW Workplace Health and Safety Strategy

In the three years from 2005 to 2008 that the NSW Workplace Health and Safety Strategy was in operation, WorkCover NSW published three annual reports ‘on progress made by industry organisations, employee representatives and the NSW Government in support of the NSW Workplace Health and Safety Strategy 2005-2008’ (WorkCover NSW, 2006c, 2007b, 2008b). A review committee, the NSW
Workplace Health and Safety Strategy Review Committee, comprising members from Government and employer and employee bodies were set up to oversee the process (WorkCover NSW, 2010a). Each of the annual reports had different areas of focus:

- the first Annual Report was intended to focus on the efforts that WorkCover and other Government agencies had undertaken in support of the recommendations from the Summit and the progress made by the IRGs’ (WorkCover NSW, 2006c: 5)
- the second Annual Report was intended to concentrate on the efforts that industry had made in support of the Industry Action Plans, with a special focus on the construction, manufacturing, rural and transport industries (WorkCover NSW, 2006c: 5)
- the third Annual Report was intended to focus on the remaining Industry Action Plans, to evaluate the implementation of the NSW Strategy, and to describe a plan to build on the success of the NSW Strategy (WorkCover NSW, 2006c: 5)

A report on the implementation of recommendations from the 2002 Safety Summit

In August 2005, the NSW Government released a report on the implementation of recommendations arising from the 2002 Safety Summit (NSW Government, 2005). The 157-page report identified the progress of NSW against the 20 per cent and 40 per cent reduction targets set out in the National OHS Strategy and then sought to provide an update on activities and outcomes achieved against the 132 recommendations from the 2002 Safety Summit. The report was structured around the industry groups represented at the Summit (NSW Government, 2005).


From a survey of the IRGs, WorkCover NSW identified that the IRGs wanted to know more about each other’s activities (WorkCover NSW, 2001: 56-57). In response, an IRG Conference was held in July 2000, attended by over 200 industry representatives, during which the IRGs made presentations on their projects (WorkCover NSW, 2001: 56-57). In 2004-2005, WorkCover NSW instigated a review of the IRGs. The review examined the structure and operating processes of
the IRGs to identify (i) ‘projects that worked well’, and (ii) ‘additional activities that could benefit the industries’. According to WorkCover NSW, ‘the review involved meetings with the IRGs as well as input from employers, unions and other stakeholders’ (WorkCover NSW, 2004 and 2005).

Engagement of external research agencies to conduct an online perception survey of employers and workers in New South Wales

Each year WorkCover engages an external research agency to conduct an online perception survey of employers and workers in NSW. The purpose of the research is to measure awareness levels and people’s perception of WorkCover and its activities, the effectiveness of communication campaigns, experiences with WorkCover’s services as well as attitudes and behaviours towards workplace safety (WorkCover NSW, 2009: 34).

These examples demonstrate that WorkCover NSW has engaged a number of forms of evaluation for various projects. The IRG example demonstrated that regular reviews helped to identify problems such as IRGs working in isolation and not being aware of each other’s actions. This example can be likened to the States and Territories working in isolation on the National OHS Strategy and therefore not being aware of each other’s actions. Although forums such as HWSA and NOHSC/ASCC/Safe Work Australia meetings bring stakeholders together, they do so in a narrow capacity due to their limited stakeholder representation and also because these forums are not intended to purely facilitate discussions about projects as would occur in a convention such as a conference. A recommendation for the National OHS Strategy could be the introduction of forums such as the Safety Summits or the IRG Conference to bring stakeholders together to discuss and evaluate the projects that they have delivered under the National OHS Strategy.

Reporting and evaluation using quantitative data

Beyond the Comparative Performance Monitoring reports, there are a number of other statistical based publications and resources for measuring trends in injuries, fatalities, and disease. These findings highlight that there is a heavy use of workers’ compensation data to evaluate OHS performance across Australia, including that of the National OHS Strategy, while qualitative based evaluations are less common. Table 16 identifies key publications, all of which are exclusively focused on monitoring work related injuries, disease and fatalities.
A key shortfall with these reports is that while they provide an indication of trends, fatalities and injuries, they are not sufficient in identifying the drivers underpinning the trends. The limitations of workers’ compensation are largely acknowledged throughout the literature (Sundström-Frisk and Weiner, 2005; Walters et al, 2011: 119; Quinlan et al, 2010: 44; Rosenman, Kalush, Reilly, Gardiner, Reeves, and Luo, 2006). For instance Frick (2004: 396) makes the argument that OHS authorities target a great deal of their activities on minimising workers’ compensation data, which in itself tends to be a poor indicator of exposure to OHS risks. Workers’ compensation data is considered particularly inaccurate for assessing the incidents of work-related disease (Quinlan et al, 2010: 210). Workers’ compensation systems are often inaccurate because they are incomplete, evidenced by an under-representation of disease in workers’ compensation claims (Quinlan et al, 2010: 212). According to Sundström-Frisk and Weiner’s (2005: 99) analysis of occupational injury statistics in Sweden, occupational accidents are notified to a greater extent than occupational diseases; 67 per cent of accidents with sick leave had been notified compared with 23 per cent of occupational diseases. Statistics on disease are understated or absent from workers’ compensation data for many reasons. Firstly, workers’ compensation schemes, when first introduced were mainly focused on injuries rather than disease. Secondly, the long latency period associated between first exposure to a disease and the actual manifestation of the diseases results in a failure by employers to capture these outcomes (Rosenman et al, 2006: 362; Leamon, 2010: 11). Furthermore, as noted by Quinlan et al (2010: 46), a deficiency in surveillance of occupational disease does not result in workers’ compensation claims. For example, a lack of association between disease and work is also considered affect statistics on disease (Sundström-Frisk and Weiner, 2005: 99). For example, clinicians can fail to pay attention to OHS diseases and to inquire about occupational histories and therefore do not associate symptoms with work-related disease (Quinlan et al, 2010: 212). Similarly, a lack of employee knowledge that a disease is work-related also leads to a failure to report or claim workers’ compensation (Silverstein, Spieler, Utterback, Schnorr, Leamon, Davis, 2010: 174). Improvements in disease data are also contingent on the systems that are used to capture data. In a study to estimate the undercount of occupational injuries and illnesses in the USA, Rosenman et al note (2006: 357) the limitations of using a single data source for estimates of injuries, fatalities and disease. Rosenman et al (2006: 365) argue that a more comprehensive system is required to achieve more accurate estimates. A comprehensive system is one that uses multiple data sources that cover employees and data sources that do not depend on employers submitting reports.
Relying on quantitative measures can comprise efforts to understand how to improve employer capacity in the management of OHS. Furthermore, quantitative data does not capture the perennial issue of compositional change. The decline of manufacturing and blue-collar work in NSW can mean fewer injuries and fatalities, which would be entirely unrelated to improved management. The triennial reviews, which are reported to have been based on consultations with stakeholders involved in the *National OHS Strategy*, could have been an avenue for evaluating efforts to improve employer capacity to manage OHS.

**Table 16: Key publications on monitoring trends in injuries, fatalities and disease**

| State and Territory OHS Agencies – WorkCover NSW, *Statistical Bulletin* | • Data is collected at the jurisdictional level by each State and Territory OHS agency  
• WorkCover NSW publishes the *Workers’ Compensation Statistical Bulletin*  
• The *Bulletin* provides information about the causes and effects of workers’ compensation claims  
• The *Bulletin* is published on an annual basis and at the time of this research the latest publication was for 2008-2009, representing the 21st edition of the *Bulletin* |
| Compendium of Workers’ Compensation Statistics | • Complements the *Comparative Performance Monitoring Report*  
• The Compendium ‘is the most comprehensive source of information on the circumstances surrounding work-related injury and disease occurrences  
• Compendium is restricted to accepted workers’ compensation claims  
• Data are presented by key variables such as industry, occupation, age and gender  
• Data is collected at the jurisdictional level however it is not shown in the report are there are many factors which impact on the comparability of data between jurisdictions |
| Notified Fatalities Statistical Report | • The report provides an analysis of data on work-related deaths notified to work health and safety jurisdictions under their legislation  
• The report is produced by Safe Work Australia (previously the ASCC and NOHSC) |
| The Australian Bureau of Statistics – Work-Related Injuries, *Australia* | • The publication presents information about persons aged 15 years and over who worked at some time in the 12 months of the publication date and who experienced their most recent work-related injury or illness in that period  
• At the time of this research, there were three edition of this publication - 2000, 2005-2006 and 2009-2010 |


**Decline in reporting and lack of transparency**

The research observed a decline in reporting against the *National OHS Strategy* over the years. The first notable change was the cessation of annual progress reports of stakeholder activities such as those under the *National OHS Improvement Framework*. While these reports may have potentially placed a greater reporting burden on organisations, they were
useful in identifying stakeholder activity and they helped to ensure transparency. Furthermore, it forced the NOHSC stakeholders to align their activities with the Framework.

Reference to the National OHS Strategy also started to decline in the annual reports and business plans of various stakeholders. The following changes were noted:

- The ACCI have not referenced the National OHS Strategy in annual reports since 2009. Previously the ACCI had acknowledged the Strategy in every annual report (ACCI, 2009b).
- The ACCI stopped promoting its blueprint Modern Workplace: Safer Workplace.
- The ACTU did not acknowledge the National OHS Strategy in its 2006 Congress and while it was noted in the 2009 Congress it received less focus than previous years (ACTU, 2006 and 2009).
- Safe Work Australia have replaced business plans with operational plans and, unlike previous NOHSC and ASCC business plans, Safe Work Australia does not model its strategic plans in alignment with the five priority areas of the National OHS Strategy (Safe Work Australia, 2009b and 2009c).
- With the introduction of the ASCC, annual reporting of ASCC activities was done through the Department of Education, Employment, and Workplace Relations’ annual reports. Previously, the NOHSC had its own annual report and therefore had greater opportunity to document and record its activities.
- Acknowledgment of the National OHS Strategy started to taper off when discussions arose around the harmonisation of OHS legislation.

There have been no significant revisions to the National OHS Strategy since its inception. Despite having had two triennial reviews completed, minor revisions have been made, including the introduction of the agriculture industry as a priority area and the “adoption of an additional goal for Australia to achieve the lowest rate of work-related traumatic fatalities in the world by 2009 (ASCC, n.d). These inclusions were made following the first triennial review (ASCC, n.d), and are quite insignificant in comparison to revisions of national OHS strategies made by other countries. Chapter 9 provides insights into the national OHS strategies of other countries, including approaches to evaluating strategies.

Furthermore, when the National OHS Strategy was introduced in 2002, the workplace relations ministers of each of the jurisdictions signed the Strategy, pleading their jurisdiction’s commitment to achieving the goals of the Strategy (NOHSC, 2002a). Since 2002, there have been many changes in ministers and governments across Australia’s
jurisdictions. However, despite these changes there have not been renewed commitments to the National OHS Strategy by subsequent governments.

The context in which the National OHS Strategy has operated

The National OHS Strategy has operated in an environment characterised by on-going changes and developments in OHS. The most significant changes since the development of the National OHS Strategy have been the introduction of new OHS laws, most notably the NSW Occupational Health and Safety Act 2000 (WorkCover NSW, 2002: 21) and the development of national model OHS legislation, the Model Work Health and Safety Act, that commenced in NSW in January 2012 (Safe Work Australia, 2012). These changes in legislation are significant to the research as they signify a shift in focus away from the National OHS Strategy and toward implementing new legislative requirements.

The NSW Occupational Health and Safety Act 2000 was introduced in September 2001 (Austlii, 2012), a few months prior to the launch of the National OHS Strategy. In response to the new OHS Act, the efforts and resources of WorkCover NSW and employer associations were focused on bringing NSW businesses up to speed with the new legislation. These efforts were still ongoing even after the introduction of the National OHS Strategy as small businesses were given until September 2003 to ensure compliance and understanding of the new Act (WorkCover NSW, 2003: 5). Following the introduction of the NSW Occupational Health and Safety Act 2000, WorkCover NSW engaged in a series of initiatives to increase management knowledge and awareness of the new laws, including:

- The Small Business Assistance Strategy, launched in February 2003 to help small businesses understand and comply with the requirements of the new Act16 (WorkCover NSW, 2003: 5)
- WorkCover NSW made available $15 million in grants to trade unions and employer associations to build understanding of the changes in OHS laws among members of employer associations and unions17 (WorkCover NSW, 2003: 6).

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16 Through the Small Business Assistance Strategy: Seminars were held (47 seminars between July 2003 and June 2004, attracting over 4,200 participants); Publications issued; Targeted information provided on the WorkCover website; Inspectors available for one-on-one sessions to provide advice and information. WorkCover NSW noted that they would conduct further quantitative and qualitative research on the Strategy’s accompanying advertising campaign (WorkCover NSW, 2003 and 2004).
17 $15 million ($5 million over three years) in grants was made available to build understanding of, and compliance with the changes in OHS and workers comp laws among members of employer associations and unions. Because of the 2002 program, over 4,200 workplaces were reached through industry specific strategies, which included: distributing more than 35,000 publications and 200 CD ROMs; conducting 518 training sessions
Since the introduction of the *National OHS Strategy*, the development of model OHS legislation for Australia has been another area of priority for WorkCover NSW, trade unions and employer associations. The priority that has been placed on the model legislation is evidenced in:

- stakeholder submissions to the National Review into Model Occupational Health and Safety Laws (Australian Government, 2008a)
- the prioritisation of the model legislation in Safe Work Australia’s strategic and operational plans (Safe Work Australia, 2009a, 2009b, 2009c).

These two examples of the *NSW Occupational Health and Safety Act 2000* and the model OHS legislation serve to highlight that stakeholders’ efforts would have been occupied on ensuring compliance with the legislation and less focused on the *National OHS Strategy*. The model OHS legislation, which eventuated into the *Safe Work Australia Act*, was to take effect from January 2012, some four years after the Federal Labor Government announced its development in 2008. During this time, stakeholders’ efforts have been focused on lobbying for their interests to be recognised in the new legislation as well as providing responses and submissions to the inquiry process behind the model legislation. While achieving national uniformity represents one key area for national action under the *National OHS Strategy*, the significant amount of resources that the model OHS legislation would have required would arguably have drawn efforts away from the *National OHS Strategy*.

**Focus on national uniformity and regulatory reform in OHS**

Regulatory reform represented another area where stakeholders’ efforts were drawn away from the *National OHS Strategy*. Since the *Strategy* was introduced, there have been many debates on regulatory reform framed around a number of public inquiries and reviews. Since 2002, the following inquiries and reviews have been completed at the State and Federal levels:


(representing 4200 training hours) to a total of 8216 participants who included delegates, organisational officials and members. This program reached approximately 10,000 workplaces (WorkCover NSW, 2003).
Many of these inquiries have been undertaken to review ways in which OHS laws can be improved to reduce the regulatory burden on business, achieve national uniformity and, in the process, help improve business productivity. The *National OHS Strategy* has not been prominent in these discussions. In instances where the *National OHS Strategy* has been identified it has primarily been done so as background or introductory information to describe the historical development of OHS in Australia. Appendix 12 provides snapshots of references to the *National OHS Strategy* across all of the above-mentioned inquiries and reports.

Regulatory reform and national uniformity with the goal of reducing the regulatory burden on Australian businesses was the priority of the Federal Labor Government in their 2007 election campaign (Gillard, 2007: 7). In a 12-page workplace health and safety factsheet produced as part of the Rudd Government’s 2007 election campaign, the then Shadow Minister for Employment and Industrial Relations outlined the Government’s pledge to model legislation. However, there was no acknowledgement of the *National OHS Strategy* in any of the 12 pages of the document.

The volume of inquiries and reviews that have been undertaken since the introduction of the *National OHS Strategy* highlight two potential issues for the *National Strategy*. Firstly, they indirectly displace the importance of the *National OHS Strategy* by redirecting attention to issues such as red tape reduction, cost savings and productivity, all of which are fundamentally at the core of business operations. Secondly, years of inquiries, reviews and attempts at streamlining OHS and creating a national OHS model highlight the challenges of the task as well as demonstrating the amount of effort and resources that have been expanded on national uniformity without demonstrable change.
The fact that regulatory reform and achieving national uniformity have been an ongoing issue for almost two decades (at the time of writing) and yet Australia has still not managed to overcome issues around cooperation between Federal and State governments suggests that it is a complex area. OHS authorities are focused on issues within their own jurisdiction, which consequently can be to the detriment of national policies such as the National OHS Strategy. The Victorian Employers’ Chamber of Commerce and Industry (VECCI) have echoed similar sentiments:

The lack of significant progress in achieving national consistency in both workers’ compensation and OHS is probably due to the fact that it has been up to the jurisdictions themselves to advance it. The Jurisdictional Authorities do not see this as a pressing issue. It is not a priority in their work plans if it appears at all. The authorities focus is jurisdictional (VECCI, 2003).

There has been substantial progress made towards harmonisation at the commencement of 2012 but not all States have agreed to rewrite their legislation based on the Model Act. Each States retains its own legislation, regulation and codes of practice. As noted above, by contrast, harmonisation in the industrial relations arena saw all State governments with the exception of Western Australia ceded their powers to the Commonwealth government.

**Differences in stakeholder views and needs**

A second significant factor that can be considered as counterproductive to the operations of the National OHS Strategy is the differences in ideology between stakeholders. There is evidence to highlight that the National OHS Strategy has served as a lobby tool and a mechanism to hold other stakeholders accountable for their actions. Tensions and conflict on other industrial relations matters are likely to have impeded the cooperative relationships to which the signatories to the National OHS Strategy have been committed. ACCI have publically acknowledged their opinion that government cooperation on OHS has failed and adversarial approaches existed with the unions (Table 17).
Table 17: ACCI statements on failures in stakeholder cooperation

“More disappointingly, 2006 also saw a fall in government to government co-operation on OHS and workers’ compensation issues, largely as a result of governments playing out the politics of WorkChoices in the OHS and workers’ compensation field. The result of this was that governments largely failed to match word with deed when it came to implementing the reform agenda that so clearly had been set out in the charter of the Australian Safety and Compensation Commission (ASCC), by COAG and by the Prime Ministerial Taskforce” (ACCI, 2006a: 22)

“ACCI worked with our members to place special focus during 2007 on regulatory issues in NSW, where the State government failed to meet the expectations of industry to pursue reform measures that industry and many objective observers consider essential to bring about a more balanced and effective regulatory system in that State” (ACCI, 2007: 60).

“A major challenge facing ACCI and member organisations has been an increasingly adversarial approach by some unions to workplace OHS in Australia. There is a view that OHS is used as a bargaining strategic lever to further workplace relations objectives. This diminishes the importance of OHS and does not make workplaces safer” (ACCI 2002a, 2003 and 2004b)

“It is for industry to put these facts on the table and for the community to urge its union leaders to stop playing political football with health and safety, and work with employers and governments to implement the ten-year National OHS Strategy that Commonwealth, State and Territory governments, the ACTU and ACCI jointly adopted in 2002 and which still has six years to run” (ACCI, 2006b)

Outside tripartite forums such as the NOHSC, the ASCC and Safe Work Australia, trade unions and employer associations engage in campaigns to lobby and advocate their own policies and interests on OHS. For example, in the consultation stage of Australia’s model OHS legislation, trade unions sought higher OHS standards, tougher sanctions for employers who breach the law, greater powers for OHS representatives, and a role for unions to represent workers, including the ability to prosecute employers. Many of these matters have been advocated at ACTU Congresses (Appendix 8). The ACTU also released its own charter on workplace rights for OHS and workers’ compensation in 2007 (ACTU, 2007a, 2007b). In the charter, the ACTU calls on Federal, State, and Territory governments to adopt the ACTU’s minimum health and safety and compensation standards:

We are calling on every level of government to end the blame game on this issue and sign up to this charter of workplace rights which clearly outlines the best approach to ensuring Australian workers are as safe as they possibly can be at work (ACTU, 2007a).

Alternatively, the ACCI released ‘Modern Workplace: Safer Workplace’, a dedicated industry blueprint on OHS (ACCI, 2005b). While the ACCI note that the blueprint is ‘intended to complement the National OHS Strategy’, (ACCI, 2005a) the blueprint addresses content more broadly than the Strategy and is principally a policy document representing the views of employer associations on OHS. The contents of the Blueprint prompted the ACTU to respond in dispute of the claims and suggestions made by ACCI (ACTU, 2005). Although the National OHS Strategy was mentioned in the ACCI’s OHS Blueprint and the ACTU Congresses, it is arguable whether this has helped to facilitate activity and outcomes toward
the National OHS Strategy. Instead, the Strategy appears to have served as a platform on which the ACCI and ACTU could build their arguments and stance on how OHS policy should operate in Australia.

Conclusions

Using documentary analysis, this chapter set out to identify and discuss evidence on the operation of the National OHS Strategy, particularly with respect to improving employer capacity in the NSW manufacturing industry. The key findings identified from the research are that the National OHS Strategy had a more prominent role in the first couple of years since it was launched. Reference to the National OHS Strategy began to diminish after this time as the actors diverted their efforts to other areas of OHS, such as developing model legislation for health and safety in Australia. The impact of the National OHS Strategy in helping to improve employer capacity was not apparent. The actions of the signatories do not appear to have changed due to the Strategy, and there has been a lack of direct alignment between the activities of the actors and the National OHS Strategy. The documentary analysis could not identify evidence of the actors working together toward the Strategy. However, there was some evidence of cooperation by the actors at the State level of NSW, although most developments in OHS have been led by WorkCover NSW. In general, the documentary process identified a strong tendency to address and document OHS based on the stages approach to the policy process. The complexity of the environment in which the National OHS Strategy has operated warrants the application of the IAD framework to contextualise and understand the impact that external factors have had on the National OHS Strategy. Analysis of the National OHS Strategy using the IAD framework will be undertaken in Chapter 10. Preceding this analysis is an effort to consider Australian policy makers’ efforts relative to those of other countries. Chapter 9 presents a description and analysis of the national OHS policies of the United Kingdom, New Zealand, Denmark, and Finland.
Chapter 9: Comparative Analysis of International OHS Strategies

Introduction

This chapter provides a comparative analysis of Australia’s National OHS Strategy with the national OHS strategies of four other countries – Finland, Denmark, the United Kingdom, and New Zealand. The purpose of this analysis is to identify key characteristics of the policy process undertaken by each country in developing their national OHS strategy and to discuss approaches taken to improve employer capacity. The findings presented in this chapter were obtained through documentary analysis of the national OHS strategies of each of the countries as well as through supporting documentation produced by the principal OHS regulatory agency of each country. A key limitation of the research is that the findings were restricted to the amount of information that was published by each case study country. Another limitation is that the chapter makes little use of secondary literature that could take a more critical approach to examining some claims made in many of the agency-produced primary source documents, but the points of comparison with Australia have been carefully examined. The chapter begins with a general overview of OHS strategies across the world and methods used to select the countries identified for this chapter. This is followed by an exploration of how each country has approached the concept of improving employer capacity to manage OHS through their national strategy. The policy process of each OHS strategy is examined and is followed by a discussion of the key findings and their relevance and implications when examined through the IAD framework. Thus, as in other chapters, a findings section and a discussion section are included in this chapter. The main findings of this research highlight that internationally, OHS strategies have utilised a range of mechanisms across each stage of the policy cycle, many of which do not appear to have been utilised in Australia’s National OHS Strategy. The findings drawn from this analysis provide potential lessons for future OHS policy development. Key recommendations for future policy making include: broadening consultations beyond the social partners and using a wider range of consultative techniques; improving documentation of the policy process, in particular to demonstrate an evidence-based approach; setting identifiable actions for the actors; and allocating resources to support OHS practice.
The uptake of national OHS strategies internationally

In the last decade, national OHS strategies have been introduced in a number of countries. At least 21 countries in Europe have implemented a national OHS strategy or program, while Australia, New Zealand, the United States of America, and Singapore represent non-European countries with OHS strategies and programs in place (European Agency for Safety and Health at Work, 2012). OHS strategies are introduced to help improve health and safety outcomes, and in some instances to demonstrate compliance with regional and international policies such as the European Union’s Framework Directive on Health and Safety (89/391/EEC) and the ILO’s Occupational Health and Safety Convention 1981 (No. 155).

Introduced in 1989, the EU Framework Directive 89/391 set new regulatory standards for systematic occupational health and safety management across European Union member countries. The core focus of the Framework Directive was the establishment of OHSM principles obliging employers to manage OHS systematically (Walters et al, 2011: 39). Employer capacity to manage OHS is fundamental under the Framework Directive. The Directive obliges employers with a duty to ensure the health and safety of workers based on prevention principles that involve risk assessment and risk management, coupled with worker consultation (Walters et al, 2011: 33; Saskvik and Quinlan, 2003: 39). These obligations carry a requirement for employer capacity and capability to manage OHS. In an evaluation of OHS management systems in Norway for instance, Saksvik and Quinlan (2003: 41) found that managers needed to be professionally trained in order to be able to undertake the necessary tasks associated with developing occupational health and safety management systems. In addition to risk assessment and risk management, the Framework Directive also sets obligations that require employers to “use competent means to achieve prevention, including the employment or contracting of competent individuals or services” (Walters et al, 2011: 169-170). According to Karageorgiou, Jensen, Walters, and Wilthagen (2000: 252), this type of expertise refers to the role of health and safety specialists as well as the expertise of workers.

The ILO’s Convention 155 is the leading international standard on health and safety and requires countries to introduce an OHS strategy upon ratification of the Convention. As at June 2012, 58 countries had ratified ILO Convention 155 (ILO, 2012). Forty-eight per cent of these countries ratified the Convention from the year 2000 onwards (ILO, 2012b). Norway, Sweden and Cuba were the first countries to ratify the Convention in 1982. Ten countries ratified the Convention throughout the 1980s and a further 20 countries during the 1990s (ILO, 2012b) (Figure 11).
The significant number of European countries with OHS strategies and programs reflect requirements under intra-regional strategies across the EU. For instance, the European Commission, working through the European Agency for Health and Safety at Work, has implemented the OHS strategy *Improving Quality at Work – Community Strategy 2007-2012 on Health and Safety at Work*, which outlines options for further action on health and safety across Europe (Europa, 2012; Danish Working Environment Service, 1995: 3). This strategy builds on the previous *Community Strategy* that was in place from 2002 to 2006. These strategies seek to improve (i) the application of existing law; (ii) knowledge of hazards, risks and outcomes; and (iii) better exchange of experience and information (Europa, 2012).

**Figure 11: Number of countries to have ratified ILO Convention 155**


**Choosing comparator countries: selection criteria and research methods**

This research is intended to develop and improve understanding of OHS strategies of other countries relative to Australia, including potential reasons for differences and drawing lessons for the future development of OHS strategies in Australia. The national OHS strategies of the United Kingdom, New Zealand, Denmark, and Finland are evaluated in this chapter. The choice of these countries was based on a number of factors:

- countries that have similar OHS legislation to Australia, in particular legislation that has been shaped by the *Robens Report*
- countries that are world leaders in OHS performance and whose performance is similar to Australia’s (see Hämäläinen, Takala and Saarela, 2006).
- countries that have ratified ILO Convention 155
- countries that provided sufficient information and resources on their national OHS strategies within the public domain.
At the time of this research, the United Kingdom had introduced their third OHS strategy and Denmark had introduced their second. Denmark and Finland are also recognised as early adopters of national OHS strategies, having introduced their first strategies in 1995 and 1998 respectively. Comparison with European countries provides an opportunity to consider the potential impacts that additional obligations under the European Commission’s OHS strategy *Improving Quality at Work – Community Strategy 2007-2012 on Health and Safety at Work* and the European Union’s *Framework Directive on Health and Safety (89/391/EEC)* may have had on the national OHS strategies. The strong social democratic arrangements of Denmark and Finland also make for suitable contrasts against more neo-liberal economies such as Australia, New Zealand, and the United Kingdom. The contextual differences of the countries will be considered in order to better understand the institutional arrangements and conditions under which each of the national strategies operates.

**Research methods and limitations**

The findings presented in this chapter were derived from documents available in the public domain. Documents were sourced from the websites of the peak OHS agencies of each country, government websites, and websites maintained by the European Union and the International Labour Organisation. Data and information were extrapolated directly from national strategy documents and other related documents such as action plans, strategic plans and progress reports. Table 1 of Appendix 14 provides a summary of the key components of each OHS strategy. The level of detail that each country made available in their publications was a key factor in shaping the quality of information and its comparability with other countries.

The majority of the documents that were used were produced by government and therefore the information contained in those documents generally represents the views of government and may not fully reflect the viewpoints of other actors associated with each strategy. Consequently, the sole use of documentary analysis meant it was not possible to gain insights into the motivations and strategic actions of the actors within the policy process. The inability to gauge stakeholders’ motivations and views has meant that the findings presented in this chapter could only be applied partially to the IAD framework. Due to this limitation, there is a stronger application of the stages model of the policy process in analysing the outcomes of each OHS strategy.
Furthermore, while the thesis investigates Australia’s *National OHS Strategy* against the manufacturing industry in NSW, this lens could not be applied to the international examples. Language barriers were also a further limitation to this research, with some documents produced in Danish and Finnish. These documents required the use of translation services.

**An overview of the comparator countries**

**New Zealand**

Of the countries analysed in this research, New Zealand has the youngest health and safety legislation that is based on the principles of the Robens model. While the United Kingdom and Australia introduced Robens based OHS legislation during the 1970s and 1980s, New Zealand introduced similar legislation (the *Health and Safety in Employment Act 1992 (HSE Act)*) in 1992 (New Zealand Ministry of Business, Innovation and Employment, 2012). Significant amendments were made to the Act in 2002 (Harris, n.d: 2). The Occupational Safety Service of New Zealand’s Department of Labour, is the peak agency responsible for the governance of OHS in New Zealand (New Zealand Department of Labour, 2004: 1-2) (Appendix 13 – Table 1). The Accident and Compensation Corporation (ACC) and the Workplace Health and Safety Council are two other significant stakeholders in New Zealand’s health and safety system. The ACC is New Zealand’s single public accident insurance scheme and is described as playing an important role in encouraging employers to prevent injuries using financial incentive offerings through various programs (New Zealand Department of Labour, 2004: 1) (Appendix 13 – Table 1). The Workplace Health and Safety Council is a recent addition to New Zealand’s OHS system. Introduced in 2007, the Council was set up to provide New Zealand with its first high-level tripartite body on OHS. The role of the Council is to advise the government on workplace health and safety matters as well as to provide leadership and co-ordination in health and safety and advice on legislation, standards and policies (New Zealand Department of Labour, 2011) (Appendix 13 – Table 1).

Beyond the institutional bodies that govern OHS in New Zealand, the working relationship of stakeholders in the labour market has been somewhat fragmented over the years due to significant changes in industrial relations policy, characterised by regulation, de-regulation and re-regulation. According to Harris (n.d: 2), prior to the amendments in the *HSE Act* in 2002, the conditions of the 1992 *HSE Act* were criticised as being largely favourable to managerial prerogative on OHS decisions-making, evidenced by the low penalties for breaches of the law. The introduction of new OHS legislation in New Zealand in 2002 was
spurred by a growing emphasis in the literature of the benefits associated with employee and union involvement and improved OHS outcomes (Harris, n.d: 3). However, despite amendments to encourage employee and union involvement, union density is low in New Zealand and tends to be heavily concentrated in the public sector and manufacturing sectors, while large numbers of people are employed in non-unionised or poorly unionised workplaces (Harris, n.d: 3).

New Zealand introduced their first national strategy for workplace health and safety in 2005. The Workplace Health and Safety Strategy for New Zealand to 2015 has a life span of 10 years and at the time of writing was still ongoing.

**United Kingdom**

OHS in the United Kingdom is governed by one principal Act, the Health and Safety Act 1974, which was developed on the recommendations of the 1972 Robens Report (Creighton et al., 1993: 1368; Walters et al, 2011: 167). The Health and Safety Executive (HSE) govern health and safety in the United Kingdom in conjunction with local authorities; both the HSE and the local authorities are joint enforcers of OHS safety laws (Health and Safety Executive, 2011). The HSE was created in 2008 following the merger of the Health and Safety Commission (HSC) and the Health and Safety Executive. The HSC and HSE had been separate bodies since their establishment in 1974, with the HSE reporting to the HSC (Health and Safety Executive, 2009a: 2). As part of the merger in April 2008, the new agency assumed the HSE name and a new board was created (Health and Safety Executive, 2009a: 2) (Appendix 13 - Table 2).

The largely de-collectivist, neo-liberal policies of the United Kingdom have narrowed the role of government intervention in social partner arrangements, and in consequence, are considered to limit formal mechanisms for tripartite cooperation (EIRO, 2009a: 5). Union and employer association density is quite low in the United Kingdom. This is coupled with trade unions and employer organisations having limited statutory involvement in public policies and limited access to bipartite or tripartite forums at the national level (EIRO, 2009a: 3). In 2008, trade union density in the United Kingdom stood at 28 per cent while employer organisation density was slightly higher at 40 per cent (EIRO, 2009a, 1). These rates are significantly lower than strong socialist countries such as Denmark and Finland, where density rates are generally greater than 70 per cent across both categories (EIRO, 2009b; EIRO, 2009c). Membership of the EU is considered to have had some influence on
employment relations in the United Kingdom, including the government’s more appeasing approach to trade unions (EIRO, 2009a).

Since 2000, the United Kingdom has had three OHS strategies. The first strategy ‘Revitalising Health and Safety’ was introduced by the United Kingdom government in June 2000 and represented the first instance when targets had been set for OHS performance. The strategy was introduced primarily in response to the stalling rates of improvement in health and safety (Health and Safety Executive, 2004: 3). In February 2004, the HSC launched ‘Health and Safety in Great Britain 2010 and Beyond’, which incorporated and continued to build on the targets from the previous strategy Revitalising Health and Safety (Health and Safety Executive, 2004: 3.). Following the structural change of the HSE and HSC in April 2008, a new health and safety strategy Be Part of the Solution was launched on 3 June 2009 (Health and Safety Executive, 2010a; New Zealand Department of Labour, 2009a: 10).

**Finland**

Unlike most countries that are governed by a single OHS Act, there are four principal Acts for the regulation of health and safety in Finland - the *Occupational Health Care Act* (1383/2001), the *Occupational Safety and Health Act* (738/2002), the *Act on Occupational Safety and Health Administration* (16/1993) and the *Act on the Supervision of Occupational Safety and Health* (44/2006) (Ministry of Social Affairs and Health, 2006a). The Ministry of Social Affairs and Health is the peak OHS agency in Finland and is responsible for the development of OHS legislation, policy and its enforcement, in addition to also developing and maintaining cooperation across key stakeholders (Ministry of Social Affairs and Health, 2006a: 5). The other key stakeholders within the Finnish OHS system include:

- The OHS Administration, known as the Department of Occupational Safety and Health
- Advisory Committee on OHS
- The Occupational Health Services
- Research Advisory Support
- Social Partners
- Finish Institute of Occupational Health (Appendix 13 - Table 3) (Figure 12)
Cooperation in OHS is a cornerstone of the traditional Nordic model, and is evidenced in Finland through a number of tripartite arrangements across the various OHS institutions and social partners. The Advisory Committee on Occupational Safety and Health is a tripartite body that works with other ministries and the social partners (NDPHS, 2008: 18; Ministry of Social Affairs and Health, 2006a: 11). Finland’s OHS inspectorates also have their own tripartite body, the Occupational Safety and Health Board, with many other smaller tripartite bodies existing across the board (Ministry of Social Affairs and Health, 2006a: 11-12). Finland’s endorsement of cooperation is also strongly guided through its association with regional cooperative blocs such as the Nordic Council of Ministers and the European Commission’s Community Strategy 2007-2012 on Health and Safety at Work (Ministry of Social Affairs and Health, 2006a:17). These affiliations, particularly with the European Commission, are well cited throughout Finland’s health and strategy policy documents. Figure 12 illustrates the key institutions that comprise Finland’s OHS system. Although many of these institutions sit separately from one another, their outputs and interactions are all interrelated.
The *Occupational Safety and Health for the Ministry of Social Affairs and Health* has been Finland’s primary strategy for OHS. It was confirmed in 1998 by the Ministry of Social Affairs and Health.

**Denmark**

Like Finland, Denmark shares many similarities in its complex structure of OHS institutions as well as its strong endorsement of cooperation, attributable to its association with the Nordic model on cooperation. Denmark describes Nordic cooperation as being based on common values, experience, and interests that receive high priority with respect to cooperation in the form of exchange of experiences and joint projects (Danish Working Environment Service, 1995: 44). The *Working Environment Act* is the principle OHS Act in Denmark. Passed in 1999, it was further amended in 2004 to accommodate provisions that the working environments of all Danish enterprises be screened and are obliged to seek consultancy advice when faced with one or more health problems. It also introduced a scheme, known as the Smiley Scheme, to illustrate the state of the working environment of all enterprises (Danish Working Environment Authority, 2010a).

The Working Environment Authority is the leading OHS regulatory agency responsible for the enforcement of OHS legislation while the Danish Working Environment Council is the peak advisory council for Denmark’s key social partners. Underpinning these two bodies are separate institutions for research, health services, injuries, medical clinics and sector specific councils (Appendix 13 - Table 4) (Figure 13). As in Finland, the Danish labour market model is a tripartite collaboration between employers, workers and the state (Danish Working Environment Council, 2010b). The social democratic principles that govern Denmark are reflected in high union and employer organisation density rates. As at 2008, union density in Denmark stood at 69 per cent while employer association density was recorded at 83 per cent (EIRO, 2009b:1).
Since 1995, Denmark has introduced two OHS strategies. The first of these, the *Action Programme for a Clean Working Environment 2005*, was introduced in 1995 and it set out the general goals for preventative health and safety activities up to the year 2005 (Danish Working Environment Service, 1995: 3). The plan was significant in that agreement had been reached for the first time on an integrated plan for occupational health and safety work in Denmark (Danish Working Environment Service, 1995: 3). The *Clean Working Environment 2005* program was evaluated in 2005 once it had concluded. The Danish Working Environment Council reported that good experiences had been learnt from the Action Program. A new Action Program was introduced as part of the *Danish OHS Strategy 2005-2010*. The new program built on the efforts of the previous program with efforts being directed to a new set of four priority areas relevant to current and future problems in Denmark’s workplaces.

**Key characteristics of national OHS strategies**

**Nature of targets - performance based targets, systems and procedural targets**

OHS strategies have been introduced across each of the case study countries to aide in the reduction of workplace fatalities, disease, and injuries. Achieving this outcome is pursued
through different means by each country. Some countries focus their national OHS strategies largely on hazard and health related goals, while other countries apply a more strategic approach that requires changes to institutions, structures, and processes. A similar analysis of OHS strategies carried out by Lißner et al. (2010: 8) also identifies these types of groupings. Table 18 is a summary of the key characteristics of each group as identified by Lißner et al. (2010: 8).

Table 18: Characteristics of national OHS strategies

<table>
<thead>
<tr>
<th>Group 1: Areas of focus in strategies that are hazards or health goal orientated</th>
<th>Group 2: Areas of focus in strategies that are systems, structures, and procedure goal oriented</th>
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<tbody>
<tr>
<td>• Work-related illnesses and absence due to illness</td>
<td>• Work-related musculoskeletal illnesses</td>
</tr>
<tr>
<td>• Workplace accidents</td>
<td>• Noise in the workplace</td>
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<tr>
<td>• Exposure to hazardous substances in the workplace</td>
<td>• Psychological stress</td>
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<tr>
<td>• Occupational safety and health for younger employees</td>
<td>• OSH management, particularly in SMEs</td>
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<td></td>
<td>• Industry specific regulations</td>
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<td></td>
<td>• Education and training</td>
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<td></td>
<td>• Financial incentives</td>
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<tr>
<td></td>
<td>• Research – coordination, priority setting, application of research results to policy development as well as to the improvement of workplace quality</td>
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<tr>
<td></td>
<td>• Risk assessment</td>
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<tr>
<td></td>
<td>• Provision of expert Information</td>
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<td></td>
<td>• Occupational safety and health for younger employees</td>
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<td></td>
<td>• Cooperation between OSH actors</td>
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<td></td>
<td>• Communication of OSH to the public</td>
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<td></td>
<td>• Motivation to increase OSH efforts</td>
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<td></td>
<td>• Development and introduction of standards, improvement of complex legal regulations, simplification of legal requirements for SMEs</td>
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<tr>
<td></td>
<td>• Professional competence</td>
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<tr>
<td></td>
<td>• Implementation of legal requirements</td>
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</table>

The OHS strategies of Australia and Denmark share a strong focus on targets to reduce injuries, fatalities, and disease through improvements in hazards, high-risk injuries, and engineering controls. Of the five priority areas in Australia’s National OHS Strategy, three areas are based on health and hazard reductions, while the other two focus on improvements in structures and procedures (Appendix 14 - Table 2). Denmark’s targets are entirely focused on reductions in hazards, injury and health related outcomes (Appendix 14 - Table 2). Conversely, the OHS strategies of the United Kingdom, New Zealand, and Finland are less concerned with quantifiable performance targets and instead focus on developing the capacities and roles of stakeholders as well as the systems and structures that govern OHS. New Zealand’s strategy has objectives that focus on stimulating safety culture, achieving stakeholder engagement, and leadership. The United Kingdom is concerned with nurturing a
common sense approach to compliance under legislation. Finland seeks a holistic approach that places considerable value on the importance of employee well-being to ensure they are able to remain in the workforce for longer (Appendix 14 - Table 2).

The United Kingdom and Denmark are two examples where the balance between target performance measures and strategic measures has changed over time. The United Kingdom has moved away from reduction targets which characterised its first OHS strategy, *Revitalising Health and Safety* (Appendix 14 - Table 3), to use systems and process measures in its current strategy, *Be Part of the Solution*. The United Kingdom realised that targets alone would not deliver results and that a strategic direction was necessary. In comparison, Denmark now employs reduction targets as part of its strategy (Appendix 14 - Table 2). The variations in approach across each of the countries may indicate that there is no standard or specification on the balance of quantitative versus qualitative measures to be used in a strategy.

**Targeted industry sectors**

Australia and New Zealand target industry sectors where incidence rates are highest as areas of OHS priority (Appendix 14 - Table 2). This approach is less evident in the strategies of the other countries. New Zealand initially launched its *Workplace Health and Safety Strategy* in 2005 without priority sectors however these were added in 2009 in response to a review of their *Strategy* (New Zealand Department of Labour, 2010). An industry focus features more discreetly within the strategies of the United Kingdom and Denmark. One area of focus in the United Kingdom’s latest strategy is to encourage strong leadership in priority sectors such as manufacturing, transport, communications, hotels and catering. Meanwhile, Denmark provides an industry focus through its eleven industry working councils (Appendix 14 - Table 2). Industry work councils are a fundamental feature of Denmark’s OHS system and possibly remove the need to identify target sectors specifically within the *Danish OHS Strategy*.

**Strategy links to regulatory frameworks**

Aligning OHS strategies to OHS regulatory frameworks is emphasised quite prominently in the United Kingdom, Denmark, and New Zealand. While Australia and Finland also address compliance and enforcement as an action item under their strategies, reference to OHS legislation was strongest across Denmark, New Zealand, and the United Kingdom. In
Denmark, the OHS inspectorate is used not only to ensure legislative compliance during their inspections, but to also promote activity in the four priority areas of their strategy (Danish Government, 2005: 26). The New Zealand Workplace Health and Safety Strategy, is intended to provide a wider scope than the HSE Act 1992 so that it not only covers workplaces but also other stakeholders that might fall outside the remit of the Act (New Zealand Department of Labour, 2005a: 3). According to the United Kingdom’s Health and Safety Executive, Be Part of the Solution serves to recapture the underlying principles of the Health and Safety Act 1974 as well as providing mechanisms best suited to ensuring that organisations are able to comply with the relevant laws (Health and Safety Executive, 2009a: 2).

Links to broader European strategies

The OHS strategies of Denmark and Finland both acknowledge and incorporate the goals of the EU Community Strategy on Health and Safety at Work. In summary, the aims of the EU strategy are to reduce risks present at work; combine a variety of political instruments, such as legislation, social dialogue, progressive measures, best practices and economic incentive; and to build partnerships for improvement of workplace welfare (Ministry of Social Affairs and Health, 2006a: 5). Both Denmark and Finland note that efforts under their national OHS strategies are also part of implementing the EU’s strategy and addressing international challenges (Danish Government, 2005: 6; Ministry of Social Affairs and Health, 2006a: 5). Denmark in particular has aligned the contents of its strategy against the key objectives of the EU’s OHS strategy.

Furthermore, under the Framework Directive, employers in the European Union are required to engage in risk assessments, the outcomes of which are then expected to be implemented into all other activities of the enterprise and across all hierarchical levels (Karageorgiou et al, 2000: 252). This approach would ensure that OHS management is integrated into the overall quality of production (Karageorgiou et al, 2000: 252). Implementation of the Directive varies widely among member states as countries have reacted differently to the requirements to transpose the Framework Directive (Saskvik and Quinlan, 2003: 39; Frick and Wren, 2000: 30; Walters et al, 2011: 34). In the United Kingdom for example, it has been shown that the FrameworkDirective did not lead to major regulatory reform. Believing that the United Kingdom’s regulatory framework already provided for risk management, the British government took the approach to do as little as possible with the Framework Directive (Walters et al, 2011: 173-174; Karageorgiou et al, 2000: 256). The Government sought to minimise the impact of the Directive on existing OHS regulation by setting the requirements
of the *Framework Directive* in non-statutory documents meaning that employers had to be willing to adopt the requirements (Walters et al, 2011: 173-174; Karageorgiou et al, 2000: 256). In comparison, the Danish experience is considered to have been more successful than that of the United Kingdom, largely due to the more favourable conditions in Denmark (Karageorgiou et al, 2000: 281). According to Karageorgiou et al (2000: 281), these favourable circumstances include general consensus among the social partners about problems with OHS legislation and the basic approach that should be taken on workplace assessments. These basic insights into the impacts of the *Framework Directive* highlight the challenges and limitations of the *Framework’s* reach, particularly when countries with differences in political ideologies and industrial relations regimes are asked to adhere to a common over-arching strategy.

**Improving employer capacity to manage OHS**

Ensuring that employers have the necessary knowledge and skills to manage OHS is targeted as an area for action in the OHS strategies of most of the case study countries. New Zealand describes capacity development as “equipping people with knowledge and skills and access to resources so they can manage workplace hazards more effectively” (Appendix 14 – Table 4). Similarly, this definition is also reflective of how employer capacity is addressed by the other countries. Central themes that have emerged from the evaluations on employer capacity include mechanisms for providing information and advice; increasing awareness and knowledge among company directors and senior managers; addressing the needs of small business; focusing research efforts on the subject of how to improve ‘employer capacity’; and improving existing OHS systems and promoting certification.

**Disseminating information and advice**

The provision of information and advice is a common approach to improving employer capacity in certain national OHS strategies. Various mechanisms for providing information and advice are pursued by each country. New Zealand’s strategy identifies shortcomings with its existing systems and offers suggestions to remedy these problems. For instance, New Zealand notes deficiencies in the country’s industry training system, arguing that there is a need to incorporate focus on workplace health and safety into industry training (Appendix 14 – Table 4). According to New Zealand, this is to be achieved by allowing more extensive integration of OHS into unit standards, curricula and training programs. New Zealand also
advocates the need for better infrastructure and mechanisms to help develop the capacity of those employers that are harder to reach due to impediments such as geographical dispersion and language and cultural barriers that make it difficult for them to access information and services (Appendix 14 – Table 4). The United Kingdom’s strategy identifies a suite of information for businesses, including toolkits to make compliance with OHS easier and interactive tools such as incident cost calculators that allow business owners to identify what accidents may be costing their organisation. The United Kingdom’s strategy also encourages organisations to sign ‘The Pledge’, a commitment to the country’s OHS strategy. Case studies are provided to highlight the contributions and successes of companies that have signed up to the Pledge (Health and Safety Executive, 2010a).

Alternatively, Finland and Denmark’s OHS strategies promote the importance of customised OHS advice to businesses. In recognition that one-size-fits-all approach is not suitable to all business needs, Denmark and Finland advocate that when on a worksite, the OHS inspectorate should disseminate OHS advice according to the size and characteristics of each business. This approach helps to ensure that the information supplied to employers is the most appropriate to their business needs (Ministry of Social Affairs and Health, 1999: 6-7; Danish Working Environment Service, 1995: 10).

Addressing small business needs

Small to medium-size enterprises (SMEs) are identified in the OHS strategies of Denmark, the United Kingdom, and New Zealand as segments of the business community that require greater levels of assistance. New Zealand notes the need to encourage small businesses to invest more in skills development (New Zealand Department of Labour, 2009a: 5), while the United Kingdom provides a specific goal to customise support for SMEs. Both Denmark and the United Kingdom note the importance of networking at the business level as a mechanism for providing and disseminating guidance for small enterprises (Appendix 14 – Table 4).

The role of employee representatives in improving OHS arrangement in workplaces, especially small enterprises, has received little attention in the analysis so far. In seeking to identify mechanisms to help improve the capacity of small business owners to manage OHS, lessons can be drawn from Sweden where it has shown that OHS safety representatives are significant to improved OHS management in small businesses (Frick and Walters, 1998: 368). Sweden is considered a rare example of a successful scheme for worker participation in health and safety in small places (Frick and Walters, 1998: 368-369). The success of the Swedish approach is associated with the country having the “best-developed and most
extensive statutory provisions for regional health and safety representatives” (Walters, 2004: 173), high trade union density, and more favourable social attitudes (Frick and Walters, 1998: 369). OHS representatives are considered to offer many benefits toward the improvement of health and safety, including being a cost-effective approach to improved OHS arrangements in small businesses (Walters, 2004: 169; Frick and Walters, 1998: 374). In a survey of regional safety representatives in Sweden, Frick and Walters (1998: 373) found regional safety representatives engage in dialogue with most small business managers and regularly advise them on how to reduce hazards at low costs, thereby helping to contribute new knowledge and awareness as well as improving in-house competence.

Of the countries analysed in this thesis, Denmark also has high trade union density, especially in small enterprises, but unlike Sweden there are no formal provisions for regional safety representatives (Walters, 2004: 175). Furthermore, legislative requirements for safety representatives in Denmark are not required across all workplaces but are only applicable to workplaces with five or more employees (Walters, 2004: 175). In comparison to Sweden and Denmark, employee representation in the United Kingdom remains challenged despite requirements under the EU Framework Directive for employees and their representatives to participate and to be involved in OHS risk management arrangements in the workplace (Walters, 2004: 180; Walters et al, 2011: 173; Nichols and Walters, 2009: 29). Framework Directive requirements have been set in non-statutory OHS management systems in the United Kingdom and the less regulated industrial relations framework of the United Kingdom mean that “trade union strategies to promote health and safety representation in small enterprises increasingly seek a variety of opportunistic informal alliances to do so” (Walters, 2004: 181). However, one particular exception in the United Kingdom is the printing industry. According to Walters (2004: 174-175), notes that the prominence and acceptance of the role of trade unions in the printing industry has been beneficial to employees and employers as worker representatives service as a major source of information. The comparison of Sweden, Denmark, and the United Kingdom highlights the role and importance of worker representation in helping to improve employer capacity as well as identifying the importance of regulatory provisions and favourable industrial relations conditions that enable trade union participation. Australia is likely to face the same challenges as the United Kingdom given the two countries share similar industrial relations contexts, including declining levels of trade union density.
Targeting directors and senior managers

The OHS strategies of New Zealand and the United Kingdom identify company directors and senior managers as specific groups of management where capacity needs to be further developed in order to ensure good governance of workplace health and safety. In support of this goal, the United Kingdom has produced specific guidance material for directors with the country’s Institute for Directors providing leadership and advocacy on this goal (Appendix 14 – Table 4). In addition to senior managers and directors, New Zealand’s OHS strategy also notes the importance of strengthening the competence of OHS practitioners through professional certification programs that are based on international-standards criteria (New Zealand Department of Labour, 2005d: 2-3). The role of OHS practitioners in helping to improve employer capacity is an important one, given large organisations often recruit specialist OHS practitioners to advise senior management and directors on the OHS decisions of a company.

Furthering research efforts on how to improve employer capacity

Organisation and management are targeted as a research priority area in Denmark’s research and development strategy, which is linked to the country’s broader OHS strategy. It is noted in Denmark that knowledge is required to better understand the factors that might affect the efforts of an enterprise in providing an improved working environment, as well as understanding what promotes and hinders the working environment efforts in various types of enterprises and with different types of ownership, including foreign ownership (Danish Working Environment Authority, 2010b). In response to this gap in knowledge, Denmark has allocated funding for research initiatives that will help build knowledge about enterprise knowledge, views, culture and behaviour, as well as improving understanding of the effects that various instruments have on OHS management (Danish Working Environment Authority, 2010b)

Improving existing OHS systems and providing accreditation

Developing and improving existing OHS resources and tools for business development is approached in the OHS strategies of Denmark and Finland. Denmark’s OHS strategy advocates strengthening and developing existing OHS systems to support OHS activity (Danish Working Environment Council, 2005: 26-27). Denmark and Finland also take a common approach on the certification and accreditation of OHS competence across workplaces. Finland promotes procedures whereby workplaces can have their health and
safety practices verified and similarly, in Denmark, companies can receive verification of their OHS practices through an inspection or through an accredited certification that requires a demonstrated management system. Certification through inspection is recognised as a more suitable option for smaller businesses in Denmark.

**Employer capacity and the EU Framework Directive**

In addition to the approaches targeted under the national OHS strategies, the United Kingdom, Denmark, and Finland also have obligations under the EU Framework Directive. As noted earlier, under Article 7 of the Framework Directive, employers in the European Union have an obligation to engage the expertise of specialists as part of their requirement for providing risk assessments. In response to this requirement, various interpretations have been applied by countries. Frick and Wren (2000: 31) note that in Finland, employers have a legal obligation to enlist the services required under Article 7, while in Denmark it is being gradually mandated. In comparison, within the United Kingdom, there is no prescription for employers to make use of OHS expertise or preventive services for OHS risk assessment (Karageorgiou et al, 2000: 257). The British government has maintained that the choice of competent persons should be left to the discretion of employers as it does not see the need “to interfere with employer’s freedom (and duty) to procure the expertise they consider necessary to execute their duties” (Walters and James, 1998: 28 cited in Frick and Wren, 2000: 31).

**Comparing approaches to developing national OHS strategies**

In comparing national OHS strategies across the countries, consideration was given to the stakeholders that were consulted in the development of the strategy, the mechanisms through which they were consulted and the processes used to develop the strategy document.

**Stakeholder engagement**

The national OHS strategies of the United Kingdom, Denmark, Finland, and New Zealand all provide evidence or refer to consultations with stakeholders. These consultations, held with a broad range of stakeholders, including the traditional social partners (Appendix 14 – Tables 5, 6, 7 and 8), were used to gain feedback on initial drafts of the OHS strategies. The United Kingdom, Denmark, and New Zealand also claim that in addition to trade unions and
employer associations, businesses, employees, OHS professional service providers and research institutions were invited to provide comment and suggestions on OHS strategy content. Finland notes that a broad range of stakeholders was consulted on the Finnish OHS strategy, although details of the stakeholders were not discussed.

Reach of consultation
The documentary analysis revealed that the United Kingdom and New Zealand called for public submissions as one form of stakeholder consultation (Appendix 14 – Tables 5 and 6). In addition to public submissions, the United Kingdom also sought stakeholder feedback through workshops that were held across regional areas (Appendix 14 – Tables 5 and 6). The United Kingdom used public submissions and workshops for all three of its OHS strategies. The consultation process for the latest OHS strategy, Be Part of the Solution, included a three-month consultation period in which more than 700 people across the United Kingdom were consulted in a series of workshops while an additional 200 written responses were received in response to the draft strategy (Appendix 14 – Table 5 and 6). The research was not able to identify whether consultations in Denmark, Finland, and Australia were as extensive as the United Kingdom and New Zealand.

Developing OHS strategies using an evidenced-based approach
Data on injuries, fatalities, and disease largely gathered from workers’ compensation statistics, has been used by Australia and Finland to identify key industries and injury types to be targeted in national OHS strategies (Appendix 14 – Table 11). In comparison, the United Kingdom, New Zealand and Denmark apply more qualitative-based investigations as part of their evidence base. In their second strategy A Strategy for Workplace Health and Safety in Great Britain 2010 and Beyond, the United Kingdom carried out a literature review of published evidence on interventions to improve health and safety compliance; this information was intended to guide the content of the strategy. The United Kingdom identifies two reasons for why their strategies need to be evidence-based and evaluated. Firstly, to enable limited resources to be used effectively and efficiently, and secondly, to be able to engage in appropriate strategies that accommodate the changing context in which OHS operates (Health and Safety Commission, 2004a). The United Kingdom has also had three different strategies for workplace health and safety to date, providing it with the opportunity to learn and build on each strategy. Walters et al. (2011: 199-200) sound a note of pessimism around UK policy, referring to a ‘decade of wishful thinking’ and noting cuts
to enforcement activities on the change from a Labour government to a Conservative coalition government. New Zealand also carried out a literature review together with an analysis of the OHS strategies of other countries, including Australia. Furthermore, following New Zealand’s review of its OHS strategy in 2009, additional consultations were held to develop a new action agenda to help address the shortcomings that had been identified (New Zealand Department of Labour, 2010). One of the findings of New Zealand’s review was the need to improve the evidence base by increasing and targeting national data collection and research and evaluation programs (New Zealand Department of Labour, 2009a: 8).

Denmark developed its strategy using evidence presented in a technical report prepared by the Working Environment Authority, the National Institute of Occupational Health, and the National Board of Industrial Injuries. The technical report is believed to have provided the foundations upon which the Working Environment Council was able to recommend which problems and target groups should be awarded priority and be able to set target figures. Subsequently, the Danish Government held a hearing with professionals and stakeholders to gain further opinions on OHS efforts.

The outcomes of consultations held in the United Kingdom and New Zealand have been prepared into publicly available reports. In addition to stakeholder consultations, Denmark and New Zealand have also had their OHS strategies accepted in parliament (Appendix 14 – Tables 5 and 6). Australia took a similar approach when the industrial relations ministers of each of Australia’s jurisdictions made a commitment to the National OHS Strategy. However, there is no evidence to suggest that this action was extended to include parliamentary acceptance of the Strategy.

**Implementing OHS strategies**

The evidence shows that a single body generally oversees each national strategy. In Australia, it is Safe Work Australia (and its predecessor agencies); in the United Kingdom it is the Health and Safety Executive; the Workplace Health and Safety Authority of the Department of Labour in New Zealand; the Ministry of Social Affairs and Health in Finland; and the Ministry of Social Affairs and Health in Denmark (Appendix 13 – Tables 1-4). While central agencies are needed to govern and ensure control and management of the OHS strategies as well as to provide a central location for evaluation and reporting, the implementation of the OHS strategies in each country extends to a broader range of
stakeholders. Across the countries being examined, there is an expectation that the OHS strategy of each country will be implemented by a broad range of stakeholders and through different mediums (Appendix 14 – Tables 7, 8, 10). Action plans, industry sector groups, and supporting strategies are some of the different approaches used in the deployment of OHS strategy initiatives.

**Use of action plans**

OHS strategies generally provide an overall direction for OHS while the details of how this direction is to be achieved in practice are usually contained in action plans. Action plans generally detail the types of actions that will be taken to support objectives and targets; they identify the stakeholders who would be involved; the names and types of programs that will be used to support strategy objectives; and they set completion dates for each action. There is evidence that action plans have been developed for the national OHS strategies of Australia, the United Kingdom, and New Zealand. Across these three countries, there are differences in the frequency and content of the action plans. Three-year action plans have been used in Australia while the United Kingdom and New Zealand produce both action and business plans annually. Differences have been observed in the content of each action plan. The United Kingdom’s business plans detail the stakeholders responsible for each action, the timeframe in which the action needs to be completed and the means by which the action will be completed, including the names of specific programs, institutions or processes that will be employed. Against each action plan criterion, the United Kingdom also provides examples of activity underway within the specified area (Health and Safety Commission, 2006a, 2007; Health and Safety Executive, 2008; Health and Safety Executive, 2009b; Health and Safety Executive, 2010b). The United Kingdom also has produced a separate strategy for the stakeholders involved with the country’s OHS strategy as well as guidance material for directors and board members on taking actions under the strategy. Similarly, New Zealand’s action plans provide specific detail on the stakeholders responsible for each action as well as specifying a timeframe in which such actions are to be completed (New Zealand Department of Labour, 2005b). Australia’s action plans, while providing some guidance on timeframes, do not appear to be as far-reaching in the level of detail as those provided by the United Kingdom and New Zealand.

Denmark is unique, as its OHS strategy is comprised of a series of strategies; there is a single platform strategy, which is underpinned by more detailed strategies and programs. There are separate strategies for Denmark’s National Research Centre for the Working Environment, the Working Environment Authority’s Information Centre, as well as an individual strategy
for the Danish Working Environment Authority (Appendix 14- Tables 7 and 9). The commitment that Denmark’s social partners have made to the Danish OHS Strategy is also detailed in a separate document that outlines what the social partners’ contributions will be to the OHS strategy (Danish Working Environment Council, 2009). These individual strategies can be regarded as the equivalent of the action plans that are used by the other countries. The United Kingdom, similarly, has introduced a separate science plan and a communication plan to help support their latest OHS strategy (Health and Safety Executive, 2009b).

Broadening the range of actors providing services to workplaces

While the case study countries acknowledge having consulted a broad range of actors in the development of their OHS strategies, there are differences across the countries regarding the expectation of which actors will implement the OHS strategies. The United Kingdom and New Zealand place responsibility on the collective efforts of the actors (government, social partners and workplaces) in delivering improvements in OHS. In its earlier OHS strategies, the United Kingdom placed greater emphasis on the HSE and local authorities as the main providers of OHS services but have since shifted responsibility to a broader range of stakeholders.

Conversely, Denmark, and in particular, Finland, place greater responsibility on the OHS administrator in the delivery of OHS services. Finland notes that implementation of their OHS strategy depends on at least two key factors: (i) a workplace’s capabilities, skills and will to take initiative on OHS measures; and (ii) the authorities’ direct contacts with workplaces - this includes the interaction between authorities, industry, and labour market organisations (Ministry of Social Affairs and Health, 1999: 3).

A review of how other national OHS strategies are evaluated

Differences are evident in the methods and tools used by each of the countries to evaluate national OHS strategies and the frequency of these evaluations. The frequency with which national OHS strategies were reviewed ranged from yearly to every three years. A range of methods was used as part of these evaluations, including the use of statistics, auditing of activities, and seminars with stakeholder groups (Appendix 14 – Tables 11 and 12). The outcomes of reviews and evaluations were made available to the public by most countries.
with the exception of Australia, which has only published progress measures against the key reduction targets. Furthermore, many of the comparator countries not only evaluate progress against their targets and goals but they also evaluate the performance of their OHS institutions.

**Evaluation of the OHS institutions**

In Denmark, the United Kingdom, and New Zealand, evaluation extends to include the activities and performance of the key OHS agencies. As part of New Zealand’s major review of the OHS strategy in 2009, the review process was inclusive of the Workplace Council’s role, particularly in delivery of the OHS strategy (New Zealand Department of Labour, 2009c). In Denmark, reviews of the Danish Working Environment Authority first took place in 2002 and a second review followed in 2009. The review, which is termed ‘an impact evaluation strategy’, is designed to evaluate the impact of the work activities of the Danish Working Environment Authority, particularly in relation to the key target areas in the Danish OHS Strategy. An expert panel composed mostly of international representatives, with some representation from Denmark, undertakes this evaluation (Danish Working Environment Authority, 2009). The decision to impose an impact evaluation strategy on the Working Environment Authority was based on criticisms in 2000 when the Working Environment Authority was not able to provide a clear health-related impact of its activities (Danish Working Environment Authority, 2009). This type of review mechanism is absent from Australia leaving the activities and performance of Safe Work Australia, as well as predecessor agencies unmonitored and therefore not subject to review.

**Frequency of evaluations**

The frequency in which national OHS strategies were reviewed ranged from bi-annually to every three years. In New Zealand, the Department of Labour provides a progress briefing to the Minister of Labour twice a year, publishes annual snapshots of progress against activities and provides an evaluation of the strategy every three years (New Zealand Department of Labour, 2009e, 2009f). Finland evaluates their strategy every three years (Ministry of Social Affairs and Health, 2005, 2008). The United Kingdom has generally reviewed its OHS strategies on an annual basis, although certain contents within each strategy have required more frequent reviews (Health and Safety Executive, 2010c).
According to Australia’s *National OHS Strategy*, the peak OHS agency was given a mandate to report annually on progress made in implementing the *Strategy* as well as to ensure that the *Strategy* be regularly reviewed (NOHSC, 2002a: 13). In practice, progress against the *Strategy*’s targets of 40 per cent and 20 per cent reduction in injuries and fatalities has been tracked annually using workers’ compensation data provided by each of the jurisdictions. At the time of this research, two triennial reviews of the *National OHS Strategy* had been conducted. However, with the exception of reference to the triennial reviews in media statements, the outcomes of these reviews have not been released publicly.

**Findings from reviews**

A common feature in the reviews of the OHS strategies of each case study country was not only the identification of successes and outcomes of each OHS strategy but also the identification of challenges and impediments to success (Appendix 14 – Table 13). One of the most commonly noted challenges was the role and interactions of the actors in delivering OHS strategies. New Zealand noted an under-reporting of activity by industry, while Denmark similarly identified the need to improve transparency and cooperation amongst the actors and the need for continued evaluation against stakeholder relationships (New Zealand Department of Labour, 2009e: 4; Working Environment Information Centre, 2009). Denmark noted the complexity of its stakeholder structures, arguing that the many layers of actors in the OHS system required further clarity on which actors do what, how and why (Working Environment Information Centre, 2009).

**Availability and access to resources**

The United Kingdom, Denmark and Finland appear to have much more complex OHS infrastructure than Australia and New Zealand; this is based on the large number of different institutions that provide OHS services. A unique characteristic of Finland, for instance, is the separation of its OHS services, research, and advisory institutions from the Ministry of Social Affairs and Health and the OHS Administration. This arguably helps to ensure that each institution provides particular areas of specialisation. According to Denmark, having research bodies helps to ensure that there is research-based knowledge and documentation of which sectors need OHS activities (Danish Working Environment Service, 1995: 995: 45).
Resource allocation is also discussed in the OHS strategies of the United Kingdom, Denmark, and Finland. According to details published in *Be Part of the Solution*, the British government increased its health and safety budget for the Health and Safety Executive from £219 million in 2008/09 to £235 million in 2009/10 (Health and Safety Executive, 2009b: 27). One of the goals contained in Finland’s strategy is to increase knowledge and resources of the District Administration of OHS. Denmark’s strategy notes increases in funding to the Danish Working Environment Authority in addition to using the Danish Working Environment Research Fund to support projects that adhere to themes in the Danish OHS strategy (Danish Working Environment Authority, 2010b).

The European countries’ linkages to regional and international affiliations qualify them for access to additional pools of resources including potential financial support, availability of OHS information and research, and direction and guidance on OHS activity by the European Commission. Programs such as the PROGRESS program\(^\text{18}\) help to benefit member states as well as a range of their stakeholders, including local and regional authorities, public employment services and national statistics offices while specialised bodies, universities, research institutes and the social partners and non-government organisations, apply for project funding (Europa, 2010). European countries can also draw on the research efforts and activities of the European Agency for Safety and Health at Work.

**Discussion: Applying the IAD framework and lessons for Australia**

**Broadening stakeholder consultations beyond the traditional social partners**

The findings of the research highlight that consultations are a common feature in the development stage of a national OHS strategy, particularly consultations that extend beyond the traditional social partners. The United Kingdom exemplifies this as it has consistently used public submissions and workshops as part of the consultation process for all their OHS strategies. The regularity with which these consultative means are used may indicate that they are a successful medium for stakeholder input. Although it could not be determined whether Denmark and Finland engaged in community consultations, it is arguable that the broad range of institutions (Figure 12 and Figure 13) that make up the OHS systems of Denmark and Finland allow for input beyond the social partners. Furthermore, these examples also highlight the applicability of using more than one mechanism for consultation

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\(^{18}\) The PROGRESS programme is a financial instrument supporting the development and coordination of EU policy across a number of areas including working conditions.
such as public submissions and workshops. In the context of the IAD framework, ‘attributes of community’, which refers to the norms of behaviour that are generally accepted in the community, is one of the external variables affecting the actions of the actors and the outcomes of the action arena. The IAD framework was presented in Chapter 2; the model is copied below once again as Figure 14 for ease of reference. Providing communities with the opportunity to comment and engage in an OHS strategy can potentially influence the conditions that a community is willing to accept and support in a policy. Community consultation may help to achieve stakeholder buy-in. By encouraging consultation across the broader community, particularly from stakeholders who might otherwise be considered hard to reach, stakeholders are provided with a voice and input. This may help to de-politicise a strategy from being seen as a bureaucratic device or impediment that is imposed on the business community.

Figure 14: Ostrom’s IAD Framework

![Ostrom’s IAD Framework](source)

The social partners and tripartism

Although employer associations and trade unions are said to be have been included in the consultation process across all the countries, the extent to which this process is truly tripartite in nature is difficult to determine purely from the national OHS strategy documents. It can be argued that tripartite consultations should be observed in Australia, New Zealand, Finland, and Denmark as a requirement of their ratification of ILO Convention 155 and for the European countries based on their associations with the EU’s *Community Strategy 2007-*
2012 on Health and Safety. However, low union density and the adoption of neo-liberal practices by Australian, New Zealand and United Kingdom governments, diminishes the role and representation of trade unions in a tripartite setting. In comparison, the Nordic model of Finland and Denmark, advocates for a more legitimate and equal role for the social partners in policy making. Overall, irrespective of the country being observed, it was not possible to gauge how successfully tripartism fared in practice. Drawing on the reviews of the OHS strategies of the case study countries, the findings of these reviews highlight that working relationships across the actors need to be strengthened, as does the evaluation of these relationships. These findings highlight the challenges of actors working together, even in countries such as Denmark that have a long tradition of tripartism. If Australia is to continue to rely on the efforts of governments and the social partners to deliver its National OHS Strategy targets and goals, then the key lessons that can be drawn from the international case studies includes the need to strengthen stakeholder coordination and to improve mechanisms for evaluating coordinated efforts.

**Identifying the role of the actors**

Drawing on the United Kingdom, a distinguishing feature of Be Part of the Solution was the development of a complementary strategy for actors and guidance material for directors and board members, which sought to provide greater clarity of the actions of the actors under the strategy. Making explicit the role of each actor within an OHS strategy is not only necessary to ensure that objectives and goals are met, but also because it places boundaries on the behaviours of the actors to ensure that the actions taken fulfil the strategy’s goals. The IAD framework argues that actors are influenced by their motivations and goals on what they would like to see happen in an action situation (Birkland, 2011: 303-304). While it is not possible to control the motivations and beliefs of actors, articulating their roles and the outcomes that they are expected to deliver heightens accountability of their actions, ensuring that they are in line with an OHS strategy.

**Documentation and making information accessible to the public**

Understanding and being able to evaluate the OHS strategies of the case study countries was largely guided by the availability of information on the policy process that was documented by each country and made accessible to the public. Overall, the United Kingdom, New Zealand, and Denmark provided the most information and evidence on their OHS strategies.
In comparison, Australia did not present the same level of information and documentation of its *National OHS Strategy*. Documenting the policy process helps to create transparency and accountability of actions but it also serves to demonstrate the use of evidence in the policy development process and it provides justification for the choice of actions that countries choose to employ. Documentation also allows countries to benchmark each other to achieve best practice. New Zealand for instance was able to draw on the OHS strategies of other countries to help guide the development of its OHS strategy.

**Lessons on improving employer capacity**

The findings highlight similarities in the approaches taken by each country to address employer capacity. Broadly, initiatives to improve employer capacity include improving training provisions, increasing management understanding of the case for investment in OHS, providing support tools, and tailoring advice based on the size of the business. While these initiatives are reflected in Australia’s *National OHS Strategy*, there is generally less detail in Australia’s *Strategy* on how they will be executed. For example, the United Kingdom’s OHS strategy identifies the need to improve an employer’s understanding of the case for OHS. As part of this goal, the United Kingdom identifies that accident and incident calculators will be made available to employers to allow them to calculate and therefore recognise the economic case for OHS. Similarly, in seeking to provide tailored OHS advice according to individual business needs, Denmark and Finland explicitly identify using the OHS inspectorate as a means to disseminating such information. Providing similar specifications within Australia’s *National OHS Strategy* can be complicated by Australia’s federal structure. As a federation, Australia is challenged with multiple OHS systems, the complexity of which needs to be considered in the context of the IAD framework for this research. As has been made apparent, there are a number of components to the IAD framework, including external factors (rules in use, attributes of community, physical and material conditions), the action situation, and the actors. It is arguable that the interaction of these variables is further complicated and compounded in Australia due to the separation of OHS at the State and Territory level. The separation of OHS across Australia’s States and Territories heightens the importance of cooperation to ensure that the *National OHS Strategy* is truly ‘national’ in approach. Cooperation would need to be facilitated through detailed plans of action to ensure that all the actors are working toward the intended outcomes, that there is a universal understanding of the *Strategy*, and that resources are shared and utilised in a manner most beneficial to the outcomes of the *Strategy*. 
Establishing clearer linkages between legislation and OHS strategies

The OHS strategies of the United Kingdom, New Zealand, and Denmark were notable for their reference and linkages to OHS legislation. The inclusion of legislation denotes that although a national OHS strategy and OHS legislation are two individual pieces of policy, they are related in their underlying goal of achieving improved OHS outcomes. Communicating the complementary relationship between an OHS strategy and OHS legislation might achieve greater acceptance and support for an OHS strategy rather than it being viewed as an additional burden to legislation. The recent introduction of new model OHS laws into Australia provides an opportunity to re-align the National OHS Strategy to deliver greater focus to the role of legislation and compliance. A further consideration for Australia is to borrow from Denmark and use the OHS inspectorate to promote the National OHS Strategy during workplace inspections.

Resources allocation

This research regards ‘resources’ as representing a material condition in the IAD framework. Since material conditions are regarded as an external factor affecting an action arena, the availability of resources will arguably have outcomes that are more favourable in the delivery of a policy compared to circumstances where resources have not been allocated. Based on this reasoning, a decline in Australia’s national OHS research capacity over the last two decades and the re-allocation of responsibility to the jurisdictional level suggests that the National OHS Strategy may face challenges across the entire policy cycle compared to other countries. For example, the United Kingdom’s strategy noted an increase in funding to the Health and Safety Executive for OHS services prior to the change in government in 2010 while an examination of Denmark and Finland’s OHS systems shows a complex array of institutions to provide services in the delivery of national OHS strategies. While it is beyond the capacity of this research to evaluate the actual impact that resource allocations have had on the national OHS strategies, this could be a fruitful avenue for future research.

Conclusions

This chapter set out to provide a comparative analysis of the OHS strategies of four countries: the United Kingdom, New Zealand, Denmark, and Finland, with the goal of identifying key characteristics of the policy process associated with each OHS strategy. The findings presented in this chapter highlight a number of options that Australia could consider
in the development of future OHS strategies. At the development stage, the case study countries identify engaging in consultations with a broad range of stakeholders, using a number of mediums to reach stakeholders and the importance developing a strategy using evidence-based approach. At the implementation stage, documentary analysis of the OHS strategies of the international countries highlights the use of detailed action plans to guide the activities of stakeholders. At the evaluation stage, the international examples highlight that evaluation should not only be of a national strategy but also of the OHS institutions responsible for delivering on a strategy. While tripartism has been discussed throughout the literature as an important feature of OHS strategies, it was not possible to gauge the significance of tripartism across the OHS strategies of all the countries covered by this research. However, conclusions that could be associated with the IAD framework include a possible relationship between stakeholder consultation and the IAD’s external factor ‘attributes of community’. One assumption is that engaging with a range of stakeholders may help encourage stakeholder buy-in and support of a strategy. On the matter of ‘material conditions’, there is evidence to suggest that a greater of level of investment is made to OHS by Denmark, Finland, and the United Kingdom. The resources allocated by these countries suggest that ‘material conditions’ are more favourable to the OHS strategies of these countries. Assuming that these resources are used in the most appropriate manner, they can serve as an enabler to support the implementation of a national OHS strategy.
Chapter 10: Conclusions

Introduction

This chapter summarises and assesses the contribution and significance of key findings from the research. The thesis shows that national OHS strategies are becoming a common form of OHS policy across the world and are therefore likely to remain a key feature of OHS policy development in Australia. On this assumption, there is a need to better understand the policy process associated with OHS strategies. This thesis contributes new insights into analysing OHS policy using a theoretical framework of the policy process. Analysing the National OHS Strategy through the policy lens of the IAD framework enabled the Strategy to be understood in the context of the actors, the rules upon which these actors operated and the external factors that were of significance to the OHS policy process. The findings highlight the importance of ensuring that the foundations upon which a national strategy for health and safety are introduced are as conducive to the policy as possible. Through these findings, the thesis seeks to identify potential lessons for future OHS policy development. In providing the conclusions to the research, this chapter begins with a review of the research question and objectives. This is followed with a general overview of each chapter in the thesis. Concluding remarks on the research are presented against the key components of the IAD framework and the stages approach. The chapter ends with an overview of the limitations, recommendations for future research and states the thesis’ contribution and significance.

Research question and objectives

This thesis set out to investigate Australia’s first National OHS Strategy and its role in helping to improve employer capacity to manage OHS. The objectives of this investigation were to (i) understand the capacity of the National OHS Strategy to elicit change and new action to address OHS; (ii) understand how the National OHS Strategy operates in the context of more traditional policies such as legislation; (iii) gain an understanding of the policy process of the National OHS Strategy and factors influencing the policy process; and (iv) identify the appropriateness of the National OHS Strategy in Australia and make
recommendations for future OHS policy development. The research focused specifically on the manufacturing industry as it represented one of the five target industries within the National OHS Strategy. Geographically the research was conducted in NSW to ensure the manageability of the research. The thesis used the IAD framework as a policy lens to analyse the National OHS Strategy with the goal of contributing new knowledge to OHS policy development. The IAD framework was a useful framework for: (i) understanding and evaluating how external factors affect the action arena in which the National OHS Strategy is situated; and (ii) investigating the role of the actors in the policy process. The thesis also considered the stages approach to policy analysis. Although scholars such as Sabatier (2007) argue that it is not a theory of the policy process, the stages approach continues to be commonly used throughout the literature on policy development and is still a widespread approach in understanding public policy development (Jann and Wegrich, 2007: 45; Hill, 1997: 98). The thesis highlighted the OHS Intervention Effectiveness Research model as a specific model for analysing OHS policy through the stages approach.

An overview of the thesis structure

The thesis began with an analysis of the literature on the policy process. Beginning with a discussion on theories of the policy process, it identified the need to draw on the political sciences for theories of the policy process due to an absence in theoretical frameworks within the OHS discipline. Political theories of the policy process assist in understanding how actors interact within institutions to produce, implement and evaluate public policies. The literature discussed the merits of the IAD framework compared with other theories of the policy process, as well as acknowledging the popularity of the stages approach to policy despite its many critics arguing that it is not a theory of the policy process. The IAD framework was considered better suited to the research than other theories of the policy process because of the focus that it placed on the actors, their actions and motivations in the policy arena. The literature review discussed tripartism and its tenets as an over-arching rule that guides the behaviours of the actors in OHS policy development. Governments, trade unions, and employer associations were discussed as the main actors associated with OHS policy, with the literature review analysing the different strategies and motivations that guides each of the actors. Following discussion of resources and federalism as two key factors impacting OHS policy development, the literature review concluded with a discussion on improving employer capacity. The main argument on employer capacity was namely that organisational size is an influential factor in organisational approaches to OHS.
The size of a business is considered a key factor that affects the requirements, capacity and motivations of organisations and their management of OHS.

Chapter 3 introduced the research methods and design of this thesis. The research is based on a qualitative, exploratory study using semi-structured interviews and documentary analysis as the main data collection methods. The chapter defended the use of these research techniques based on the lack of knowledge of the research topic and therefore the need to develop an in-depth understanding of the National OHS Strategy according to the policy process. A pilot study was conducted to test the research questions, helping to improve the reliability and validity of the research. The majority of the interviews were conducted on a face-to-face basis with participants representing Safe Work Australia, WorkCover NSW, the Australian Chamber of Commerce and Industry, the Australian Council of Trade Unions, NSW manufacturing trade unions, NSW employer associations representing the manufacturing industry and a number of NSW based manufacturing businesses of various sizes. Documentary analysis of National OHS Strategy documents, actions plans, strategic plans, annual reports, and other official documentation represented the primary data collection method alongside the interviews. Thematic analysis was used to analyse the findings from both the interviews and documentary analysis. Interviews and documentary analysis were considered the most appropriate research methods as they allowed the flexibility for an in-depth exploration of the National OHS Strategy.

Chapter 4 provided an overview of the National OHS Strategy, identifying the key characteristics of the Strategy that were relevant to this research. The information in the chapter was derived through documentary analysis of the National OHS Strategy and associated documents. The chapter also discussed NSW’s strategy for health and safety as well as the NSW Safety Summits of 2002 and 2005 in context of the National OHS Strategy.

Chapter 5 set the context of the research by providing an overview of the circumstances and environment that preceded the introduction of the National OHS Strategy as well as key developments since. Although largely descriptive, the purpose of the chapter was to help guide readers in understanding the context in which the National OHS Strategy was introduced. This information proves useful in discussions later in the thesis about the impact of external factors on the National OHS Strategy and the actions of the actors.

Chapters 6 and 7 presented the findings of the interviews with the institutional stakeholders and manufacturing businesses. All interviews except one were conducted face-to-face. The interviews allowed information to be gained as to how the stakeholders had approached the
National OHS Strategy. The purpose of this information was to gain insight into and understanding of the policy process of the National OHS Strategy. Interviews with the manufacturing businesses provided insights into the concept of improving employer capacity, including whether the business community felt that there had been improvements toward this goal since the introduction of the National OHS Strategy. The interviews also set out to identify the business community’s needs, the findings of which were then placed in the context of how the National OHS Strategy has sought to pursue measures to improve business capacity and whether they reflect the needs of the manufacturing community in NSW.

Chapter 8 discussed the outcomes of the documentary analysis, the second research method used in addition to the interviews. The findings presented in the chapter were drawn from key documents such as annual reports, minutes from meetings, corporate, strategic and business plans, newsletters and other periodicals. These documents provided written evidence of the National OHS Strategy in practice. The focus of the analysis was on activities within NSW and the manufacturing industry although the chapter also considered national initiatives. The key findings from this chapter were presented through thematic analysis that was consistent with the characteristics of the IAD framework and the stages of the policy cycle.

Chapter 9 provided insights into the national OHS strategies of the United Kingdom, Denmark, Finland, and New Zealand with the goal of identifying key characteristics of the policy process in these countries and any lessons that could be drawn from them by Australia. Documentary analysis was used to compile the information on each of the countries. The chapter focused on trying to identify how the OHS strategies in each of the countries studied had been developed, implemented, and evaluated. Comparisons were drawn against the National OHS Strategy and recommendations were made on potential lessons that Australia could draw from the OHS strategies of other countries.

Through these chapters, the thesis has contributed new knowledge on how the National OHS Strategy has functioned in practice and in doing so, has also identified factors that have been influential in shaping the outcomes of the National OHS Strategy.
Drawing conclusions from the research

This thesis set out to contribute new knowledge to OHS policy development by exploring how the goal of improving employer capacity to manage OHS had been pursued under the National OHS Strategy. In the case of this research, a direct relationship between the National OHS Strategy and actions to improve employer capacity to manage OHS could not be established. However, the research was able to identify and discuss various factors that had an impact on the way the National OHS Strategy operated, including how the goal of improving employer capacity was approached. The thesis highlights OHS policy development in Australia as a complex process with many factors affecting each stage of the policy process. While both the IAD framework and the stages approach were useful for analysing the National OHS Strategy, the IAD framework allowed for a more predictive analysis of how a policy may function in practice. Had the IAD framework been applied when the National OHS Strategy was being developed, it may have been possible to have identified and anticipated the main external factors and their potential impacts and implications on the actors and the action arena across each of the stages of the policy process.

The actors and the National OHS Strategy

According to the IAD framework, actors are central to the action arena where a policy operates. In the case of the National OHS Strategy, the actions of the actors are central to ensuring its development and implementation. The complex nature of OHS indicates that governments will be challenged in achieving desired OHS outcomes under the National OHS Strategy in isolation from other actors. The research findings highlight that resource constraints, access to businesses, particularly small businesses, and negative perceptions of OHS authorities are challenges faced by governments in OHS policy. Due to these shortcomings, governments find achieving OHS outcomes alone challenging, and therefore require the input and contribution of multiple actors to help achieve desired outcomes.

The research identifies a number of factors relevant to the National OHS Strategy. The first of these factors is the representativeness of the National OHS Strategy signatories. The research highlights that there is a large body of actors that have not been involved in the National OHS Strategy process. Key stakeholders, including large employer associations such as the Australian Industry Group and the Australian Federation of Employers and Industries, are not signatories to the National OHS Strategy; neither are actors such as professional bodies and research institutes recognised under the Strategy. The exclusion of
these actors limits the representativeness of the National OHS Strategy and impacts the evidence base upon which the National OHS Strategy is built. As highlighted through the international comparisons of Chapter 9, Denmark’s inclusion of actors, such as research institutions, increases the opportunities for an evidence-based approach to policy development.

Expanding the range of actors beyond government and the social partners increases the likelihood that the National OHS Strategy will reflect the interests and views of a broader group of actors and will therefore be more representative of the broader OHS community. Furthermore, broadening the range of actors to the National OHS Strategy process also presents an opportunity to address and accommodate community expectations. As discussed in Chapter 9, providing communities with a voice and input into policy development has the potential to increase knowledge and awareness of the National OHS Strategy among the community as well as increasing buy-in and acceptance on the basis that the community was provided with a voice in the development of the Strategy. Like New Zealand’s OHS strategy, Australia also could have engaged in public consultation during the development of the National OHS Strategy. Since the interviews for this research were conducted, Safe Work Australia has engaged in public consultations as part of the development of the next ten-year national health and safety strategy for Australia.

Rational choice theory, which is reflected in the IAD framework, assumes that actors seek to optimise outcomes. Actors will choose the actions with the best outcomes according to their preferences and will wish to control resources in which they have an interest. The research highlights that the actors chose to focus their efforts away from the National OHS Strategy and toward other areas of priority such as the model OHS legislation. This indicates that commitment to the National OHS Strategy needs to be addressed. One aspect of this commitment is the need for the actors to be guided and informed of what is required of them under the National OHS Strategy, while another aspect is the motivation of the actors to want to drive and achieve the outcomes of the National OHS Strategy. On the matter of guidance, a failure to identify specific roles and responsibilities for each of the actors during the development stage of the policy process created ambiguity as to how the Strategy was intended to function in practice. Without identifiable roles and functions, the actors cannot be held accountable for inaction under the National OHS Strategy. Agreement and clarity on the role of each actor to the National OHS Strategy can potentially guide the actions of the actors as well providing accountability for their actions.
On the matter of motivation, the research identified the importance of resources to the activities of the actors, and while resources are discussed further in this chapter, in the context of the current discussion, providing actors with additional resources can improve their motivation and commitment to the National OHS Strategy. However, providing resources alone without articulating the responsibilities of the actors in using those resources to advance the National OHS Strategy, could result in actors remaining disconnected from the Strategy.

The IAD framework notes that rules at the constitutional level will have an impact on rules at the collective level. Outcomes at the constitutional level affect not only the foundations upon which a policy can be introduced but they also communicate the commitment and value that a government places on a policy. In support of this proposition, the thesis argues that the decisions and actions of the Australian Federal Government are likely to have had potential consequences for the National OHS Strategy at the collective and even operational levels. Reductions in funding to NOHSC signified a diminished platform upon which the National OHS Strategy was introduced. This arguably would have had some impact on what could be achieved by the National OHS Strategy.

Since the introduction of the National OHS Strategy, the Federal Government has pursued productivity and economic reforms for OHS. In consequence of this focus, the National OHS Strategy has received minimal, if any, reference in the numerous OHS related inquiries conducted since 2002 or in Federal Government promotion of workplace health and safety. These observations raise the question of whether the National OHS Strategy would have had a more prominent profile had its integration into other policies been more visible and thorough. Similarly, there have been changes in government across Australia’s States and Territories since the introduction of the National OHS Strategy, yet there has not been a renewed pledge to the National OHS Strategy by new ministers. Government action and reception of the National OHS Strategy is likely to influence other stakeholders’ perceptions of the value and importance of the Strategy. A lack of support of the National OHS Strategy by governments will diminish its importance to the other actors.

The National OHS Strategy in the action arena

In further discussion of how decisions at the constitutional level affect decisions at the operational level, the decision to harmonise Australia’s OHS legislation through the introduction of a model OHS Act resulted in the attention of actors being shifted from the National OHS Strategy toward the development and implementation of the new OHS
legislation. Similarly, the National OHS Strategy was introduced shortly after NSW had enacted changes to its OHS and workers’ compensation legislation. Consequently, the attention and resources of the actors were focused predominantly on the legislation rather than the National OHS Strategy. The attention that OHS legislation receives relative to the National OHS Strategy highlights the differences in values and importance that each of the policies holds for the actors. The industrial relations frame of reference underpinning this thesis conceives of stakeholders in terms of their economic and political interests. It also highlights the need for member-based organisations such as trade unions and employer associations to prioritise the economic and political interests of their members. Legislation guides behaviour and carries consequences for non-compliance, therefore stakeholders seek to maximise the most favourable outcomes during the development of legislation. Conversely, the National OHS Strategy does not carry penalties or consequences for non-compliance. The many changes to OHS legislation within NSW and nationally have created challenges and weak foundations for the National OHS Strategy from which to operate. Based on these observations, it is arguable that the National OHS Strategy was introduced during a time of instability and change in OHS across Australia. The capacity of the actors to accord the National OHS Strategy greater attention may have increased once a greater degree of stability had been achieved with OHS legislation.

One recommendation for future policy development which can be drawn from this finding is that OHS legislation is more heavily integrated as a core feature of national OHS strategies. Legislation and the National OHS Strategy should not be treated as mutually exclusive policies, but rather as complementary. Although the National OHS Strategy does advocate the development of model OHS legislation and compliance with legislation as one of nine areas for national action, there was a lack of articulation of the relationship between the National OHS Strategy and the OHS legislation. In comparison, the international examples in Chapter 9 highlight a stronger reference to, and incorporation of, OHS legislation into the national OHS strategies of the United Kingdom and New Zealand. Future national OHS strategies in Australia should be developed to underpin existing OHS regulatory arrangements and to build on them in a manner that is both apparent and complementary.

‘Rules in use’ versus ‘rules in form’ and the National OHS Strategy

Tripartism was explored as a central theory in this thesis as it represents a key principle upon which the National OHS Strategy was developed and a core tenet of OHS arrangements in Australia and the countries explored in Chapter 9. The thesis explored tripartism as a ‘rule-in-use’, as described in the IAD framework. However, despite the importance that is placed
on tripartism as a tenet of OHS, the findings of this research show that in practice, tripartism appeared to be more rhetorical than based in reality. In becoming signatories to the National OHS Strategy, State and Territory OHS regulatory agencies, the ACCI and the ACTU, made a commitment to work together to achieve the Strategy’s goals and targets. The thesis highlights that although all the signatories endorsed the National OHS Strategy in principle, tripartite cooperation was predominately limited to discussions among the actors at tripartite forums such as NOHSC, ASCC and Safe Work Australia meetings. Beyond these meetings tripartite cooperation among the signatories was largely absent, particularly at the operational level where trade unions and employer associations focused on delivering services to their members rather than addressing decisions reached on the National OHS Strategy at the collective level. These findings suggest that tripartism is what Ostrom (2007) would describe as a ‘rule-in-form’, rather than a ‘rule-in-use’. Instead of tripartism being the ‘rule-in-use’, the power struggles of the actors, as they sought to maximise their interests, was the more dominant rule governing the actions and behaviours of the actors.

The research highlights that tripartism in OHS can be affected by the nature of stakeholder relationships in areas such as industrial relations policy. In Chapter 6, the institutional stakeholders acknowledged that disputes associated with changes to Australia’s industrial relations systems can cause tensions in stakeholder relationships. These findings lend support to arguments in the literature that OHS and industrial relations are interrelated. The documentary analysis findings presented in Chapter 8 also highlight that tripartism in OHS policy development has been affected by political decisions. On a number of occasions, Federal Government intervention into the functions of the peak OHS agency in Australia has devalued tripartite mechanisms and resulted in decisions reflective of the political stance of the government of the day. For instance, the decision to have the Labour Ministers’ Council involved in NOHSC decision-making resulted in decisions being influenced by governments thereby limiting the role of tripartism. Similarly, the abolition of the NOHSC and the decision to make the ASCC an administrative body allowed decisions to be made by the Federal Government.

The physical and material environment

Of the countries examined in this thesis, Australia is the only one with a federal structure. The research shows that Australia’s federal structure provides a challenge to tripartite arrangements in OHS, including the National OHS Strategy. Federalism has led to fragmentation across institutions, particularly as governments of each State and Territory seek to maintain control of OHS. The challenge for the National OHS Strategy was to
achieve improved cooperation in an environment where each State and Territory traditionally operated according to its own legislation. Furthermore, despite being ‘national’ by name, there was limited evidence to suggest that a national approach had occurred as part of the National OHS Strategy. The research shows that where the National OHS Strategy has been implemented it has primarily been done so on an individual stakeholder basis rather than a cooperative one. The exception to this was the finding that some cooperation had been achieved across the OHS regulatory agencies through the Heads of Workplace Health and Safety Authorities.

The research findings highlight a lack of knowledge of the National OHS Strategy. One reason for this outcome was due to movements in personnel across organisations, which created gaps in knowledge. A second reason was that communication of the National OHS Strategy was not delivered throughout the hierarchies of the institutional actors, particularly to unions and employer associations closest to the enterprise level. One of the challenges facing the National OHS Strategy is that it rests with the peak bodies that are responsible for progressing and communicating it to members, an outcome that is hindered by the hierarchical structures of institutions. The two social partner signatories to the National OHS Strategy, the ACTU and ACCI, do not have access to enterprise level activity but rather it is through their members (individual unions and employer groups) that OHS is directly delivered to enterprises. Due to this hierarchy effect, knowledge about what is happening at the workplace level gets lost once it gets to the peak body. While there is supposed to be collaboration and communication taking place between the ACTU and ACCI and their members, communication becomes fragmented due to jurisdictional divisions and inter-group differences.

In examining the physical and material environment, the research discussed resource availability as a feature of the material environment that affects OHS policy. The research showed resources to have a significant influence on the application of OHS by the various actors. Firstly, the research highlighted an interest and willingness among trade unions and employer associations to engage in OHS initiatives if resourced to do so. For instance, the trade unions and employer associations engaged in OHS research and the delivery of OHS programs through grants and other financial assistance provided by WorkCover NSW.

The research identified differences in resources dedicated to the National OHS Strategy in Australia compared to the OHS strategies of other countries. While countries such as Finland and Denmark utilise national research bodies to support and service health and safety strategies, carriage of similar functions in Australia has been shifted from the peak OHS
agency to individual States and Territories. Reductions to the NOHSC’s budget, staff, and research function and facilities, has placed a greater reliance on State and Territory governments to compensate for the reductions in funding. The shift in research responsibilities to OHS agencies such as WorkCover NSW places the burden on them to do more with the same resources. It also increases the likelihood that efforts toward the National OHS Strategy will be further reduced due to declining resources and institutions; this affects the quality and delivery of the National OHS Strategy. This reallocation of resources and responsibility reflects the challenge of a federal structure. Australia’s federal structure means that there is a duplication of efforts across each of the States and Territories. Collective action across Australia’s States and Territories has the potential to deliver efficiencies in research efforts. However, such action can be challenged by differences in governments and their ideologies on OHS and industrial relations. Furthermore, unlike Australia, the European countries examined in this research have access to additional resources through the European Agency for Safety and Health and Work, which is a central provider of OHS information to the European Union.

The stages of the policy process

In addition to analysing the National OHS Strategy through the policy lens of the IAD framework, the thesis also considered how the National OHS Strategy has progressed through the stages of the policy process. One of the challenges in analysing each of the stages of the policy process underpinning the National OHS Strategy was the lack of information in the public domain regarding the National OHS Strategy. Due to this limitation, the thesis provides recommendations for future strategy development based on approaches used by the international comparison countries - the United Kingdom, New Zealand, Denmark, and Finland. From these countries a number of lessons were drawn.

Firstly, the international countries highlight the practice of documenting the development stage of a strategy, including the consultations that were engaged and the evidence base upon which strategies were developed. An absence of similarly documented data in the case of Australia’s National OHS Strategy created a gap in knowledge of how the Strategy was developed and the evidence base that was used. Regular movements in personnel across the participating organisations also limited stakeholder knowledge of how the National OHS Strategy was developed. The international comparisons showed the use of evidence in the development of strategies. New Zealand engaged in a literature review and analysis of other OHS strategies while Denmark’s technical report, prepared by the Working Environment Authority, the National Institute of Occupational Health, and the National Board of
Industrial Injuries, provided the evidence base for the development of their OHS strategy. Documentary analysis highlighted that a body of evidence relevant to improving employer capacity, including the CEO Drivers Project, existed upon which the National OHS Strategy could have been developed, although it was not possible to confirm the extent to which such information was used to inform the development of the National OHS Strategy.

Secondly, lessons that can be drawn from the national OHS strategies of other countries are that while national OHS strategies can be used to introduce new initiatives, they can also be used to build and refine existing OHS initiatives. This was the case in New Zealand where existing training programs were targeted for improvement as an initiative under the country’s OHS strategy. In circumstances where resources for OHS are limited, improving existing OHS programs might prove a suitable approach.

At the implementation stage, the research sought to understand how the National OHS Strategy had been implemented in the NSW manufacturing industry. The research did not identify strong alignment between the National OHS Strategy and the activities of WorkCover NSW or trade unions and employer associations representative of the manufacturing industry. While there was evidence of general OHS activities by the actors within NSW, the lack of alignment of such activities to the National OHS Strategy made it difficult to assess the influence of the National OHS Strategy on stakeholder actions. There was recognition that the National OHS Strategy had a more prominent role when it was initially launched. However, the National OHS Strategy lost momentum over time, especially as stakeholder resources and attention were diverted to other areas of policy such as the model OHS legislation. The research also highlights an absence or lack of reference to the National OHS Strategy in OHS inquiries, reviews and other key political statements. The research also identified uncertainty among stakeholders about their role under the Strategy while comments were also raised that the National OHS Strategy was too broad to be relevant to actors at the operational level. The strategic nature of the National OHS Strategy deemed it less receptive to actors outside the main policy arena. Interview participants noted that the National OHS Strategy did not drive or underpin their OHS actions. These issues highlight challenges in the way in which the National OHS Strategy has been communicated and promoted to actors. It raises the importance of making the National OHS Strategy more visible and ensuring that it is influencing and feeding into the actions of the stakeholders. Given the relevance of the National OHS Strategy as Australia’s first national strategy for OHS, future strategies may benefit from further media attention and more promotion and marketing of the National OHS Strategy to try and ensure that it is recognised and understood by the actors and community.
On the matter of policy evaluation, the thesis highlighted two main mechanisms used to evaluate the National OHS Strategy were workers’ compensation statistics (collected annually to measure the National OHS Strategy’s progress against its 20 per cent and 40 per cent reduction goals) and triennial reviews (the outcomes of which have not been made public). There was an absence in targets and measures against which the goal of improving employer capacity would be measured. While it is not possible to draw causal relations between improved employer capacity to manage OHS and the National OHS Strategy, as there could be a number of variables responsible for improved employer capacity, there is still a need to have in place clearly articulated actions for the actors that can be evaluated. The thesis highlights that although the actors are engaged in a range of various OHS activities there is limited evidence to indicate that these initiatives are in response to the National OHS Strategy. Evaluating the actions of the stakeholders was identified as a practice in the National OHS Strategy of Denmark where the performance of the peak OHS agency also comes under review. Australia lacks similar review mechanisms for OHS regulatory agencies.

The international OHS strategies also highlight the practice of identifying failures in an OHS strategy or the actors responsible for the strategy and using this as a basis for making changes to the content and approach of a National OHS Strategy. While the research could not identify whether failures and limitations of the National OHS Strategy were identified in the triennial reviews, with the exception of including agriculture, forestry and fishing as an industry and including a target for the reduction of diseases, the National OHS Strategy has not changed in content and approach since 2002. Regular reviews and necessary adjustments would increase the likelihood that the National OHS Strategy is addressing changes to the environment and the changing world of work in which OHS operates.

**Improving employer capacity and the National OHS Strategy**

The findings support arguments in the literature associated with the management of OHS and employer motivations, particularly differences based on business size. The thesis supports arguments in the literature that identify the differences between small and larger businesses and their OHS needs and capabilities. Given the significant differences between businesses of different sizes, the question arises as to whether there is a need for these differences to be recognised more explicitly in the National OHS Strategy. Actions for improving employer capacity in small businesses should be distinctly different from actions for larger businesses. National OHS strategies need to become more sophisticated in their approaches to
addressing business needs based on size. Denmark’s strategy recognises differences in businesses and advocates using the country’s OHS inspectorate to provide guidance to businesses according to individual needs. This approach highlights using existing resources in different ways to achieve improved outcomes in health and safety.

The thesis also identified a number of issues relevant to improving employer capacity that could be considered in future OHS strategies. The interview findings highlighted the importance of building and improving the brand image of WorkCover NSW as well as its resources. In the context of the move to model OHS legislation and given the resource constraints faced by OHS agencies, a new National OHS Strategy can seek to encourage and promote greater cooperation across OHS agencies in the development of new resources and material on OHS. The manufacturing companies also drew attention to an array of additional OHS resources beyond the OHS agencies such as professional institutes (for example, the Safety Institute of Australia) and attendance at conferences. A National OHS Strategy that seeks to target high-risk industries could incorporate these resources into its action plans. In doing so it would mean that the Strategy is working with a wider range of stakeholders to reach manufacturing businesses as well as providing new channels of information that manufacturing businesses are familiar with and trust.

The research showed that although larger companies tend to be better resourced than smaller companies, there is the potential for complacency among senior managers when a company has resources to employ OHS specialists who can advise on OHS. A National OHS Strategy should seek to place a stronger emphasis on the role of senior management involvement in OHS. Drawing upon the international examples, the United Kingdom’s OHS strategy includes an action item that involves working with the Institute of Directors as a mechanism for engaging senior management in OHS. A similar approach can be adopted in Australia whereby OHS agencies develop cooperative relations and agreements with management institutions to achieve the goals and targets of the National OHS Strategy.

Under the priority of improving employer capacity, the National OHS Strategy refers to motivating employers to comply. Despite this acknowledgement, the National OHS Strategy does not lend itself to identifying key motivators. The interviews with the manufacturing businesses show that motivators vary, particularly based on business size. In the case of the larger organisations, certain businesses are motivated to improve OHS outcomes as a means of increasing their competitiveness in the market place. Industry recognition is a significant motivator for organisations and it is through qualifications such as standards certification that businesses gain such an advantage. The National OHS Strategy identifies Safety Awards
as an action under the goal of improving employer capacity and the documentary analysis (Chapter 8) shows that initiatives such as the Employers Commit program have been used to encourage businesses to commit their pledge to the Strategy. Despite these efforts, such as the Employer Commit program, the strong gravitation toward being certified in an OHS management system such as AS/NZS 4801 Occupational Health and Safety Management Systems highlights that such accreditation schemes can be of greater priority and relevance to business. Future OHS strategies could consider working with stakeholder groups such as Standards Australia to encourage a greater uptake of OHS management systems, particularly by larger businesses. Again, such an initiative would require extending stakeholder involvement in the National OHS Strategy beyond simply the social partners.

Limitations and strengths of the research

The Strategy intended to represent all the States and Territories of Australia and a number of target priority areas across five industries. The thesis focused on how the priority area of improving employer capacity had been achieved in the NSW manufacturing industry. Therefore, the research is not representative of the entire National OHS Strategy but rather provides a detailed look into one aspect of it. Overall, the choice of NSW and the manufacturing industry was of benefit to the research. Being one of the largest unionised industries there was a sufficient pool of potential candidates for the research and those that did participate reflected some of the leading players within the industry. Based on comments provided by one of the manufacturing companies in Chapter 7, Victoria may have been a good alternative for research to NSW. Fundamental Foods commented on the availability of resources produced by Victoria’s OHS regulatory agency. The view that Victoria produces more information and OHS material for employers than NSW could be used as a lead-in to identify why differences exists between the two States and whether the National OHS Strategy has informed Victoria’s approach. While most of the research findings reflected organisations associated with the NSW manufacturing industry, the similarity in findings between those organisations and the ACTU, ACCI and WorkCover implies that similar outcomes would have been achieved had another industry been used for the research. Funded research might explore how the National OHS Strategy has operated across other States and Territories of Australia and other industries beyond manufacturing to clarify whether the same findings as the manufacturing industry would have been achieved. Similarly, future research may seek to evaluate any of the other priority areas associated with the National OHS Strategy. Funded research also provided greater opportunity for archival research,
including access to documents through freedom of information applications. Furthermore, future research could include insurance companies as a stakeholder group. This will enable insights to be gained into the impact of workers’ compensation arrangements on national OHS strategies.

While the researcher sought to engage the signatories to the *National OHS Strategy* and other relevant trade unions and employer associations, the individuals who participated in interviews on behalf of these organisations were not representative of the individuals responsible for the development of the *National OHS Strategy*. Due to movements in personnel across organisations, gaps in knowledge of the *National OHS Strategy* were apparent among many of the participants. To provide a more comprehensive overview of the policy process associated with the *National OHS Strategy*, future research could seek to involve individuals associated with the original architecture of the *National OHS Strategy*. Similarly, future research could also extend the international comparisons beyond a documentary analysis process to also include interviews with stakeholders associated with OHS strategies in other countries.

The use of an exploratory study based on qualitative methods proved a useful and suitable approach for this research. Semi-structured interviews together with documentary analysis allowed for an in-depth understanding of the research topic, especially as little was known about how the goal of improving employer capacity had been pursued under the *National OHS Strategy*. The strengths of this thesis include its multiple levels of analysis ranging from peak bodies to State based trade unions and employer associations and finally manufacturing businesses. The thesis also provides multiple sources of data, which helps to achieve triangulation of outcomes, while the international comparisons provide insights and lessons for future OHS policy development in Australia. Due to the depth of information that was gathered and the questions it helped to address, the researcher would repeat the work in the same way, although consideration would be given to addressing certain limitations in the future, given the greater resources that might be available through a funded research project, such as research assistants. While these limitations were not considered detrimental to the research, they could have had the potential to deliver further insights into the research question.
Contributions and significance

The research provides a number of contributions, the most significant being the analyse of OHS policy through a theoretical framework. This was considered a valuable contribution as most research on OHS is devoid of theoretical frameworks. The IAD framework has proved useful as a lens through which to explore the National OHS Strategy. The framework was particularly useful because of its strong focus on the actors and the rules, norms and strategies governing their actions. The stages approach is too regimented to be able to adequately anticipate stakeholder motivations and decisions. The IAD’s strong focus on the actors is better suited to analysing a policy such as the National OHS Strategy, which is dependent on the actions of the stakeholders. Although the IAD framework has not been applied to the OHS discipline, it was a useful framework for analysing complex policies that involve many stakeholders and that operate across multiple levels. In the changing world of work, the IAD framework’s consideration of external factors allows for such changes to be considered. A further contribution of the thesis is its detailed documentary analysis of the National OHS Strategy, particularly through archived documents. The international comparisons presented in this thesis not only provide Australia with potential lessons for future policy development but they also enhance the relevance of this research to other countries. The importance and relevance of this research is its contribution of new knowledge to an area of growing activity internationally. Furthermore, the outcomes of the research can be drawn upon to help inform better approaches to policy making, including future OHS strategies. Suggestions that have been raised in this thesis are reflected in OHS policy developments since this research was carried out. Safe Work Australia has addressed the need for public consultation in the development of the National OHS Strategy 2012-2022. Although the outcomes of this thesis did not help to inform Safe Work Australia’s decision to engage in consultation, the thesis is significant in having identified the need for public consultations.

The thesis shows that there is value in analysing OHS policies through a policy lens. The IAD framework has helped to draw out and discuss the many variables that affect OHS policy. The thesis identified the various external factors that had significant impacts on the National OHS Strategy. This analysis shows that the National OHS Strategy was introduced and operated at a time when there was regulatory and institutional fragmentation, which led to overlap and complexity. Too much fragmentation in the system created a complex environment within which the National OHS Strategy had to operate. While it is not possible to control all the factors that affect OHS, certain actions can be taken to try to anticipate and manage the externalities so they are less of an impediment to policy delivery. It would be
preferable that future OHS strategies be introduced during periods of greater stability. The research shows that, over time, attention has shifted away from the National OHS Strategy to other areas of priority. The loss of momentum suggests that a future OHS strategy may operate from a lower base. There is the question of whether the stakeholders will have confidence in the new strategy given the outcomes of the current one. Future strategies will require a cultural shift and greater commitment from the stakeholders. A future strategy should be put into a context that acknowledges that there is a changing world of work, and therefore better identify key issues and how they will be addressed. This process should transcend the collective level where OHS policy is decided by the social partners and should seek to involve to a greater extent actors at the operational level where OHS is put into practice.

**Conclusions**

This chapter provided a summary of the thesis and assessed the thesis’ contribution and significance relative to the strengths and limitations of the research design. The most significant findings from this thesis lie in uncovering ways that policy design and implementation can be improved through the IAD framework. Australia’s first national OHS strategy has been undermined by fragmentation and instability within the OHS field. Significant reductions in resources to the peak OHS body, coupled with the actors focusing on legislative developments and productivity, meant that the National OHS Strategy was marred by competing priorities. The research points to the importance of achieving stakeholder buy-in and acceptance of a policy in order to ensure that it remains a ‘live’ document and one that influences stakeholders toward desired outcomes. The research shows that the success of the National OHS Strategy in terms of its impact on employer capacity would be greater if there were greater recognition of businesses’ unmet OHS needs and requirements. The research supports arguments in the literature regarding the differences between small and large businesses. The significance of organisational size on employer capacity warrants a greater focus on tailoring OHS policy away from a one-size-fits-all approach. The importance of adopting approaches according to business size is recognised internationally, particularly in Denmark’s OHS strategy. The research also highlights that businesses have a number of motivators for improving OHS as well as avenues for gaining OHS information that are beyond the traditional approaches targeted by OHS regulatory agencies. The research highlights that in a changing world of work, an OHS policy that seeks to improve employer capacity needs to be an evolving document that is innovative and keeps up with changes in how companies do business. Future OHS strategies need to consider
broadening the pool of actors associated with a strategy and providing targets and goals that are meaningful and relevant to business needs.
## Details of Interviews

<table>
<thead>
<tr>
<th>Organisation</th>
<th>Place Interview/s Held</th>
<th>Date of Interview/s</th>
</tr>
</thead>
<tbody>
<tr>
<td>Safe Work Australia</td>
<td>Canberra</td>
<td>13 September 2010</td>
</tr>
<tr>
<td>WorkCover NSW</td>
<td>Sydney</td>
<td>14 October 2009</td>
</tr>
<tr>
<td>ACCI</td>
<td>Melbourne</td>
<td>24 September 2009</td>
</tr>
<tr>
<td>ACTU</td>
<td>Interview 1: Melbourne Interview 2: Telephone hook-up to Melbourne</td>
<td>25 September 2009&lt;br&gt;13 July 2010</td>
</tr>
<tr>
<td>Employer Association A</td>
<td>Sydney</td>
<td>9 April 2010</td>
</tr>
<tr>
<td>Employer Association B</td>
<td>Sydney</td>
<td>9 April 2010</td>
</tr>
<tr>
<td>Trade Union A</td>
<td>Interview 1: Sydney Interview 2: Melbourne</td>
<td>11 September 2009&lt;br&gt;23 September 2009</td>
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<tr>
<td>Trade Union B</td>
<td>Sydney</td>
<td>30 September 2009</td>
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<tr>
<td>Fundamental Foods Manufacturing</td>
<td>Sydney</td>
<td>12 July 2010</td>
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<td>Precision Printing Manufacturing</td>
<td>Sydney</td>
<td>26 July 2010&lt;br&gt;27 July 2010</td>
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<tr>
<td>Bexter Brewery Manufacturing</td>
<td>Sydney</td>
<td>2 August 2010</td>
</tr>
<tr>
<td>C&amp;G Consulting</td>
<td>Sydney</td>
<td>6 August 2010</td>
</tr>
</tbody>
</table>
References


Ministry of Social Affairs and Health (2006a) Occupational Safety and Health in Finland, Brochures of the Ministry of Social Affairs and Health 2006:16eng, Helsinki.


NOHSC, ACCI and Business South Australia (n.d) *OHS Employers Making A Difference – An Initiative to Support the National OHS Strategy*, The National Occupational Health and Safety Commission, the Australian Chamber of Commerce and Industry and Business South Australia.


Appendices

Appendix 1: Australia and New Zealand Industrial Classification - Division C: Manufacturing 278
Appendix 2: Areas for Action from the National OHS Strategy 280
Appendix 3: Manufacturing Industry Recommendations from the NSW Safety Summit 281
Appendix 4: NSW OHS Strategy Priority Issues and Goals 282
Appendix 6: Business and Operational Plans of Australia’s Peak OHS Agencies 285
Appendix 7: HWSA Campaigns for the Manufacturing Industry 287
Appendix 8: OHS Services Provided by Trade Unions 288
Appendix 9: OHS Services Provided by Employer Associations 290
Appendix 10: Summary of Key WorkCover NSW OHS Initiatives Prior to the Introduction of the National OHS Strategy 292
Appendix 11: Manufacturing Industry Reference Group Initiatives 294
Appendix 12: References to the National OHS Strategy in Key Inquiries and Reviews 295
Appendix 13: International Comparisons 297
Appendix 14: Details of International OHS Strategies 300
# Appendix 1: Australia and New Zealand Industrial Classification - Division C: Manufacturing

<table>
<thead>
<tr>
<th>Division C: Manufacturing</th>
<th>11 Food Product Manufacturing</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>111 Meat and Meat Product Manufacturing</td>
</tr>
<tr>
<td></td>
<td>112 Seafood Processing</td>
</tr>
<tr>
<td></td>
<td>113 Dairy Product Manufacturing</td>
</tr>
<tr>
<td></td>
<td>114 Fruit and Vegetable Processing</td>
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<tr>
<td></td>
<td>115 Oil and Fat Manufacturing</td>
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<tr>
<td></td>
<td>116 Grain Mill and Cereal Product Manufacturing</td>
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<tr>
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<td>117 Bakery Product Manufacturing</td>
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<tr>
<td></td>
<td>118 Sugar and Confectionery Manufacturing</td>
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<tr>
<td></td>
<td>119 Other Food Product Manufacturing</td>
</tr>
<tr>
<td></td>
<td>12 Beverage and Tobacco Product Manufacturing</td>
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<tr>
<td></td>
<td>121 Beverage Manufacturing</td>
</tr>
<tr>
<td></td>
<td>122 Cigarette and Tobacco Product Manufacturing</td>
</tr>
<tr>
<td></td>
<td>13 Textile, Leather, Clothing and Footwear Manufacturing</td>
</tr>
<tr>
<td></td>
<td>131 Textile Manufacturing</td>
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<tr>
<td></td>
<td>132 Leather Tanning, Fur Dressing and Leather Product Manufacturing</td>
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<tr>
<td></td>
<td>133 Textile Product Manufacturing</td>
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<tr>
<td></td>
<td>134 Knitted Product Manufacturing</td>
</tr>
<tr>
<td></td>
<td>135 Clothing and Footwear Manufacturing</td>
</tr>
<tr>
<td></td>
<td>14 Wood Product Manufacturing</td>
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<tr>
<td></td>
<td>141 Log Sawmilling and Timber Dressing</td>
</tr>
<tr>
<td></td>
<td>149 Other Wood Product Manufacturing</td>
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<tr>
<td></td>
<td>15 Pulp, Paper and Converted Paper Product Manufacturing</td>
</tr>
<tr>
<td></td>
<td>151 Pulp, Paper and Paperboard Manufacturing</td>
</tr>
<tr>
<td></td>
<td>152 Converted Paper Product Manufacturing</td>
</tr>
<tr>
<td></td>
<td>16 Printing (including the Reproduction of Recorded Media)</td>
</tr>
<tr>
<td></td>
<td>161 Printing and Printing Support Services</td>
</tr>
<tr>
<td></td>
<td>162 Reproduction of Recorded Media</td>
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<tr>
<td></td>
<td>17 Petroleum and Coal Product Manufacturing</td>
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<td></td>
<td>170 Petroleum and Coal Product Manufacturing</td>
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<tr>
<td></td>
<td>18 Basic Chemical and Chemical Product Manufacturing</td>
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<tr>
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<td>181 Basic Chemical Manufacturing</td>
</tr>
<tr>
<td></td>
<td>182 Basic Polymer Manufacturing</td>
</tr>
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<td></td>
<td>183 Fertiliser and Pesticide Manufacturing</td>
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<tr>
<td></td>
<td>184 Pharmaceutical and Medicinal Product Manufacturing</td>
</tr>
<tr>
<td></td>
<td>185 Cleaning Compound and Toiletry Preparation Manufacturing</td>
</tr>
<tr>
<td></td>
<td>189 Other Basic Chemical Product Manufacturing</td>
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<tr>
<td></td>
<td>19 Polymer Product and Rubber Product Manufacturing</td>
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<td>191 Polymer Product Manufacturing</td>
</tr>
<tr>
<td></td>
<td>192 Natural Rubber Product Manufacturing</td>
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<tr>
<td></td>
<td>20 Non-Metallic Mineral Product Manufacturing</td>
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<tr>
<td></td>
<td>201 Glass and Glass Product Manufacturing</td>
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<tr>
<td></td>
<td>202 Ceramic Product Manufacturing</td>
</tr>
<tr>
<td></td>
<td>203 Cement, Lime, Plaster and Concrete Product Manufacturing</td>
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<tr>
<td></td>
<td>209 Other Non-Metallic Mineral Product Manufacturing</td>
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<tr>
<td></td>
<td>21 Primary Metal and Metal Product Manufacturing</td>
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<tr>
<td></td>
<td>211 Basic Ferrous Metal Manufacturing</td>
</tr>
<tr>
<td>Code</td>
<td>Description</td>
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<td>212</td>
<td>Basic Ferrous Metal Product Manufacturing</td>
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<td>Basic Non-Ferrous Metal Manufacturing</td>
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<tr>
<td>214</td>
<td>Basic Non-Ferrous Metal Product Manufacturing</td>
</tr>
<tr>
<td><strong>22</strong></td>
<td>Fabricated Metal Product Manufacturing</td>
</tr>
<tr>
<td>221</td>
<td>Iron and Steel Forging</td>
</tr>
<tr>
<td>222</td>
<td>Structural Metal Product Manufacturing</td>
</tr>
<tr>
<td>223</td>
<td>Metal Container Manufacturing</td>
</tr>
<tr>
<td>224</td>
<td>Sheet Metal Product Manufacturing (except Metal Structural and Container Products)</td>
</tr>
<tr>
<td>229</td>
<td>Other Fabricated Metal Product Manufacturing</td>
</tr>
<tr>
<td><strong>23</strong></td>
<td>Transport Equipment Manufacturing</td>
</tr>
<tr>
<td>231</td>
<td>Motor Vehicle and Motor Vehicle Part Manufacturing</td>
</tr>
<tr>
<td>239</td>
<td>Other Transport Equipment Manufacturing</td>
</tr>
<tr>
<td><strong>24</strong></td>
<td>Machinery and Equipment Manufacturing</td>
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<tr>
<td>241</td>
<td>Professional and Scientific Equipment Manufacturing</td>
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<td>242</td>
<td>Computer and Electronic Equipment Manufacturing</td>
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<td>243</td>
<td>Electrical Equipment Manufacturing</td>
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<tr>
<td>244</td>
<td>Domestic Appliance Manufacturing</td>
</tr>
<tr>
<td>245</td>
<td>Pump, Compressor, Heating and Ventilation Equipment Manufacturing</td>
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<td>246</td>
<td>Specialised Machinery and Equipment Manufacturing</td>
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<td>249</td>
<td>Other Machinery and Equipment Manufacturing</td>
</tr>
<tr>
<td><strong>25</strong></td>
<td>Furniture and Other Manufacturing</td>
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<td>251</td>
<td>Furniture Manufacturing</td>
</tr>
<tr>
<td>259</td>
<td>Other Manufacturing</td>
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</tbody>
</table>

## Appendix 2: Areas for Action from the National OHS Strategy

<table>
<thead>
<tr>
<th>Areas for Action</th>
<th>Purpose and Action to be Taken</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Comprehensive OHS data collections</strong></td>
<td><strong>Purpose</strong>: highlight major sources of injury and disease; target prevention efforts; and identify benchmarks for assessing OHS performance.  &lt;br&gt; <strong>Actions</strong>:  &lt;ul&gt; • Extending data coverage  &lt;li&gt; Developing consistent definitions and measurement principles  &lt;li&gt; Extending systems to allow timely reporting and provision of information  &lt;/ul&gt;</td>
</tr>
<tr>
<td><strong>A coordinated research effort</strong></td>
<td><strong>Purpose</strong>: allocating research resources within Australia and ensuring the whole of Australia is able to draw on available expertise.  &lt;br&gt; <strong>Actions</strong>:  &lt;ul&gt; • Establishing research priorities, cooperative arrangements and networks  &lt;li&gt; Exploring partnerships between areas concerned with public and occupational health  &lt;li&gt; Improving communication with national and international OHS research bodies  &lt;/ul&gt;</td>
</tr>
<tr>
<td><strong>A nationally consistent regulatory framework</strong></td>
<td><strong>Purpose</strong>: regulatory requirements must remain relevant, effective, clear, practicable, and not unnecessarily prescriptive.  &lt;br&gt; <strong>Actions</strong>:  &lt;ul&gt; • Monitoring adoption of national standards  &lt;li&gt; Reviewing national standards and codes  &lt;li&gt; Developing new national standards where need is demonstrated  &lt;li&gt; Revoking superseded regulations  &lt;/ul&gt;</td>
</tr>
<tr>
<td><strong>Strategic enforcement</strong></td>
<td><strong>Purpose</strong>: equitable, practical, and consistent enforcement can be achieved by ensuring that actions required are proportionate to the risk and the consequences of non-compliance are clearly understood.  &lt;br&gt; <strong>Actions</strong>:  &lt;ul&gt; • Benchmarking and sharing of best practice approaches  &lt;li&gt; Developing strategic approaches based on proactive targeting, risk assessment and  &lt;li&gt; Innovative sanctions  &lt;li&gt; Publicising enforcement policies  &lt;/ul&gt;</td>
</tr>
<tr>
<td><strong>Effective incentives</strong></td>
<td><strong>Purpose</strong>: encourage workplaces to focus on prevention and reduce the significant costs of injury and disease.  &lt;br&gt; <strong>Actions</strong>:  &lt;ul&gt; • Examining the effectiveness of current premium setting incentives  &lt;li&gt; Investigate innovative non-financial incentives  &lt;/ul&gt;</td>
</tr>
<tr>
<td><strong>Compliance support</strong></td>
<td><strong>Purpose</strong>: the effectiveness of the regulatory framework depends on compliance. Regulatory authorities need to express their requirements clearly, simply and in plain language in a range of media. Communication with business, especially small business, needs to be improved.  &lt;br&gt; <strong>Actions</strong>:  &lt;ul&gt; • Developing hazard and industry specific guidance  &lt;li&gt; Supporting access to consistent compliance advice  &lt;li&gt; Developing OHS management systems guidance and auditing mechanisms  &lt;/ul&gt;</td>
</tr>
<tr>
<td><strong>Practical guidance</strong></td>
<td><strong>Purpose</strong>: to assist stakeholders in recognising the relevance of legal requirements to their operations and to support their application of risk management principles in their workplaces.  &lt;br&gt; <strong>Actions</strong>:  &lt;ul&gt; • Developing means for improved access to information and supporting development of guidance  &lt;li&gt; Facilitating sharing of guidance developed within specific industries and jurisdictions  &lt;/ul&gt;</td>
</tr>
<tr>
<td><strong>OHS awareness</strong></td>
<td><strong>Purpose</strong>: strengthening workplace commitment and motivation for higher standards of OHS performance. Assist the community to accept that work-related injuries are preventable and not just ‘part of the job’.  &lt;br&gt; <strong>Actions</strong>:  &lt;ul&gt; • Maximising gains from substantial investment in awareness campaign by sharing experience and learning  &lt;li&gt; Developing evaluation approaches suitable for measuring the impact of the winners and information initiatives  &lt;/ul&gt;</td>
</tr>
<tr>
<td><strong>OHS skills development</strong></td>
<td><strong>Purpose</strong>: ensure an ongoing capacity to meet current and emerging OHS issues. Skills need to be developed in the workplace and among all practitioners, inspectors, researchers, technical personnel and professionals that may impact directly or indirectly on workplace safety.  &lt;br&gt; <strong>Actions</strong>:  &lt;ul&gt; • Integrating health and safety into vocational, professional and inspector training arrangements  &lt;li&gt; Promoting integration of OHS competencies into management training, including for small business  &lt;li&gt; Encouraging development of suitable OHS training resources  &lt;li&gt; Research improved methods of OHS skills development  &lt;/ul&gt;</td>
</tr>
</tbody>
</table>

# Appendix 3: Manufacturing Industry Recommendations from the NSW Safety Summit

<table>
<thead>
<tr>
<th>Recommendation</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Workplace OHS Promotion: Better market and promote information packages and services designed for targeted Industry Sectors, including small business, and provide support and assistance such as continued funding to all stakeholders to implement these initiatives, including improved accessibility.</td>
</tr>
<tr>
<td>2</td>
<td>Government and Industry to examine mechanisms to improve opportunities for Industry to embrace the support and educative role of WorkCover.</td>
</tr>
<tr>
<td>3</td>
<td>Develop and distribute checklists on OHS responsibilities for workers in precarious employment, for example outworkers, labour hire and itinerant workers.</td>
</tr>
<tr>
<td>4</td>
<td>Design hazard fact sheets for high-risk sub sectors.</td>
</tr>
<tr>
<td>5</td>
<td>Joint Industry / Government campaign for outworkers, on manual handling and long term exposure to sound.</td>
</tr>
<tr>
<td>6</td>
<td>Review the adequacy of current legislative provisions, including incentives and controls, to ensure that parties who outsource or contract work in the course of the employer’s specific trade or business, such work does not result in the lowering of OHS standards in the Industry. The review should examine issues such as:</td>
</tr>
<tr>
<td></td>
<td>▪ the employer’s responsibility to know where the work is going, who is carrying it out and under what conditions.</td>
</tr>
<tr>
<td></td>
<td>▪ the effect that the form of the employment relationship may have upon the responsibility for the OHS of the workers and the OHS conditions under which the outsourced work is carried out. For example, labour hire, contractors, outworkers and itinerant workers.</td>
</tr>
<tr>
<td>7</td>
<td>Develop and implement a compliance strategy for designers, installers, suppliers and importers of plant in workplaces.</td>
</tr>
<tr>
<td>8</td>
<td>Clothing retailers should be required to know exactly where their clothing goods are produced and under what conditions.</td>
</tr>
<tr>
<td>9</td>
<td>Government and Industry develop strategies that assist small business, and workers in precarious employment (e.g. outworkers, labour hire, itinerant workers etc.), to have access to OHS training.</td>
</tr>
<tr>
<td>10</td>
<td>Government and Industry develop improved OHS supervisor training programs specific to sub sectors.</td>
</tr>
<tr>
<td>11</td>
<td>Develop and promote OHS education programs for school, TAFE, workplace learning programs and Industry competencies.</td>
</tr>
<tr>
<td>12</td>
<td>WorkCover and Industry should develop a range of initiatives that provide recognition and or incentives for employers to demonstrate a strong commitment to employee safety and have a proven performance level in OHS through the whole supply chain.</td>
</tr>
<tr>
<td>13</td>
<td>WorkCover and Industry should develop a range of initiatives that provides recognition and or incentives for Industry to demonstrate a strong commitment to employee safety and have a proven performance level in OHS throughout the whole supply chain.</td>
</tr>
<tr>
<td>14</td>
<td>WorkCover and Industry should develop a set of positive performance indicators that will enable recognition of OHS best practice and promote a culture of openness and positive reinforcement. This development should involve an analysis of the impact of economic or other incentives, which may artificially conceal the real incidence of workplace incidents. For example, bonus systems for employees.</td>
</tr>
<tr>
<td>15</td>
<td>Authority to implement OHS decisions. Develop guidance on the nature and scope of the employer representative’s authority to implement OHS decisions effectively.</td>
</tr>
<tr>
<td>16</td>
<td>Provide OHS representatives with the power to issue notices (there was not consensus on this recommendation).</td>
</tr>
<tr>
<td>17</td>
<td>Accountability for work-related fatalities:</td>
</tr>
<tr>
<td></td>
<td><strong>Alternative 1:</strong> Make corporations / directors accountable for OHS (Industrial Manslaughter) by the Government legislating to introduce the crime of industrial manslaughter that allows the courts to look at the conduct of a corporation and its officers as a whole rather than the current common law restriction. The legislation should also provide for a range of sentencing options including, but not limited to:</td>
</tr>
<tr>
<td></td>
<td>▪ fines;</td>
</tr>
<tr>
<td></td>
<td>▪ disqualifying offenders from holding positions of corporate responsibility, such as directorships, senior officership;</td>
</tr>
<tr>
<td></td>
<td>▪ payments of compensation to the victims dependants;</td>
</tr>
<tr>
<td></td>
<td>▪ disqualifying offenders from holding Government contracts;</td>
</tr>
<tr>
<td></td>
<td>▪ terms of imprisonment;</td>
</tr>
<tr>
<td></td>
<td>▪ or any combination of these such as fines and imprisonment.</td>
</tr>
<tr>
<td></td>
<td><strong>Alternative 2:</strong> Approach the Attorney General regarding the making of a sentencing guideline where an incident has resulted in a workplace fatality. In addition, further ensure the judiciary is aware of the full range of options in the case of workplace fatality, that is, the applicability of the Crimes Act in appropriate circumstances. Dedicated resources inside WorkCover to thoroughly investigate all possible legal avenues for seeking redress in cases of workplace fatality, including use of the Crimes Act and working with the Police on cases where a Crimes Act prosecution appears to be appropriate.</td>
</tr>
</tbody>
</table>

## Appendix 4: NSW OHS Strategy Priority Issues and Goals

### Priority Issue: Manual Handling

<table>
<thead>
<tr>
<th>Goals</th>
<th>Steps to achieve the goal</th>
<th>How do we measure the achievement of these steps?</th>
</tr>
</thead>
<tbody>
<tr>
<td>40 per cent incidence reduction by 2012</td>
<td>Establish working party to determine best practice in managing manual handling risks</td>
<td>• Increased understanding of manual handling risks pre and post implementation of strategies</td>
</tr>
<tr>
<td></td>
<td>Assist industry understanding of manual handling risks</td>
<td>• Risk management principles are applied (assessment and control)</td>
</tr>
<tr>
<td></td>
<td>Sharing of manual handling controls and information</td>
<td>• Knowledge of current national standard in manual handling (pre and post implementation of other activity)</td>
</tr>
<tr>
<td></td>
<td>Improve industry capacity to conduct effective risk assessments</td>
<td>• Information sharing mechanisms established</td>
</tr>
<tr>
<td></td>
<td>Targeted interventions and incentives</td>
<td>• Effective risk assessments conducted</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Number of targeted interventions conducted</td>
</tr>
</tbody>
</table>

### Priority Issue: Noise Reduction

<table>
<thead>
<tr>
<th>Goals</th>
<th>Steps to achieve the goal</th>
<th>How do we measure the achievement of these steps?</th>
</tr>
</thead>
<tbody>
<tr>
<td>40 per cent incidence reduction by 2012</td>
<td>Sharing solutions- awareness of, and commitment to noise controls</td>
<td>• Literature search conducted and made available</td>
</tr>
<tr>
<td></td>
<td>Effective risk management/self-assessment of noise (control risk at source)</td>
<td>• Self-assessment tools are available</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Number of self-assessments conducted</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Targeted by numbers</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Generated by industry</td>
</tr>
</tbody>
</table>

### Priority Issue: Safety Culture

<table>
<thead>
<tr>
<th>Goals</th>
<th>Steps to achieve the goal</th>
<th>How do we measure the achievement of these steps?</th>
</tr>
</thead>
<tbody>
<tr>
<td>40 per cent incidence and 20 per cent fatalities reduction by 2012</td>
<td>Influence safety culture within organisations</td>
<td>• Improved safety culture is observed by industry partners (awareness, skills, commitment)</td>
</tr>
<tr>
<td></td>
<td>Improve communication skills of OHS committees</td>
<td></td>
</tr>
</tbody>
</table>

### Priority Issue: Safe Design

<table>
<thead>
<tr>
<th>Goals</th>
<th>Steps to achieve the goal</th>
<th>How do we measure the achievement of these steps?</th>
</tr>
</thead>
<tbody>
<tr>
<td>40 per cent incidence reduction by 2012</td>
<td>The issue of safe design be raised at a national level</td>
<td>• National response and action to safe design issues</td>
</tr>
<tr>
<td></td>
<td>Risk management principles apply to plant procurement and guidelines – self-assessment checklists</td>
<td>• Simple checking systems to identify risks developed</td>
</tr>
</tbody>
</table>

### Priority Issue: Chemical and Substance (Air Quality) Exposure

<table>
<thead>
<tr>
<th>Goals</th>
<th>Steps to achieve the goal</th>
<th>How do we measure the achievement of these steps?</th>
</tr>
</thead>
<tbody>
<tr>
<td>40 per cent incidence and 20 per cent fatalities reduction by 2012</td>
<td>Improve industry knowledge of safer substitutes</td>
<td>• Easy access to chemical substitutes advice</td>
</tr>
<tr>
<td></td>
<td>Increase industry understanding of risks and controls (preventing exposure at the source)</td>
<td>• Number of chemicals substituted</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Number of risk assessments conducted and controls implemented</td>
</tr>
</tbody>
</table>

### Priority Issue: Transient Workers

<table>
<thead>
<tr>
<th>Goals</th>
<th>Steps to achieve the goal</th>
<th>How do we measure the achievement of these steps?</th>
</tr>
</thead>
<tbody>
<tr>
<td>40 per cent incidence reduction by 2012</td>
<td>Provide basic knowledge and understanding of OHS</td>
<td>• Training developed and implemented</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Number of training sessions conducted</td>
</tr>
<tr>
<td></td>
<td></td>
<td>• Evaluate that information provided is understood and applied</td>
</tr>
<tr>
<td></td>
<td>Provide site induction</td>
<td>• Evidence site induction is conducted:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Induction policy</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Induction conducted</td>
</tr>
</tbody>
</table>

### Priority Issue: Outworkers

<table>
<thead>
<tr>
<th>Goals</th>
<th>Steps to achieve the goal</th>
<th>How do we measure the achievement of these steps?</th>
</tr>
</thead>
<tbody>
<tr>
<td>40 per cent incidence reduction by 2012</td>
<td>Amend OHS Act 2000 (Section 8.2 and Section 9) to remove ‘employer workplace’ restrictions regarding outworkers.</td>
<td>• OHS legislation covers health and safety of outworkers.</td>
</tr>
</tbody>
</table>


In October 2002, the NOHSC endorsed five national priority action plans for 2002-2005 under the National OHS Strategy. National Action Plans were also endorsed for three areas requiring national action under the National OHS Strategy (i) skills development (ii) data (iii) research. These plans were further endorsed in November 2002 by the WRMC.

<table>
<thead>
<tr>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Priority:</strong> Helping business operators to develop and understand the case for better OHS management, including how it contributes to improved business outcomes. Capacities range from the ability to choose, implement, evaluate, and adapt systematic management approaches to OHS through to being able to participate in consultation on OHS matters.</td>
</tr>
<tr>
<td><strong>Rationale:</strong> The national priority recognises that employers must be motivated to take action to manage OHS. In part, this will involve helping business operators to develop and understand the case for better OHS management, including how it contributes to improved business outcomes. An aim of the national priority is to build the motivation and ability of employers to manage OHS risks effectively.</td>
</tr>
</tbody>
</table>

To be achieved through the implementation of components of various NOHSC national action plans covering OHS Skills Development, OHS Data, and OHS Research, as well as activities undertaken by NOHSC member organisations and others to produce:

- Greater understanding of the case for applying OHS management tools including how it contributes to improved business outcomes
- Practical guidance that is widely available to assist workplace parties to measure and evaluate the effectiveness of their prevention efforts

<table>
<thead>
<tr>
<th>Key Focus</th>
<th>Major Areas of Action</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Development of skills</strong></td>
<td>i. National OHS Skills Development Action Plan</td>
</tr>
<tr>
<td>Increased knowledge, understanding and skill is needed across a range of OHS stakeholders, workplace participants and the wider community to identify, assess and control hazards, and manage safety in a fast-changing environment</td>
<td>The action plan focuses on:</td>
</tr>
<tr>
<td></td>
<td>• integrating health and safety into vocational, professional and inspectorate training arrangements</td>
</tr>
<tr>
<td></td>
<td>• OHS issues in new apprenticeships and school-to-work transition programs</td>
</tr>
<tr>
<td></td>
<td>• Promoting integration of OHS competencies into management training, including small business</td>
</tr>
<tr>
<td></td>
<td>• Encouraging development of suitable OHS training resources;</td>
</tr>
<tr>
<td></td>
<td>• Researching methods to improve OHS skills development</td>
</tr>
<tr>
<td></td>
<td>ii. Integration of OHS into national training packages, management and specialist education and school education</td>
</tr>
<tr>
<td></td>
<td>iii. Support for national OHS standards</td>
</tr>
<tr>
<td></td>
<td>iv. Skill enhancement for OHS representatives and employer and employee representatives on OHS committees</td>
</tr>
</tbody>
</table>

| Adoption of systematic management approaches | i. National OHS Data Action Plan  |
| The successful use of systematic approaches to identify and control risk has resulted in the continued ability to safely undertake activities that might otherwise be seen as high risk. Methods are required that can easily demonstrate the benefits of a systematic approach to OHS. With supporting evidence and practical tools, enterprises are likely to set and achieve targets beyond legislative compliance | Goal: maximise the use and usefulness of data to inform decision-making by governments, industry sectors, enterprises, and in workplaces leading to improved OHS outcomes. To be achieved by: (i) identifying occupational risks with the potential to cause death and disability (ii) making projections of those risks to establish priorities for prevention (iii) provide the basis to support the implementation of control measures and monitor their effectiveness (iv)compare performances to identify opportunities to control risks more effectively. Specific outcomes are:  |
| | • Performance measurement including cross-industry PPIs  |
| | • Comparative performance monitoring and benchmarking  |
| | • Extended data collection and consistency  |
| | • Guidance on OHS in annual reporting  |
| | ii. Facilitate systematic management approaches to OHS  |

| Provide motivators/incentives for business operators | National OHS Awards would assist in information exchange and networking, and socially responsible investment (SRI) drivers will become a major influencing factor in the decision making of CEOs and company directors:  |
| NOHSC programs identified regulation as the most powerful motivator for management, followed by the business case (safety pays), and corporate image. | i. Evaluation of premium discount schemes (NSW to lead)  |
| | ii. Evaluate OHS innovations awards programs (ACT to lead)  |
Information products and systems

There is strong jurisdictional support for exchange of ideas and information on successful interventions to make more economical use of resources on a national basis. National coordination is needed to facilitate information exchange and identification of strengths and opportunities.

Increasing access to and affordability of information technology will prove a key process for the delivery of information to improve the capability to manage OHS issues.

Outcomes

Principal outcome: improve workplace health and safety and reduce injuries and fatalities.

Specific outcomes include:

- OHS competencies are more widely integrated into management, vocational, professional, worker and inspectorate training
- Systematic approaches to prevention are evaluated to identify those that will best build the capacity for workplaces to manage OHS effectively
- OHS systems are evaluated to identify those most appropriate for implementation by enterprises of varying size and type
- Systematic OHS management guidance and training products are available and targeted to meet the needs of stakeholders, including those in small and medium-sized enterprises
- Improved reporting and accountability for OHS

Reporting

- Through NOHSC, stakeholders and contributors will report on the activities they have carried out under this action plan.
- Reports on progress will be considered three times a year.
- An annual progress report against the National Priority Action Plans will be provided to the Workplace Relations Ministers’ Council. This report will include progress achieved regarding the national targets.
- Each National Priority Action Plan will be periodically evaluated to assess its ongoing relevance and effectiveness.

Appendix 6: Business and Operational Plans of Australia's Peak OHS Agency

The following table is a summary of the key actions taken from the business plans and operational plans of the NOHSC, the ASCC and Safe Work Australia. The actions relate specifically to the priority of improving employer capacity to manage OHS. Both the NOHSC and the ASCC produced annual business plans, which were organised according to the five priority areas of the National OHS Strategy. The replacement of the ASCC with Safe Work Australia brought a change in reporting. Business plans were replaced with operational plans, which did not follow the reporting structure that had been utilised, by the NOHSC and ASCC. Safe Work Australia based their operational plans on new objectives with the National OHS Strategy priorities aligned to these objectives using what appears to be a best-fit approach.

<table>
<thead>
<tr>
<th>Name of Business Plan</th>
<th>Key activities and actions aligned to the priority area of improving employer capacity to manage OHS</th>
</tr>
</thead>
</table>
- Guidance on Positive Performance Indicators for priority industries |
- Guidance on Positive Performance Indicators for priority issues  
- Examine and disseminate information about best practice approaches to the prevention of work-related stress in a priority industry in the public sector (Health and Community Services) |
| ASCC Business Plan, 2006-2007 | - Develop strategies to improve the timely and consistent national adoption of national OHS standards and codes in consultation with WRMC  
- Review OHS legislation to identify priority areas in principal OHS Acts in each State and Territory that should be harmonised and provide recommendations on the areas of priority  
- Implement health and safety awareness for schools through the vocational education and training, tertiary and professional development sectors  
- Provide a mechanism for businesses to commit to the National OHS Strategy's vision and targets and monitor the performance of committed businesses through the Business Commit Program  
- Provide accurate, comprehensive and timely national OHS data, including comparative performance monitoring and the overall measurement of OHS performance in Australia  
- Undertake surveillance and report emerging and identified OHS and worker's compensation issues  
- Disseminate information on best practice in workplace health and safety and workers’ compensation arrangements |
| ASCC Business Plan, 2007-2008 | - Further develop the OHS Standards Framework, including:  
  - Finalise a core document containing the key principals found in OHS Acts to be used as the common framework for developing and reviewing national standards  
  - Develop a rationale for new standards, codes and guidance material and a process for prioritising and translating existing standards and codes into the Standards Framework  
  - Review OHS legislation to identify priority areas in principal OHS Acts in each State and Territory that should be harmonised and provide recommendations on the areas of priority  
- Promote OHS in vocational education and training including school to work transition areas  
- Provide accurate, comprehensive and timely national OHS data, including comparative performance monitoring and the overall measurement of OHS performance in Australia  
- Undertake surveillance of and report on emerging and existing OHS and workers’ compensation priority issues  
- Conduct a periodic stock take of research undertaken on priority emerging issues including stress, violence, bullying and fatigue |
| ASCC Business Plan, 2008-09 | - Provide accurate, comprehensive and timely national OHS data, including comparative performance monitoring and the overall measurement of OHS performance in Australia  
- Surveillance and reporting of emerging and existing nationally significant OHS and workers’ compensation issues  
- Promote OHS in vocational education and training |
<table>
<thead>
<tr>
<th><strong>Safe Work Australia Operational Plan, 2008-09</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Safe Work Australia ceased basing objectives according to the five priority areas of the National OHS Strategy (this approach had been previously adopted by the NOHSC and ASCC). In their 2008-2009 operational plan, Safe Work Australia identified three objectives and allocated the National OHS Strategy priorities, where appropriate, against these three objectives:</td>
</tr>
<tr>
<td>Underpinning these objectives are key areas for action and activities to drive these actions. The priority of improving employer capacity to manage OHS (National Priority 2) was aligned to a few activities under Objective 2: (achieve significant and continual reductions in the incidence of death, injury and disease in the workplace):</td>
</tr>
<tr>
<td>- Provide accurate, comprehensive and timely national OHS data, including comparative performance monitoring and the overall measurement of OHS performance in Australia</td>
</tr>
<tr>
<td>- Commence work on arrangements for the maintenance of the Australian Mesothelioma Register from 2009-2010 onwards</td>
</tr>
<tr>
<td>- Surveillance and reporting of emerging and existing nationally significant OHS and workers’ compensation issues</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Safe Work Australia Operational Plan, 2009-10</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Like the 2008-2009 operational plan, the same three objectives remained. The priority of improving employer capacity was aligned to a number of activities under Objective 1 and 2:</td>
</tr>
<tr>
<td>- Analyse current national and jurisdictional OHS codes of practice and identify issues for development of national model codes of practice to support the development of the model OHS regulations</td>
</tr>
<tr>
<td>- Commence the development of a compliance and enforcement policy to ensure nationally consistent regulatory approaches across all jurisdictions</td>
</tr>
<tr>
<td>- Develop a data plan by October 2009, which will inform the decision making of Safe Work Australia on the collection, analysis and publication of data for the coming year</td>
</tr>
<tr>
<td>- Provide accurate, comprehensive and timely national OHS data, including comparative performance monitoring and the overall measurement of OHS performance in Australia as per the agreed data plan</td>
</tr>
<tr>
<td>- Disseminate data reports, including publication on the Safe Work Australia website</td>
</tr>
<tr>
<td>- Establish arrangements to maintain the Australian Mesothelioma Register</td>
</tr>
<tr>
<td>- Disseminate research reports, including publication on the Safe Work Australia website</td>
</tr>
<tr>
<td>- Develop and publish comparison documents relating to OHS and workers’ compensation</td>
</tr>
<tr>
<td>- Surveillance and reporting of emerging and existing nationally significant OHS and workers’ compensation issues</td>
</tr>
<tr>
<td>- Promote and participate in Safe Work Australia Week and the Safe Work Australia Awards</td>
</tr>
<tr>
<td>- Proactively implement and evaluate the Safe Work Australia external communications strategy to raise awareness of the organisation, key functions and priorities</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Safe Work Australia Operational Plan, 2010-11</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>The 2010-2011 Operational Plan was focused around five key strategic outcomes. Alignment specifically to the priority area of improving employer capacity was focused on Strategic Outcome 4 - National work health and safety and workers’ compensation policy is developed informed by knowledge and evidence, understanding and prioritisation of emerging and existing issues. Activities under this objective were:</td>
</tr>
<tr>
<td>- Explore opportunities to work with industry and union stakeholders to develop programs aimed at improving work health and safety literacy and skills among workers</td>
</tr>
<tr>
<td>- Identify and promote safety obligations in the supply chain</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Safe Work Australia Operational Plan, 2011-2012</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>The 2011-2012 Operational Plan did not align activities to the priority areas under the National OHS Strategy</td>
</tr>
</tbody>
</table>

## Appendix 7: HWSA Campaigns for the Manufacturing Industry

<table>
<thead>
<tr>
<th>Campaign</th>
<th>Purpose</th>
<th>Campaign leaders</th>
</tr>
</thead>
</table>
| Labour Hire in Food Manufacturing Compliance Project | Primary purpose of project:  
- Implement a national model for jurisdictional application of OHS obligations / duties in labour hire arrangements  
- Measure compliance in a small sample of targeted high risk host employer / labour hire agencies across the food manufacturing industry to establish baseline compliance data  
As part of the project, guidance material and checklists were developed, stakeholder consultation and education was undertaken, and workplace visits took place followed by an evaluation and collation of data. | Victoria led the campaign and Western Australia supported it. All other States except the Australian Capital Territory, the Northern Territory, Comcare and New Zealand participated in the campaign. |
| Manual Handling - Manufacturing | Primary purpose of project:  
- Improve the capability of employers within targeted manufacturing sectors to effectively manage manual handling risks in consultation with employees  
Project documents specifically state that the project relates to National Priority 1 (reducing the high incidence/severity of risks) and 3 (prevent occupational disease more effectively) | Led by South Australia with NSW as the supporting agency. All States except the Northern Territory participated and New Zealand subsequently pulled out from the campaign. |
| Hazardous Substances in Manufacturing Industry - Fibre-Composite Boat Building Sector | Primary purpose of project:  
- Determine the level of compliance in the industry with existing hazardous substances legislation.  
- Further develop, implement and evaluate a national campaign model for hazardous substances which is capable of being adapted to suit other small medium enterprises in the manufacturing industry.  
Campaign activities involved:  
- Development of a self-assessment audit tool  
- Development of a media release for distribution in each jurisdiction  
- Selection of fibre-composite boat building workplaces for auditing  
- Mail out of the self-assessment tool  
- Field visits/phone calls to boat building workplaces  
- Inspector training and fieldwork | Led by Queensland. All States except the Northern Territory and the Australian Capital Territory participated. |
| Guarding of Machinery in Manufacturing | Prevent injuries in the targeted manufacturing sub-sectors due to inadequate machine guarding by:  
- Improving the rate of installation and maintenance of adequate guarding on machines  
- Building the capacity of businesses in the targeted sectors to systematically identify hazards and manage the high risks associated with operating machinery  
- Providing businesses with nationally consistent and practical guidance on machine guarding  
- Improving jurisdictional understanding of the barriers and enablers to the effective management of risks associated with guarded machinery  
Campaign to target high-risk sub-sectors within the manufacturing industry that make extensive use of machinery.  
This Campaign was focused on the guarding of machinery in the manufacturing industry particularly as it relates to improving the capacity of business operators and workers to manage OHS effectively and strengthen the capacity of government to influence OHS outcomes. | Led by NSW. All jurisdictions participated in the campaign except for the Northern Territory and New Zealand. |

Developed from Lowing and van IJzendoorn (2007); HWSA (2007, 2008); Menon (2009).
## Appendix 8: OHS Services Provided by Trade Unions

<table>
<thead>
<tr>
<th>Provision of information on OHS issues</th>
<th>AMWU: provide a suite of information on:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>- OHS hazards including: bullying, cancer, chemicals, manual handling, shift work, drugs and alcohol and asbestos. Information is freely available on the AMWU website.</td>
</tr>
<tr>
<td></td>
<td>- The new OHS laws for 2012 and helping injured workers return to work.</td>
</tr>
<tr>
<td></td>
<td>In 2007, the AMWU published a health and safety delegate’s handbook.</td>
</tr>
<tr>
<td>NUW: provide resources and information on issues such as heat, impairment and shift work. Information is freely available on the NUW website.</td>
<td></td>
</tr>
<tr>
<td>AWU: significant focus on asbestos; produce a quarterly magazine which cover a range of workplace issues</td>
<td></td>
</tr>
<tr>
<td>TCFU: provide a general overview on OHS including statements that each State has its own OHS Act, acknowledgement that workers have a right to be consulted on OHS, the introduction of new national model legislation</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Website facilities</th>
<th>Unions NSW: <em>UnionSafe</em></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Website designed to provide information for safety representatives (information on workplace rights, risks and campaigns), officials (regulation, industry codes, major test cases), educators (training materials).</td>
</tr>
<tr>
<td></td>
<td>The website also has factsheets of hazards, discussion group sections and a facility for union representatives to have their queries updated on line.</td>
</tr>
<tr>
<td></td>
<td>The website is a Labour Council of NSW initiative funded by WorkCover NSW. Most of the content has not been updated since 2005.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Training Programs</th>
<th>ACTU: offers accredited training and education to members and officials of affiliated unions in OHS. The ACTU is a registered training organisation.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>NUW: provide OHS training in QLD and VIC. Have a health and safety representative support program that is funded by WorkSafe Victoria.</td>
</tr>
<tr>
<td></td>
<td>Other Unions: provide OHS training through external providers.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Training Tools and Research</th>
<th>Unions NSW (2002): through the WorkCover Legislative Assist Funding Program, developed a number of training modules on OHS for unions to adapt to their specific industry. The modules were:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>- Easy guide to the OHS Act 2000</td>
</tr>
<tr>
<td></td>
<td>- Easy Guide to the OHS Regulation 2001</td>
</tr>
<tr>
<td></td>
<td>- Risk Management</td>
</tr>
<tr>
<td></td>
<td>- Consultation</td>
</tr>
<tr>
<td></td>
<td>- Powers of authorised representatives of unions and associations</td>
</tr>
<tr>
<td>Unions NSW: through the WorkCover Legislative Assist Funding Program, produced:</td>
<td></td>
</tr>
<tr>
<td></td>
<td>- A practical workshop on risk management, centred on the video <em>Staying Safe at Work</em></td>
</tr>
<tr>
<td></td>
<td>- <em>All You Need to Know, UnionSafe A to Z Guide on OHS and Workers’ Compensation</em></td>
</tr>
<tr>
<td></td>
<td>- <em>All You Need to Know, UnionSafe A to Z fact sheets for the UnionSafe website</em></td>
</tr>
<tr>
<td></td>
<td>- <em>Charter of Rights for Elected OHS Representatives</em></td>
</tr>
<tr>
<td>Unions NSW (2001 and 2002): <em>YouthSafe Resource Kits for high schools and TAFE Colleges</em></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Unions NSW worked with the NSW Teachers Federation and the Independent Education Union in the development of the kits and associated materials. The Kit comprises classroom activity based lessons and relevant material for students such as, information cards, stickers and leaflets, which also provide information about unions (2001)</td>
</tr>
<tr>
<td>Unions NSW (2003): <em>YouthSafe Project</em></td>
<td></td>
</tr>
<tr>
<td></td>
<td>TAFE NSW Sydney Institute development of and supply of a computer based training resource for OHS for young people entering employment (new starters) and young people seeking to enter the labour market. The package was to be made available to: employers, schools, registered training organisations, job network agencies, group training organisations, community groups and other stakeholders.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>ACTU: OHS and Workers’ Compensation Conference, June 2010</td>
<td></td>
</tr>
</tbody>
</table>

<p>| Committees | Unions NSW: OHS and Workers’ Compensation Committee |</p>
<table>
<thead>
<tr>
<th>Policies (The ACTU 2006 Congress is not featured as it did not reference the National OHS Strategy)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ACTU 2000 Congress</strong></td>
</tr>
<tr>
<td>Enhanced Union involvement in health and safety</td>
</tr>
<tr>
<td>Legislation, Awards and Enterprise Agreements</td>
</tr>
<tr>
<td><strong>National OHS improvement Framework</strong></td>
</tr>
<tr>
<td>Nationally Uniform OHS Standards</td>
</tr>
<tr>
<td>Inspection and Enforcement of OHS Legislation</td>
</tr>
<tr>
<td>Rehabilitation and Compensation</td>
</tr>
<tr>
<td>Information/Education/Training</td>
</tr>
<tr>
<td>OHS Research</td>
</tr>
<tr>
<td>OHS Data and Analysis</td>
</tr>
<tr>
<td>International OHS Activities</td>
</tr>
<tr>
<td>Duties of Employers</td>
</tr>
<tr>
<td>OHS Management Systems</td>
</tr>
<tr>
<td>Priority OHS Issues (Stress, work-related violence and bullying, ohs and labour market changes; working hours; chemicals at work; electromagnetic radiation; smoke free workplaces; Impairment at work; offshore safety oil and hydro carbon industry)</td>
</tr>
<tr>
<td><strong>ACTU 2003 Congress</strong></td>
</tr>
<tr>
<td>ACTU Program 2003-2006</td>
</tr>
<tr>
<td>Union involvement in health and safety at the national, state, territory and local levels</td>
</tr>
<tr>
<td>Legislation, Awards and Enterprise Agreements</td>
</tr>
<tr>
<td><strong>National OHS Strategy</strong></td>
</tr>
<tr>
<td>Health and Safety Legislation, Standards, Awards and Codes of Practice</td>
</tr>
<tr>
<td>Inspection and Enforcement of OHS Legislation</td>
</tr>
<tr>
<td>Education and Training</td>
</tr>
<tr>
<td>OHS Research</td>
</tr>
<tr>
<td>OHS Data and Analysis</td>
</tr>
<tr>
<td>International health and safety activities</td>
</tr>
<tr>
<td>Compensation and Rehabilitation</td>
</tr>
<tr>
<td>Priority Health and Safety Issues (stress, work related violence and bullying; labour market changes; dangerous working hours; manual handling; chemicals at work; asbestos; electromagnetic radiation; impairment; major hazard facilities; potential threats of terrorism)</td>
</tr>
<tr>
<td><strong>ACTU 2009 Congress</strong></td>
</tr>
<tr>
<td>Priority Issues included:</td>
</tr>
<tr>
<td>- Highest standards in national consistent OHS laws</td>
</tr>
<tr>
<td>- Reduction in toxic substances</td>
</tr>
<tr>
<td>- Protections against nano materials</td>
</tr>
<tr>
<td>- Protections against biological hazards</td>
</tr>
<tr>
<td>- Protection from psychological hazards</td>
</tr>
<tr>
<td>Working with government and OHS bodies (including action under the National OHS Strategy including:</td>
</tr>
<tr>
<td>- the establishment of an online database covering all work-related injury, disease and death</td>
</tr>
<tr>
<td>- comprehensive data collection, compliance, education, research, enforcement, OHS skills development, national standards, incentives and practical guidance)</td>
</tr>
</tbody>
</table>

Developed from AMWU (2012); National Union of Workers (2012); AWU (2012); TCFUA (2012); Unions NSW (2007-2010); Unions NSW (2012); Labor Council of NSW (2000 - 2007); ACTU (2000); ACTU (2003b); ACTU (2009).
Appendix 9: OHS Services Provided by Employer Associations

<table>
<thead>
<tr>
<th>Provision of information on OHS issues</th>
</tr>
</thead>
</table>
| **ACCI:** Small Business Safety Solutions  
OHS guidance material for small businesses explaining how to make workplaces safer. First published in 1996, with over 100,000 copies distributed by ACCI members by 2004 |
| **AIG:** Bizassist Manual reference guide  
Provides information on: OHS legislation and guidance documents; Legislative requirements; Compliance and enforcement. A range of other publications can be purchased from the AIG online shop. |
| **Australian Federation of Employers and Industries:** Members only content on (i) Guide to Work Health and Safety; (ii) Workplace Health and Safety Issues Explained; (iii) FAQ; (iv) Templates (v) Workplace Health and Safety Cases. |
| **NSW Business Chamber:** Free Tools  
- Navigating Workers’ Compensation: online guide with information on dealing with workers’ compensation claims  
- Manual Handling Resources Kit: online training resources for managing manual handling issues  
- The Employer Safety Handbook: handbook to help manage the health and safety of apprentices and trainees. It provides information on (i) workplace health and safety law and its requirements (ii) safety for apprentices and trainees in the workplace (iii) additional resources and sources of information  
- The Manual Handling Toolbox: collection of online tools to help conduct short information sessions for staff to help identify and manage manual handling risks in the workplace  
- Employee Safety Pocketbook: resource designed to help apprentices and trainees with the identification, assessment, elimination and management of OHS risks in the workplace. |
| **NSW Business Chamber:** Member only tools  
- WorkplaceOHS: website service providing OHS professionals with the latest news, tools and guidance.  
- OHS Advance: assists with building and maintaining an OHS system  
- WorkplaceInfo: workplace information resource providing news updates, analysis, tools and resources. |

<table>
<thead>
<tr>
<th>Training Programs</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>AIG:</strong> Provide a range of training courses including: Safety for Managers and supervisors, introduction to return to work coordination (price of courses start from $500). Members receive discounts.</td>
</tr>
<tr>
<td><strong>NSW Business Chamber:</strong> members receive special discounted rates. Training courses provided through the National Safety Council of Australia Ltd.</td>
</tr>
</tbody>
</table>
| **Australian Federation of Employers and Industries:** Courses in:  
- OHS Risk Management  
- Fundamentals of workplace health and safety  
- OHS consultation for workplace committee members and OHS representatives  
- OHS committee refresher training  
- OHS workplace committee chairperson course  
- Manual handling awareness  
- Introduction to return to work coordination  
- Managing OHS systems  
- Investigating safety incidents in the workplace  
- Managing plant hazards  
- Understanding ergonomics and safe design  
- Understanding workplace health and hygiene  
- Develop and implement OHS crisis management processes  
- Conducting an audit of workplace health and safety  
- Writing safe work method statements |

<table>
<thead>
<tr>
<th>Programs</th>
</tr>
</thead>
</table>
| **PACIA:** Plascare  
A voluntary program for Australian plastic companies that was developed in conjunction with State WorkCover Authorities and insurers  
The program is designed to identify and manage all plastics manufacturing hazards, thereby protecting health and safety and reducing incidents of all types  
Plascare provides and promotes the necessary codes of practice, audits, skills training, and networking which allow companies to develop safe working cultures |
| **PACIA:** Responsible Care  
An initiative of the international chemical industry to improve the health, safety and environmental performance of its operations and to increase community involvement and awareness of the industry  
In Australia, member companies manufacturing, importing, and distributing chemicals are expected to support the performance measurement, verification, and reporting initiatives of the program. |
<table>
<thead>
<tr>
<th>Consultancy Services</th>
<th>AiG: Offer consultancy services in the following areas:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• Occupational Health &amp; Safety Management System (OHSMS) Development</td>
</tr>
<tr>
<td></td>
<td>• Occupational Health &amp; Safety Management System (OHSMS) Gap Analysis (AS4801, SafetyMAP &amp; Comcare)</td>
</tr>
<tr>
<td></td>
<td>• Strategic health and safety mentoring workshops</td>
</tr>
<tr>
<td></td>
<td>• Strategic OHS planning</td>
</tr>
<tr>
<td></td>
<td>• OHS culture climate surveys</td>
</tr>
<tr>
<td></td>
<td>• OHS compliance audits</td>
</tr>
<tr>
<td></td>
<td>• Workplace hazard identification</td>
</tr>
<tr>
<td></td>
<td>• Occupational hygiene</td>
</tr>
<tr>
<td></td>
<td>• Incident investigation and management</td>
</tr>
<tr>
<td></td>
<td>• Advice and management of improvement and prohibition notices</td>
</tr>
<tr>
<td></td>
<td>NSW Business Chamber: Offer consultancy services in the following areas:</td>
</tr>
<tr>
<td></td>
<td>• OHS management systems</td>
</tr>
<tr>
<td></td>
<td>• Safety and rehabilitation</td>
</tr>
<tr>
<td></td>
<td>• Workplace audits and inspections</td>
</tr>
<tr>
<td></td>
<td>• Manual handling and ergonomics</td>
</tr>
<tr>
<td></td>
<td>Also provides advice to members on performance improvement support on workers’ compensation and OHS.</td>
</tr>
<tr>
<td></td>
<td>Australian Federation of Employers and Industries:</td>
</tr>
<tr>
<td></td>
<td>• OHS consultancy services</td>
</tr>
<tr>
<td></td>
<td>• Drafting safety policies and procedures</td>
</tr>
<tr>
<td></td>
<td>• Conducting safety audits of your workplace</td>
</tr>
<tr>
<td></td>
<td>• Step-by-step instruction on consulting with employees and other duty holders</td>
</tr>
<tr>
<td></td>
<td>• Advice and inspection of your workplace to deal in detail with OHS issues</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Working Parties, Committees and Reference Groups</th>
<th>ACCI OHS Working Party:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• Meets three times a year</td>
</tr>
<tr>
<td></td>
<td>• Consists of all ACCI members who represent their organisations on OHS matters</td>
</tr>
<tr>
<td></td>
<td>• Is a forum for members to formally come together and shape industry policy, influence national decision making and share views and ideas on occupational health and safety, workers’ compensation and related issues</td>
</tr>
<tr>
<td></td>
<td>• Is a sub-committee of the ACCI Workplace Policy Committee which reports directly to the ACCI Council.</td>
</tr>
<tr>
<td></td>
<td>National Employers’ OHS Consultative Forum:</td>
</tr>
<tr>
<td></td>
<td>• Brings together ACCI members and non-members peak employer bodies to develop industry positions on OHS, workers’ compensation and related issues for input into Australia’s peak OHS agency meetings</td>
</tr>
<tr>
<td></td>
<td>• ACCI is responsible for establishing NEOHSCF and is the secretariat for the forum</td>
</tr>
<tr>
<td></td>
<td>• ACCI also coordinates NEOHSCF responses, input and formal submissions.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Outlines policy objectives and a policy framework for ACCI’s vision on OHS. No direct mention of the National OHS Strategy.</td>
</tr>
<tr>
<td></td>
<td>ACCI: OHS Blueprint – Modern Workplace: Safer Workplace</td>
</tr>
<tr>
<td></td>
<td>• Launched April 2005, the Blueprint is a call by ACCI and its members for a ‘fundamental rethink by industry and governments about OHS law and policy’</td>
</tr>
<tr>
<td></td>
<td>• The Blueprint industry of all sizes and capacities to develop safety management plans according to their size and capacity</td>
</tr>
<tr>
<td></td>
<td>• The Blueprint presents a vision statement, five core outcomes and twenty specific conclusions and recommendations</td>
</tr>
<tr>
<td></td>
<td>• The development of the Blueprint occurred over 18 months and was driven by industry feedback about the problems with OHS regulation and ACCI’s commitment to help industry meet the targets for reductions in fatalities and injuries set by the National OHS Strategy</td>
</tr>
<tr>
<td></td>
<td>• ACCI describe the Blueprint as being complementary to the National OHS Strategy</td>
</tr>
</tbody>
</table>

Developed from ACCI (2004c); ACCI (2005a); ACCI (2005b); ACCI (2006a); ACCI (2007b); PACIA (2005-2011); AiG (2012); NSW Business Chamber (2012); AFEI (2012).
Appendix 10: Summary of Key WorkCover NSW OHS Initiatives Prior to the Introduction of the National OHS Strategy

The following table summarises key initiatives undertaken or supported by WorkCover NSW in the few years prior to the introduction of the National OHS Strategy and the years following the Strategy. WorkCover NSW have not specified in any of their publications that these activities, programs and initiatives are in direct alignment with the National Strategy’s priority of improving employer capacity to manage OHS. WorkCover NSW has targeted OHS knowledge and awareness as a key priority well before the introduction of the National OHS Strategy and as such, the majority of the items listed in the table below reflect WorkCover NSW’s own strategic pursuit of increasing awareness among employers.

<table>
<thead>
<tr>
<th>Description of Initiative</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Established in late 1997 and comprised of eminent people with OHS expertise</td>
</tr>
<tr>
<td>• Purpose was to bring together different stakeholder to advise WorkCover NSW on reform strategies and best practice initiatives to be undertaken in partnership with industry to improve OHS performance</td>
</tr>
<tr>
<td>• Initial focus on the construction and hospitality industries</td>
</tr>
<tr>
<td>• In February 2008, two industry team trials were set up focusing on the construction and health industries. The aim of the trial was to develop, implement, and evaluate new methods of service delivery which are industry based and have been agreed to by industry stakeholders. The trial continued until June 1999</td>
</tr>
<tr>
<td>• In October 1998, under the Committee’s auspices, the Government signed the historic Memoranda of Understanding with seventeen major contractors from the construction industry and eight major hospitality employers to work together to identify and implement OHS best practice. The agreement signified the commitment by signatory employers to work with the NSW Government to make OHS a priority in their organisations, and to improve the industries’ OHS and injury prevention and management performance</td>
</tr>
<tr>
<td>• An independent evaluation of the team trial in June 1999 confirmed that an industry focus and partnership would provide improved OHS service delivery and utilisation of WorkCover’s staff and resources. As a result the OHS Division of WorkCover NSW was restructured to create a structure based on Industry Teams to align with the 13 IRGs.</td>
</tr>
<tr>
<td>• 13 Industry Reference Groups (IRGs) established in 1998 to focus OHS issues of specific industry sectors</td>
</tr>
<tr>
<td>• The industries included (i) Rural (ii) Construction (iii) Mining (iv) Industrial Manufacturing (v) Consumer Manufacturing (vi) Wholesale (vii) Retail (viii) Transport and Storage (ix) Consumer Services (x) Government Administration &amp; Education (xi) Health and Community Services (xii) Business Services (xiii) Utilities</td>
</tr>
<tr>
<td>• Each IRG to develop strategies specific to their industry to improve injury prevention, injury management and workers’ compensation outcomes</td>
</tr>
<tr>
<td>• IRGs made up of employer and worker representatives from industry, industry specialists with expertise in occupational health, and safety, injury management and workers’ compensation WorkCover officers insurance industry representatives</td>
</tr>
<tr>
<td>• A review of the IRGs was conducted in 2004-2005. The review focused on the structure and operating processes of the IRGs with the goal of understanding the projects that had worked well and identifying additional activities that could benefit the industries. The review involved meetings with the IRGs as well as input from employers, unions and other stakeholders through the release of a series of papers. WorkCover NSW was expected to develop a communication strategy for the IRGs in tandem with the review.</td>
</tr>
<tr>
<td>• Introduced on 30 June 2001 to encourage employers to improve OHS and injury management</td>
</tr>
<tr>
<td>• The PDS offers discounts on workers’ compensation premiums (for a maximum of three years) for employers who meet WorkCover’s OHS and injury management benchmarks</td>
</tr>
<tr>
<td>• WorkCover-approved Premium Discount Advisers audit employers’ OHS and IM systems to verify they are entitled to a discount</td>
</tr>
<tr>
<td>• Scheme ended on 30 June 2003. Under the Scheme, 2,200 employers qualified for $67.5 million in premium discounts since the inception of the Scheme in June 2001 to 30 June 2003</td>
</tr>
<tr>
<td>• Premium Discount Scheme awards were presented to recognise employers that had shown exceptional improvement as a result of participating in the Scheme.</td>
</tr>
<tr>
<td>Seminars</td>
</tr>
<tr>
<td>----------------</td>
</tr>
</tbody>
</table>
| Campaigns      | OK Lets Get Serious About Work Safety Campaign: WorkCover NSW’s first major public work health and safety awareness campaign. It involved television commercials, radio, press, and billboard advertisements and associated public relations activities.  

The campaign ran from August 1998 to June 1999 and was designed to improve workplace safety performance by encouraging wider community support through recognition of the social and economic cost of death and injury in the workplace  

Multimedia Campaign: A multi-media advertising campaign that targeted employers of young workers urging them to look after their young workers by providing appropriate safety equipment, supervision, and training. Involved a TV and print campaign and brochures providing further information and raising employer awareness were also made available to viewers  

Work Health and Safety Week: introduced in 1996-1997 and has remained an annual feature since. |
| Information Centres | The WorkCover Information Centre: established in April 1996 to provide a State-wide toll-free telephone hotline for information about all aspects of workers’ compensation, injury management and occupational health and safety. Internet inquiries are also handled  

Client Contact Centre: In September 2000, WorkCover merged its WorkCover Information Centre and OHS Licensing Unit to form a one-stop Client Contact Centre. WorkCover’s Centre joined 14 other NSW Government agencies in a Call Centre Benchmarking Project. |
| Guidance Materials | Development of practical guidance materials and training package to support the introduction of the new OHS Act and Regulation:  

The Law Has Changed: brochure designed to advise employers of their workers’ compensation obligations and the recent legislative amendments introducing new penalties and higher fines for noncompliance  

Workplace Safety Kit: a step-by-step guide to help business implement a systematic approach to OHS; trialled in over 30 organisations. The kit also supports the Premium Discount Scheme as well as aiding businesses in implementing the new OHS Act and regulation that had been introduced. |

Appendix 11: Manufacturing Industry Reference Group Initiatives

In 2004, WorkCover NSW produced a summary of the major projects and activities undertaken by the 13 IRGs (WorkCover NSW, 2004). Similar summaries could not be located for IRG projects and activities from other periods in time. The following table is a reproduction of the major projects and activities for the consumer manufacturing reference group.

<table>
<thead>
<tr>
<th>Project or Activity</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pilot Partnerships Program for Small Businesses</td>
<td>The IRG developed and trialed a pilot partnerships program that promotes mentoring for small businesses in OHS and Injury Management through a ‘partnership’ between two companies. A trial was conducted over six months with six partnership pairs of companies and was completed in June 2001.</td>
</tr>
<tr>
<td>Meat Processing Industry Injury Management Resource Pack</td>
<td>In 1998-1999 the NSW meat processing industry employed a consultant to develop an Injury Management Resource Kit. Several gaps in the kit have since been identified and the Sub-Group will revise and update the kit to provide up-to-date guidance to the industry in injury management processes. WorkCover facilitated a workshop of meat processors as part of the December 2001 Network Meeting to discuss the text of the kit. This project was funded by industry and will become a model for the industry in other States and possible for manufacturing in general.</td>
</tr>
<tr>
<td>Improved Management of Manual Handling in Small Business</td>
<td>The IRG coordinated a consultative trial of WorkCover’s Workplace Safety Kit, a do-it-yourself consultative approach to implementing a risk management system, in the textile industry to assist in further development and application. Specifically, the IRG tested the kit for its usefulness in identifying and managing manual handling risks in small to medium businesses.</td>
</tr>
<tr>
<td>Promotion of WorkCover’s Workplace Safety Kit</td>
<td>Textile and Clothing Industry - In conjunction with WorkCover’s Industry Strategies Unit, the IRG assisted small businesses in the clothing and textile industry sector by working with a relevant industry association and ITAB and facilitating ongoing communication with WorkCover. Printing and Baking Industries - Led by WorkCover’s Industry Strategies Unit, the IRG assisted small businesses in the printing and baking industry sectors to implement the Workplace Safety Kit by working with the relevant industry associations and facilitating ongoing communication with WorkCover.</td>
</tr>
</tbody>
</table>

Appendix 12: References to the National OHS Strategy in Key Inquiries and Reviews

<table>
<thead>
<tr>
<th>Inquiry or Report</th>
<th>Quotes referencing the National OHS Strategy</th>
</tr>
</thead>
<tbody>
<tr>
<td>National Workers’ Compensation and Occupational Health and Safety Frameworks</td>
<td>In 2002, NOHSC formulated a National Occupational Health and Safety Strategy 2002–2012. The strategy was signed by the Ministers of all States and Territories and the Australian Government, and was adopted by the peak employer and union bodies that are parties to NOHSC. It sets out nine national targets and priorities. One element that it seeks to achieve is a nationally consistent regulatory framework. However, implementation of the strategy rests with the individual jurisdictions and their action plans lack uniformity in both content and pace. The National OHS Strategy document noted that: Although no reliable data exist on deaths arising from occupational disease, it has been estimated that over 2,000 people die per year from past occupational exposures to hazardous substances. The room for improvement in Australia is reflected in the recent National OHS Strategy 2002-2012 which has been endorsed by the Australian, State and Territory governments. It aims for a 20 per cent reduction in work-related fatalities and a 40 per cent reduction in the incidence of workplace injury by 30 June 2012. The Commission considers that a single uniform national OHS regime, which is focussed on preventing workplace injury and illness, should be the medium term reform objective for OHS. It would build on the initiative of the recently agreed national strategy. In April 2002, NOHSC agreed to the National Occupational Health and Safety Strategy 2002–2012 which establishes minimum national targets for reducing the incidence of work-related fatalities and injuries over its ten-year period of operation. The strategy was endorsed by the WRMC in May 2002. Implementation of action to achieve these targets rests with the individual jurisdictions. The NOHSC is to report annually on progress. The Strategy involves five priorities (box 3.5). In addition to these five priority areas, a 10 year framework established in 1999 identified nine areas where national action is required to underpin improvement (box 3.6).</td>
</tr>
<tr>
<td>Serious Injury and Death in the Workplace</td>
<td>No reference to the National OHS Strategy</td>
</tr>
<tr>
<td>Rethinking Regulation – Reducing Regulatory Burdens on Business</td>
<td>No reference to the National OHS Strategy</td>
</tr>
<tr>
<td>Review on the Occupational Health and Safety Act 2000</td>
<td>The NSW Government endorsed the National OHS Strategy 2002-2012 in May 2002. The Strategy is a landmark development signifying the commitment of all Australian governments, as well as the Australian Chamber of Commerce and Industry and the Australian Council of Trade Unions, to work cooperatively on national priorities for improving occupational health and safety and to achieve minimum national targets for reducing the incidence of workplace deaths and injuries, the national targets (using a baseline year of 2001-2002) are: • to sustain a significant, continual reduction in the incidence of work-related fatalities with a reduction of at least 20 per cent by 30 June 2012 (with a reduction of 10 per cent being achieved by 30 June 2007) • to reduce the incidence of workplace injury by at least 40 per cent by 30 June 2012 (with a reduction of 20 per cent being achieved by 30 June 2007). The targets were also adopted by WorkCover’s NSW industry partners in August 2005 at the NSW Workplace Safety Summit 2005.</td>
</tr>
</tbody>
</table>
National Review into Model Occupational Health and Safety Laws

The OHS legislative framework must provide an effective foundation to achieve the ongoing improvements nationally agreed to in Australia’s National OHS Strategy and must be capable of doing so in a rapidly changing world of work.

Eliminating hazards at the design stage is also a national priority under the National OHS Strategy.

The National OHS Strategy provides the framework that Australia’s OHS regulators use to co-ordinate efforts to improve OHS outcomes for Australian workplaces. It sets the following target: Since the National OHS Strategy was implemented, some progress has been made towards achieving these targets.

The National OHS Strategy includes ‘a nationally consistent regulatory framework’ as one of nine areas requiring national action. While there has been some progress towards achieving consistency in various areas of OHS regulation, there are material differences between the principal OHS Acts, as we identify in this report.

The approach is consistent with and will support the principals and strategies in the National OHS Strategy since:

a) all persons involved in work will understand that they have (and cannot by various means pass to another) duties of care that are concurrent with others, and this should encourage co-operation and commitment of all to identifying OHS issues and initiating prevention action; and

b) through clarification and simplification of the duties, it will assist in raising OHS awareness and allowing practical guidance to be provided.

The National OHS Strategy also includes an aspirational target for Australia to have the lowest work-related traumatic injury fatality rate in the world by 2009. Analysis of international data indicates that, in 2006–07, Australia recorded the sixth lowest work-related traumatic injury fatality rate. While the gap between Australia and the better performing countries has reduced, it is unlikely that Australia will meet the aspirational goal unless substantial improvements are recorded in the next two years. It should be noted that due to differences in scope and methodology, comparisons of occupational injury fatalities data between countries have many limitations.

Efforts are also being made through the Heads of Workplace Safety Authorities (HWSA) to coordinate the establishment of agreed national inspector competency standards and to identify technical skills, knowledge and emerging issues that are aligned to the National OHS Strategy.

The ongoing commitment to the National Occupational Health and Safety Strategy 2002-2012 is another strong foundation for stronger cross-jurisdictional co-operation.

Performance Benchmarking of Australian Business Regulation: Occupational Health and Safety

All Australian governments, industry and trade unions place a priority on ensuring safe working environments, which is reflected in the targets for improvements in OHS outcomes set under the National OHS Strategy. The review and reform of unnecessary burdens on business from OHS requirements is also regarded as important as long as it does not compromise the ability for OHS regulatory regimes to meet safety objectives.

Governments and regulators monitor and target changes in OHS outcomes over time in order to become more effective at managing OHS regulation and improve outcomes. Since 2002, Australian Governments have been targeting improvements in OHS outcomes through the National OHS Strategy.

Developed from Productivity Commission (2004); NSW Parliament, Legislative Council, General Purpose Standing Committee No. 1 (2004); Regulation Taskforce (2006); WorkCover NSW (2006d); Australian Government (2008a); Productivity Commission (2010).
Appendix 13: International Comparisons

Table 1: Key Institutions and Stakeholders in New Zealand's OHS System

<table>
<thead>
<tr>
<th>Institution</th>
<th>Role</th>
</tr>
</thead>
<tbody>
<tr>
<td>Occupational Safety and Health Service, Department of Labour</td>
<td>Provide the following services:</td>
</tr>
<tr>
<td></td>
<td>- Assistance (information and guidance on a range of OHS issues, including legislation; seminars and support for industry health and safety groups)</td>
</tr>
<tr>
<td></td>
<td>- Workplace visits</td>
</tr>
<tr>
<td></td>
<td>- Investigations</td>
</tr>
<tr>
<td></td>
<td>- Enforcement of legislation</td>
</tr>
<tr>
<td>The Accident Compensation Corporation (ACC)</td>
<td>- New Zealand's single public accident insurance scheme</td>
</tr>
<tr>
<td></td>
<td>- Handles claim for anyone injured in New Zealand</td>
</tr>
<tr>
<td></td>
<td>- Covers workers' compensation as well as injuries caused at home, during sport or on the road</td>
</tr>
<tr>
<td></td>
<td>- Levies on people's earnings, businesses' payrolls, the cost of petrol and vehicle licensing fees as well as Government funding are the main sources of funding for the agency</td>
</tr>
<tr>
<td>Workplace Health and Safety Council</td>
<td>- High-level tripartite body with government, employer and employee representatives</td>
</tr>
<tr>
<td></td>
<td>- Established in 2007 to advise government on workplace health and safety matters</td>
</tr>
<tr>
<td></td>
<td>- Provides leadership and co-ordination in health and safety, and advice on legislation, standards and policies</td>
</tr>
<tr>
<td></td>
<td>- Membership includes: Ministers of Labour and the ACC, the President of the Council of Trade Unions and the Chief Executive of Business New Zealand. A further four representatives, two business and two employees, make up the eight appointments</td>
</tr>
</tbody>
</table>

Developed from New Zealand Department of Labour (2011); New Zealand Accident Compensation Corporation, 2011; New Zealand Department of Labour (2009c).

Table 2: Key Institutions and Stakeholders in the United Kingdom's OHS System

<table>
<thead>
<tr>
<th>Institution</th>
<th>Role</th>
</tr>
</thead>
<tbody>
<tr>
<td>Health and Safety Executive (HSE)</td>
<td>- Non-departmental public body, and peak OHS agency, responsible for overseeing workplace health and safety in Great Britain.</td>
</tr>
<tr>
<td></td>
<td>- First established in 1974 by the Health and Safety Act</td>
</tr>
<tr>
<td></td>
<td>- Activities include:</td>
</tr>
<tr>
<td></td>
<td>- Regulating health and safety through the development of new or revised legislation and codes of practice</td>
</tr>
<tr>
<td></td>
<td>- Works in partnership with Local Authorities to enforce the law through investigation of accidents and complaints</td>
</tr>
<tr>
<td></td>
<td>- Field Operations Directorate, the largest operational inspectorate in HSE, looks after the following employment sectors: construction, agriculture, general manufacturing, engineering, food and drink, quarries, entertainment, education, health services, local and central government and domestic gas safety</td>
</tr>
<tr>
<td></td>
<td>- Conducts science and research through the Health and Safety Laboratory</td>
</tr>
<tr>
<td></td>
<td>- Sponsors research</td>
</tr>
<tr>
<td></td>
<td>- Produces statistical information</td>
</tr>
<tr>
<td></td>
<td>- Provides an information and advisory service</td>
</tr>
<tr>
<td></td>
<td>- Advises and assists the Health and Safety Council</td>
</tr>
<tr>
<td>Local Authorities</td>
<td>- Responsible for the enforcement of health and safety legislation in retailing, wholesale distribution, warehousing, hotel and catering premises, offices, and the consumer/leisure industries</td>
</tr>
<tr>
<td></td>
<td>- Has a working relationship with the HSE through the Local Authority Unit (LAU); a designated part of the HSE dedicated to facilitating working between the HSE and LAs</td>
</tr>
<tr>
<td></td>
<td>- Over 380 individual LAs</td>
</tr>
</tbody>
</table>

### Table 3: Key Institutions and Stakeholders in Finland's OHS System

<table>
<thead>
<tr>
<th>Stakeholders</th>
<th>Roles/responsibilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ministry of Social Affairs and Health</td>
<td></td>
</tr>
<tr>
<td>Is the leading OSH authority in Finland</td>
<td></td>
</tr>
<tr>
<td>Activities:</td>
<td></td>
</tr>
<tr>
<td>✓ OHS policy making</td>
<td></td>
</tr>
<tr>
<td>✓ Prepares legislation on OHS</td>
<td></td>
</tr>
<tr>
<td>✓ Deals with occupational accident insurance and occupational health care</td>
<td></td>
</tr>
<tr>
<td>OHS Administration (DOSH)</td>
<td></td>
</tr>
<tr>
<td>Coordinates activities in negotiations with other ministries and social partners through the Advisory Committees</td>
<td></td>
</tr>
<tr>
<td>Comprises about 550 government officers [around 90 posts in the Ministry’s OSH Department and 460 posts in the district administration]</td>
<td></td>
</tr>
<tr>
<td>Each OHS inspectorate monitors workplaces and carries out inspections</td>
<td></td>
</tr>
<tr>
<td>Each OSH Inspectorate has a tripartite Occupational Safety and Health Board. In addition, there are several permanent and temporary preparatory bodies, which are tripartite as well</td>
<td></td>
</tr>
<tr>
<td>Ministry of Labour</td>
<td></td>
</tr>
<tr>
<td>Prepares labour law statutes</td>
<td></td>
</tr>
<tr>
<td>Deals with matters concerning employment, unemployment benefits and employees’ pay security</td>
<td></td>
</tr>
<tr>
<td>Settles labour disputes</td>
<td></td>
</tr>
<tr>
<td>STUK/ TUKES</td>
<td></td>
</tr>
<tr>
<td>STUK (Radiation and Nuclear authority)</td>
<td></td>
</tr>
<tr>
<td>TUKES – Safety Technology Authority</td>
<td></td>
</tr>
</tbody>
</table>

Developed from NDPHS (2008); Ministry of Social Affairs and Health (2006a).

### Table 4: Key Institutions and Stakeholders in Denmark's OHS System

<table>
<thead>
<tr>
<th>Stakeholders</th>
<th>Roles/responsibilities</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Danish Working Environment Council</td>
<td></td>
</tr>
<tr>
<td>Acts as advisor on OHS to the Danish Minister for Employment</td>
<td></td>
</tr>
<tr>
<td>Activities:</td>
<td></td>
</tr>
<tr>
<td>✓ discusses how to improve workplace safety and health in Denmark</td>
<td></td>
</tr>
<tr>
<td>✓ prepares proposals for regulation or system changes to the minister</td>
<td></td>
</tr>
<tr>
<td>✓ recommends methods and tools to address occupational safety and health problems</td>
<td></td>
</tr>
<tr>
<td>✓ identifies the groups who need special attention to improve their conditions</td>
<td></td>
</tr>
<tr>
<td>Consists of representatives from major labour unions and employer associations</td>
<td></td>
</tr>
<tr>
<td>Is mandated by legislation</td>
<td></td>
</tr>
<tr>
<td>Members appointed by the Minister and serve a period of four years</td>
<td></td>
</tr>
<tr>
<td>Has politically appointed members, however, they do have voting rights</td>
<td></td>
</tr>
<tr>
<td>The Secretariat of the Council consists of six staff members that provide the following services:</td>
<td></td>
</tr>
<tr>
<td>✓ developing policy and initiative ideas</td>
<td></td>
</tr>
<tr>
<td>✓ preparing meeting documents</td>
<td></td>
</tr>
<tr>
<td>✓ carrying out the Council's initiatives and activities</td>
<td></td>
</tr>
<tr>
<td>✓ communicating the Council's work to the public.</td>
<td></td>
</tr>
<tr>
<td>The Danish Working Environment Authority</td>
<td></td>
</tr>
<tr>
<td>An agency under the auspices of the Ministry of Employment</td>
<td></td>
</tr>
<tr>
<td>Responsibilities of the Authority are based on the Working Environment Act</td>
<td></td>
</tr>
<tr>
<td>Activities:</td>
<td></td>
</tr>
<tr>
<td>✓ Inspections of companies</td>
<td></td>
</tr>
<tr>
<td>✓ Drawing up rules on OHS</td>
<td></td>
</tr>
<tr>
<td>✓ Providing information on OHS</td>
<td></td>
</tr>
<tr>
<td>✓ Issuing fines for violations of the Working Environment Act</td>
<td></td>
</tr>
<tr>
<td>✓ Suspending work in cases of extreme danger</td>
<td></td>
</tr>
<tr>
<td>Occupational Health Service</td>
<td>OHS support services mandatory for particular industries and firms</td>
</tr>
<tr>
<td>-------------------------------------</td>
<td>---------------------------------------------------------------</td>
</tr>
</tbody>
</table>
| **Sectoral Working Environment Councils (BARS)** | - 11 Sectoral Working Environment Councils (BARS) which consist of representatives of the social partners  
- BARS identify industry specific health issues and help enterprises to solve them  
- BARS include:  
  1. BAR Building & Construction  
  2. BAR Finance / Public Office & Administration  
  3. BAR Trade  
  4. Industry BAR  
  5. BAR Farm to Table  
  6. BAR Private Office & Administration  
  7. BAR Facilities & Services  
  8. BAR Social & Health  
  9. BAR Transport & Wholesale  
  10. BAR Teaching & Research  
  11. Graphic BAR |
| **National Research Centre for Working Environment (NFA)** | - Government research institute under the Ministry of Employment  
- Monitors, analyses and explores conditions in the working environment of importance to health, safety and work role functioning  
- Disseminates research based knowledge to the social partners and enterprises through the Working Environment Information Centre  
- Contributes to further education at the universities  
- Had 79 researchers and 14 PhD students out of a total of 155 employed in 2008.  
- Published 126 articles in international peer-reviewed scientific journals in 2008. |
| **National Board of Industrial Injuries** | - Is an agency under the Ministry of Employment  
- Makes decisions on workers’ compensation claims - decides whether an injury or disease qualifies for recognition as an industrial injury and the amount that can be received for the industrial injury. |
| **Working Environment Information Centre** | - Serves as a national centre of working environment knowledge  
- Obtain and communicate knowledge about the working environment from companies, projects and research-based knowledge  
- Publishes the journal ‘Working Environment’  
- Initiates networks, seminars and conferences  
- Has an online shop selling material such as books and pamphlets |
| **Working environment appeals board** | - Considers complaints of WEA decisions.  
- Consists of representatives of social partners and appointed experts |
| **Medical clinics** | - Located in hospitals  
- Specialised departments that examine work-related diseases and symptoms. |

Developed from Danish Working Environment Council (2010a); Danish Working Environment Authority (2010c); NRCWE (2006); National Board of Industrial Injuries (2010); Working Environment Information Centre (2009).
Appendix 14: Details of International OHS Strategies

Table 1: National OHS Strategies - Titles, Tenure and ILO Status

<table>
<thead>
<tr>
<th>Name of Strategy</th>
<th>Australia</th>
<th>United Kingdom</th>
<th>Denmark</th>
<th>Finland</th>
<th>New Zealand</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Current Strategy: Health and Safety of Great Britain - Be Part of the Solution</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Duration of Strategy</td>
<td>10 years</td>
<td>Strategy 1: 10 years. Launched in June 2000 and due end 2010</td>
<td>Strategy 1: 10 years; commenced 1996</td>
<td>No specific time frame. The Strategy began with the intention of implementing it over a few years.</td>
<td>10 years; commenced 2005</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Strategy 2: 10 years</td>
<td>Current Strategy: 5 years</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Current strategy = No specified duration</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Table 2: Visions, Targets and Objectives of National OHS Strategies

<table>
<thead>
<tr>
<th>Australia</th>
<th>Vision</th>
<th>Australian workplaces free from death, injury and disease</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Targets</strong></td>
<td></td>
<td>- Sustain a significant, continual reduction in the incidence of work-related fatalities with a reduction of at least 20% by 30 June 2012 (and with a reduction of 10% being achieved by 30 June 2007).</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Reduce the incidence of workplace injury by at least 40% by 30 June 2012 (with a reduction of 20% being achieved by 30 June 2007).</td>
</tr>
<tr>
<td><strong>Objectives:</strong></td>
<td></td>
<td>- Prevent occupational disease more effectively</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Eliminate hazards at the design stage</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Strengthen the capacity of government to influence OHS outcomes</td>
</tr>
<tr>
<td><strong>Indicators of success:</strong></td>
<td></td>
<td>- Workplaces recognise and incorporate OHS as an integral part of their business operations</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Increased OHS knowledge and skills in workplaces and the community</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Governments develop and implement more effective OHS interventions</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Research, data and evaluations provide better, more timely information for effective prevention</td>
</tr>
<tr>
<td><strong>Target industries (industries with the highest incidence rates and/or high numbers of workers’ compensation claims compared with other industries):</strong></td>
<td></td>
<td>- Manufacturing</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Building and construction</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Transport and Storage</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Agriculture, Forestry and Fisheries</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Health and Community Services</td>
</tr>
<tr>
<td></td>
<td><strong>Risks:</strong></td>
<td>Musculoskeletal disorders</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Falls from heights</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Hitting or being hit by objects</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>United Kingdom</th>
<th>Mission:</th>
<th>The prevention of death, injury and ill health to those at work and those affected by work activities.</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Targets:</strong></td>
<td></td>
<td>No tangible targets but rather a common statement on continued improvements; measurement of activity based on the success of collective efforts and not just those of the regulator.</td>
</tr>
<tr>
<td><strong>Objectives</strong></td>
<td></td>
<td>- Reduce the number of work-related fatalities, injuries and cases of ill-health</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Gain widespread commitment and recognition of what real health and safety is about</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Ensure that those who fail in the health and safety duties are held to account</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Motivate all those in the health and safety system as to how they can contribute to improved health and safety performance</td>
</tr>
<tr>
<td><strong>Goals</strong></td>
<td></td>
<td>- Encourage strong leadership in championing the importance of, and a common sense approach to, health and safety in the workplace.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Motivate focus on the core aims of health and safety and, by doing so, help risk makers and managers distinguish between real health and safety issues and trivial or ill-informed criticism.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Encourage an increase in competence, which will enable greater ownership and profiling of risk, thereby promoting sensible and proportionate risk management.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Reinforce the promotion of worker involvement and consultation in health and safety matters throughout unionised and non-unionised workplaces of all sizes.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Target key health issues and identify and work with those bodies best placed to bring about a reduction in the incidence rate and number of cases of work related ill health.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Set priorities and identify which activities, their length and scale, deliver a significant reduction in the rate and number of deaths and accidents.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Adapt and customise approaches to help the increasing numbers of SMEs in different sectors comply with their health and safety obligations.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Reduce the likelihood of low frequency, high impact catastrophic incidents while ensuring that Great Britain maintains its capabilities in those industries strategically important to the country’s economy and social infrastructure.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Take account of wider issues that impact on health and safety as part of the continuing drive to improve Great Britain’s health and safety performance.</td>
</tr>
</tbody>
</table>
### Denmark

**Targets:**
- Accidents at work: 20% decrease in sickness-absenteeism
- Noise: 15% decrease in workers exposed to noise at potential hearing impairment level
- Noise (nuisance): 10% decrease in self-reported exposure
- Musculo-skeletal disorders: 10% decrease in sickness-absenteeism
- Psycho-social working environment: 10% decrease in sickness-absenteeism

**Seven vision themes were set out in the Action Programme:**
- Fatal accidents and other serious accidents caused by working environment factors
- Injuries sustained by children and adolescents as a result of working environment factors
- Illnesses caused by psychosocial risk factors in the workplace
- Injuries caused by heavy lifting and work-related diseases as a result of monotonous repetitive work
- Work-related exposure to carcinogenic chemical substances and work-related brain damage caused by exposure to organic solvents or heavy metals
- Illnesses or serious problems caused by poor indoor climate in the workplace
- Hearing damage caused by noise in the workplace

### Finland

**Goals:**
- Maintain and improve employee health, safety and working ability as well as to reduce occupational accidents and diseases and other work-induced deterioration of health.
- Strengthening the workplace’s capabilities, skills and will to handle their health and safety issues on their own initiative in order to increase worker’s job satisfaction and the productivity of work
- Increase the knowledge and resources of the district administration of OHS

**Objectives:**
- Maintaining and promoting work ability and functional capacity
- Prevention of musculoskeletal disorders
- Mental wellbeing at work and coping at work
- Promotion of workers’ capacity to cope with work

### New Zealand

**Vision:** Healthy people in safe and productive workplaces

**Outcome 1: Government leadership and practices**
- 1a: Set high government expectations for workplace health and safety in New Zealand and ensure that regulatory standards are achieved
- 1b: Provide leadership in workplace health and safety through the government’s roles as an employer and purchaser
- 1c: Improve co-ordination and alignment of government agency roles and activities

**Outcome 2: Preventative workplace culture**
- 2a: Increase the recognition among business owners, directors and senior managers that health and safety benefits their business
- 2b: Increase the commitment and capability of managers to systematically and effectively manage workplace health and safety
- 2c: Ensure that workers participate effectively in processes for improving workplace health and safety

**Outcome 3: Industry leadership and community engagement**
- 3a: Develop and implement industry-led initiatives to improve workplace health and safety
- 3b: Encourage and enable industry and community leaders to promote workplace health and safety to their networks and communities
- 3c: Raise awareness and understanding of workplace health and safety in the wider community

**The actions for each objective are based on a set of intervention approaches:**
- Effective regulation
- Appropriate incentives
- Capability development
- Good governance
- Social dialogue
- Better design and technology
- Sound research and evidence

**National Priorities:** airborne substances; workplace vehicles; manual handling; psychosocial work factors; slips, trips and falls; vulnerable workers; small business; high-risk industries

Developed from NOHSC (2002a); Health and Safety Executive (2009a); Danish Government (2005); Ministry of Social Affairs and Health (1999); New Zealand Department of Labour (2005a).
### Table 3: Visions, Targets and Objectives of Earlier OHS Strategies

<table>
<thead>
<tr>
<th>UK Revitalising Health and Safety</th>
<th><strong>Aim:</strong> Engage key OHS stakeholders in reducing the incidence rates of fatal and major injuries, work-related ill health and days lost due to injury or ill health</th>
</tr>
</thead>
</table>
| **Strategy contains three elements:** | - Set of improvement targets  
- 10-point strategy  
- 44-point action plan |
| **Improvement Targets:** | - Reduce the number of working days lost per 100,000 workers from work-related injury and ill health by 30% by 2010  
- Reduce the incidence rate of fatal and major injury accidents by 10% by 2010  
- Reduce the incidence rate of cases of work-related ill health by 20% by 2010  
- Achieve half the improvement under each target by 2004 |
| **Vision:** | Builds on the targets from Revitalising Health and Safety, however, it was realised that targets alone would not deliver results and that a strategic direction was also necessary. This strategy seeks to provide that strategic direction. |
| **Aims:** | - Develop new ways to establish and maintain an effective OHS culture in a changing economy so that employers take their responsibilities seriously, the workforce is fully involved and risks are properly managed  
- Do more to address new and emerging work-related health issues  
- Exemplify public sector best practice in managing resources  
- Achieve higher levels of recognition and respect for OHS to ensure a modern competitive business and public sector and as a contribution to social justice  
- Exemplify public sector best practice in managing resources  |
| **Four themes to the Strategy** | **Theme 1:** Developing closer partnerships in order to involve the entire OHS system in the delivery of targets  
- Working with and through others  
- HSE and Las working together  
- Rising to the challenge of occupational health  
- Exemplify public sector best practice in managing resources  
- Communicating effectively |
| **Theme 2:** Helping people to benefit from effective OHS management and a sensible OHS culture | - Understanding the benefits of health and safety  
- Involving the workforce  
- Providing accessible advice and support  |
| **Theme 3:** Focusing on core business by being clear about priorities and concentrating resources on areas where most likely to make a difference | - Being clear about priorities  
- An intervention strategy  
- Continuing to enforce where appropriate  |
| **Theme 4:** Communicating vision of a society where OHS is seen as a cornerstone and where risk is properly appreciated, understood and managed | |
| **UK Great Britain to 2010 and Beyond** | |
| **Aim:** | to make Danish workplaces safe, healthy and inspiring for employees, to the benefit of the enterprises’ competitiveness |
| **Themes of the Action Programme:** | - Fatal accidents and other serious accidents caused by working environment factors  
- Work-related exposure to carcinogenic chemical substances and work-related brain damage caused by exposure to organic solvents or heavy metals  
- Illnesses or serious problems caused by poor indoor climate in the workplace hearing damage caused by noise in the workplace  
- Injuries sustained by children and adolescents as a result of working environment factors |
| **Denmark Action Programme for a Clean Working Environment 2005** | |
| **Aim:** | |
| **Themes of the Action Programme:** | - Injuries caused by heavy lifting and work-related diseases as a result of monotonous repetitive work  
- Illnesses caused by psychosocial risk factors in the workplace |

### Table 4: Approaches to Improving Employer Capacity

<table>
<thead>
<tr>
<th>Country</th>
<th>Approaches to Improving Employer Capacity</th>
</tr>
</thead>
</table>
| **Australia** | • OHS competencies more widely integrated into management, vocational, professional, worker and inspectorate training  
• Systematic OHS management guidance and training products are available and targeted to meet the needs of stakeholders, including those in small and medium enterprises  
• Systematic approaches to prevention are evaluated to identify those that will best build the capacity for workplaces to manage OHS effectively  
• Greater understanding of the case for applying OHS management tools including how it contributes to improved business outcomes  
• OHS systems are evaluated to identify those most appropriate for implementation by enterprises of varying size and type  
• Practical guidance is widely available to assist the workplace parties to measure and evaluate the effectiveness of their prevention efforts |
| **United Kingdom** | **Objective:** Motivate all those in the health and safety system as to how they can contribute to improved health and safety performance  
**Goals:**  
• Motivate focus on the core aims of health and safety and, by doing so, help risk makers and managers distinguish between real health and safety issues and trivial or ill-informed criticism  
• Encourage an increase in competence, which will enable greater ownership and profiling of risk, thereby promoting sensible and proportionate risk management  
**Tools and resources provided:**  
• Tool kits to make health and safety compliance easier  
• Provide sample risk assessments and policy statement  
• An accident and incident calculator  
Training for all levels of stakeholders in an organisation i.e. from directors, manager, supervisors and workers |
| **Denmark** | **Knowledge is a key theme and has received research funding from the Danish Working Environment Research Fund. The importance of pursuing knowledge as a research theme is based on assumptions that:**  
• There is the need for additional knowledge about what might affect the efforts of enterprises in achieving a better and more efficient working environment effort  
• There is a need for more knowledge about what promotes and hinders the working environment efforts in various types of enterprises and with different yes of ownership  
• It is important to attain knowledge about the relationship between the enterprises knowledge and views, enterprise culture and enterprise behaviour  
• Enhance, both at national and Community level, technical assistance and training to worker representatives with health and safety responsibilities to employers  
• The Sectoral Working Environment Councils of Denmark (BARS) focus on the implementation of the action plan of the Danish Strategy at an individual business level |
| **Finland** | **Goal:** Strengthening workplace capabilities, skills and will to handle their health and safety issues on their own initiative in order to increase worker’s job satisfaction and the productivity of work  
**Role of the OHS Administration in helping improve employer capacity:**  
• Supports the capabilities of employers and others obliged by the Occupational Safety and Health Act to fulfil their obligations concerning safety and health at work and cooperation related to it  
• Promote procedures whereby workplaces themselves, or through the services of an expert, can prove their good safety practices and get them verified  
• Investigates the economic impacts of working conditions and develops financial incentives for improving the working environment  
• Gives the employers guidance and advice on how to carry out the necessary measures in an efficient and economical manner  
• Provides information and advice on how occupational safety and health can be integrated with other safety and quality operations  
• Inspects working conditions and obliging employers to remedy defects  
• Understanding customers’ situations and be able to adapt the measures specific to the changing situation of the organisation |
One of the areas of research of the NRCWE is focused around organising and management. Methods being developed for the improvement of the working environment effort, which is carried out by the companies’ management, employees and safety organisations. Research being conducted in how human resources at work can be developed in the best possible way through, e.g. motivation, involvement, competence and social network.

### New Zealand

<table>
<thead>
<tr>
<th>Increase recognition among business owners, directors and senior managers that health and safety benefits business</th>
</tr>
</thead>
<tbody>
<tr>
<td>- Review the literature and conduct research into the business benefits of a preventative approach to workplace health and safety</td>
</tr>
<tr>
<td>- Develop and promote practical tools to help workplaces identify and quantify business benefits</td>
</tr>
<tr>
<td>- Communicate the benefits of workplace health and safety to business owners, directors and senior managers through industry networks and business leaders</td>
</tr>
<tr>
<td>- Promote more extensive reporting of health and safety performance in public documents (such as annual reports) to enable benchmarking and encourage best practice</td>
</tr>
</tbody>
</table>

*Developed from NOHSC (2002a); Health and Safety Executive (2009a); Health and Safety Executive (2010e); Danish Government (2005); Danish Working Environment Authority (2010b); Ministry of Social Affairs and Health (1999); New Zealand Department of Labour (2005a).*
### Table 5: Consultation and Development

<table>
<thead>
<tr>
<th>Country</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Australia</strong></td>
<td>Limited publicly available information on the processes and methods involved in the development of both the <em>Improvement Framework</em> and the <em>National OHS Strategy 2002-2012</em>.</td>
</tr>
<tr>
<td></td>
<td>What is known is that the Workplace Relations Ministers' Council established a 10-year <em>Improvement Framework</em> for improving Australia's OHS performance in December 1999. The NOHSC was responsible for the development of the <em>Improvement Framework</em> following a cooperative effort by the Commonwealth, State and Territory OHS authorities and the peak employer and employee representative bodies. A framework was chosen in place of a strategy because the NOHSC deemed that the following circumstances were not suitable to a strategy:</td>
</tr>
<tr>
<td></td>
<td>- There were a number of factors that worked against the development of having a national strategy with targets and measuring performance</td>
</tr>
<tr>
<td></td>
<td>- NOHSC had no enforcement role in workplaces or in determining priorities for the States and Territories</td>
</tr>
<tr>
<td></td>
<td>This framework provided the foundations for the development of the <em>National OHS Strategy</em>, which was introduced a few years later in May 2002. There is insufficient information in the public domain that describes why the decision was made to introduce a strategy given the initial reservations when developing the <em>Improvement Framework</em>. The <em>National OHS Strategy</em> built on and replaced most elements of the previous <em>Improvement Framework</em>. The NOHSC reports to have involved its members in the development of the <em>National OHS Strategy</em>.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>United Kingdom</strong></th>
<th>Strategy development process:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>- Three month consultation program</td>
</tr>
<tr>
<td></td>
<td>- Consultation with more than 700 people through workshops across the country</td>
</tr>
<tr>
<td></td>
<td>Stakeholders who were consulted included business leaders; industry representatives; trades unions; parliamentarians; employees; and others in the health and safety system.</td>
</tr>
<tr>
<td></td>
<td>In addition to workshops, over 200 written responses were received</td>
</tr>
<tr>
<td></td>
<td>Purpose of consultation: to hear ideas on how every stakeholder could get involved and become ‘part of the solution’. Stakeholder feedback was used to make changes to the original draft strategy</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Denmark</strong></th>
<th>The Working Environment Authority, the National Institute of Occupational Health and the National Board of Industrial Injuries prepared the report <em>The Working Environment of the Future</em> which provided the technical foundation for decisions on which working environment problems and issues should be in Denmark’s new strategy</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Based on the findings of the technical report, the Government asked the Working Environment Council to:</td>
</tr>
<tr>
<td></td>
<td>- Recommend which problems should be awarded priority</td>
</tr>
<tr>
<td></td>
<td>- Identify any special target groups</td>
</tr>
<tr>
<td></td>
<td>- Set target figures</td>
</tr>
<tr>
<td></td>
<td>The Working Environment Council set up a committee to achieve the request; the committee held 10 meetings</td>
</tr>
<tr>
<td></td>
<td>The Working Environment Council presented the Minister with Report on <em>New National Action Plan for Prioritisation of the Overall Working-Environment Efforts in Denmark Until the End of 2010</em></td>
</tr>
<tr>
<td></td>
<td>Subsequently, the Government held a hearing where professionals and stakeholders presented their opinions on the 2010 plans</td>
</tr>
<tr>
<td></td>
<td>Final report was accepted in Parliament</td>
</tr>
<tr>
<td>Finland</td>
<td>New Zealand</td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>The Strategy was drawn up by the Department for Occupational Safety and</td>
<td>Draft Strategy developed by:</td>
</tr>
<tr>
<td>Health of the Ministry of Social Affairs and Health in cooperation with</td>
<td>- A Department of Labour project team</td>
</tr>
<tr>
<td>other ministerial departments and the Occupational Safety and Health</td>
<td>- Workplace Health and Safety Strategy (WHSS) Stakeholder Group (comprising</td>
</tr>
<tr>
<td>Inspectorates.</td>
<td>nominees from organisations that represent a range of workplace roles and</td>
</tr>
<tr>
<td></td>
<td>perspectives)</td>
</tr>
<tr>
<td></td>
<td>- WHSS Government Agency Group (comprising representatives of government</td>
</tr>
<tr>
<td></td>
<td>agencies that have responsibilities for workplace health and safety)</td>
</tr>
<tr>
<td>Interest groups made comments on the strategy in the different phases</td>
<td>A high level advisory body, the National OHS Advisory Committee, was</td>
</tr>
<tr>
<td>of the drafting</td>
<td>established to:</td>
</tr>
<tr>
<td></td>
<td>- Provide leadership and ensure consultation and coordination between</td>
</tr>
<tr>
<td></td>
<td>representatives of government, employers and employees in relation to</td>
</tr>
<tr>
<td></td>
<td>the Strategy and its delivery</td>
</tr>
<tr>
<td></td>
<td>- Provide independent evidence-based advice to the Associate Minister of</td>
</tr>
<tr>
<td></td>
<td>Labour on major OHS issues</td>
</tr>
<tr>
<td></td>
<td>- Comment on the ongoing development and implementation of the Strategy</td>
</tr>
<tr>
<td></td>
<td>(Department of Labour, 2005: 14).</td>
</tr>
<tr>
<td>The Ministry of Social Affairs and Health confirmed the OSH Strategy</td>
<td>Development process informed by:</td>
</tr>
<tr>
<td>in Finland.</td>
<td>- The New Zealand Injury Prevention Strategy and the experiences of the</td>
</tr>
<tr>
<td></td>
<td>secretariat</td>
</tr>
<tr>
<td></td>
<td>- The Managing for Outcomes Framework, which is widely used by Government</td>
</tr>
<tr>
<td></td>
<td>in New Zealand</td>
</tr>
<tr>
<td></td>
<td>- The ILO framework for OHS</td>
</tr>
<tr>
<td></td>
<td>- A series of workshops with groups of stakeholders</td>
</tr>
<tr>
<td></td>
<td>- Published statistics and reviews of the literature on the effectiveness</td>
</tr>
<tr>
<td></td>
<td>of workplace health and safety interventions</td>
</tr>
<tr>
<td></td>
<td>- Experiences of other countries like Australia and Great Britain</td>
</tr>
<tr>
<td></td>
<td>- Feedback from the National OHS Advisory Committee and its 2004 report</td>
</tr>
<tr>
<td></td>
<td>on the burden of occupational disease and injury in New Zealand</td>
</tr>
<tr>
<td></td>
<td>- Draft consultation strategy was released for public comment. 63 public</td>
</tr>
<tr>
<td></td>
<td>submissions received on the draft Strategy [submissions made by employers</td>
</tr>
<tr>
<td></td>
<td>and their representatives, central and local government agencies,</td>
</tr>
<tr>
<td></td>
<td>District Health Boards (DHBs), volunteer and not for profit organisations,</td>
</tr>
<tr>
<td></td>
<td>professional associations, unions, and researchers and consultants]. A</td>
</tr>
<tr>
<td></td>
<td>summary of the written submissions was published by the Department of</td>
</tr>
<tr>
<td></td>
<td>Labour.</td>
</tr>
</tbody>
</table>

Developed from NOHSC (2002a); Collins (1999); Health and Safety Executive (2009a); Health and Safety Executive (2010e); Danish Government (2005); Danish Working Environment Council (2005); Ministry of Social Affairs and Health (1999); New Zealand Department of Labour (2005a).
### United Kingdom
#### Revitalising Health and Safety

<table>
<thead>
<tr>
<th>Stakeholders</th>
</tr>
</thead>
<tbody>
<tr>
<td>Confederation of British Industry</td>
</tr>
<tr>
<td>Trades Union Congress</td>
</tr>
<tr>
<td>Health and Safety Executive/Local Authority Enforcement Liaison Committee (HELA)</td>
</tr>
<tr>
<td>Association of British Insurers</td>
</tr>
<tr>
<td>Federation of Small Businesses</td>
</tr>
<tr>
<td>All government departments with a direct responsibility for aspects of health and safety</td>
</tr>
<tr>
<td>Forum of Private Business</td>
</tr>
<tr>
<td>British Chambers of Commerce</td>
</tr>
</tbody>
</table>

Following the development of a draft strategy, the Revitalising Health and Safety consultation document was launched. It set out the economic business case for further action and sought stakeholder views and ideas on what more could be done to make the Strategy’s vision a reality.

- In addition to the main document, three summary leaflets were produced to target employers, workers and small and medium-sized enterprises.
- Over 7,000 copies of the main document and 40,000 leaflets were distributed.
- 1,478 responses were received:
  - 290 were responses to the main consultation document
  - 194 were responses to the employer leaflet
  - 860 were responses to the worker leaflet
  - 134 were responses to the small and medium-sized enterprise leaflet.

The HSC relied on its experience in formulating targets for specific sectors such as the rubber and paper industries. Stakeholder feedback helped shape the final strategy. Other considerations that were also given in finalising the strategy were forecast changes in the labour market.

### United Kingdom
#### Great Britain to 2010 and Beyond

<table>
<thead>
<tr>
<th>Three separate external consultations:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Written consultation among traditional stakeholders (250 responses received)</td>
</tr>
<tr>
<td>Different regional events suited to local circumstances and facilitated by HSE’s Regional Directors and the Directors for Scotland and Wales</td>
</tr>
<tr>
<td>A small number of targeted focus groups among ‘hard to reach groups’ such as non-unionised workers and small firms.</td>
</tr>
</tbody>
</table>

Soundings with HSE staff also took place.

A literature review of published evidence of interventions to improve health and safety compliance was undertaken.

Consultation process and research of literature was done to build an evidence base to identify the interventions best able to improve compliance. All reports that helped to inform the Strategy were made available to the public.

### Denmark
#### Action Programme for a Clean Working Environment 2005

<table>
<thead>
<tr>
<th>Development of the visions based on:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Information on exposures and health conditions in the working environment</td>
</tr>
<tr>
<td>The preventative working environment activities undertaken by enterprises</td>
</tr>
<tr>
<td>The preventative activities of working environment professionals.</td>
</tr>
</tbody>
</table>

The Action Programme was preceded by a public debate on the subject and was drawn up in cooperation with the social partners in the Danish Working Environment Council.

In 2002, the social partners in the Working Environment Council prioritised four problems and at the same time set up goals for improvements to be realised.

---

### Table 7: Stakeholders and Their Responsibilities

<table>
<thead>
<tr>
<th>Australia</th>
<th>United Kingdom</th>
</tr>
</thead>
<tbody>
<tr>
<td>Signatories to the National OHS Strategy include the members of Australia's peak OHS body which is made up of the:</td>
<td>All stakeholders within the OHS system identified as responsible for working together to improve OHS outcomes:</td>
</tr>
<tr>
<td>- Commonwealth Government and all State and Territory Governments</td>
<td>• Employers, self-employed, manufacturers and suppliers</td>
</tr>
<tr>
<td>- Representatives of employees - Australian Council of Trade Unions (ACTU)</td>
<td>• Workers</td>
</tr>
<tr>
<td>- Representatives of employers - Australian Chamber of Commerce and Industry (ACCI)</td>
<td>• Third-party organisations e.g. unions and employer and trade associations, consultant firms</td>
</tr>
<tr>
<td>These signatories: • Accepted responsibility for the development and implementation of the National OHS Strategy</td>
<td>□ HSE and local authorities</td>
</tr>
<tr>
<td>• Made a commitment to work cooperatively on the priorities and actions identified in the National OHS Strategy</td>
<td>□ OHS actors in research, sector Working Councils, Knowledge Centre for Work, Prevention Fund Work Research Foundation, Board Work and Safety Advisers</td>
</tr>
<tr>
<td>• Committed to regularly reviewing their achievements against the Strategy's plans and targets and to further develop the National OHS Strategy</td>
<td></td>
</tr>
<tr>
<td>Other stakeholders were also invited to adopt or contribute to the National OHS Strategy.</td>
<td></td>
</tr>
</tbody>
</table>

### Australia

- Commonwealth Government and all State and Territory Governments
- Representatives of employees - Australian Council of Trade Unions (ACTU)
- Representatives of employers - Australian Chamber of Commerce and Industry (ACCI)

These signatories: • Accepted responsibility for the development and implementation of the National OHS Strategy • Made a commitment to work cooperatively on the priorities and actions identified in the National OHS Strategy • Committed to regularly reviewing their achievements against the Strategy’s plans and targets and to further develop the National OHS Strategy

Other stakeholders were also invited to adopt or contribute to the National OHS Strategy.

### United Kingdom

All stakeholders within the OHS system identified as responsible for working together to improve OHS outcomes:

- Employers, self-employed, manufacturers and suppliers
- Workers
- Third-party organisations e.g. unions and employer and trade associations, consultant firms
- HSE and local authorities

A Stakeholder Strategy and guidance material on leadership for directors and board members was developed to support the Strategy.

A ‘Be Part of the Solution’ Pledge established with business leaders invited to sign up online to show their commitment to keeping workplaces safe.

HSE reviewed stakeholder engagement activity in December 2009.

### Denmark

Stakeholders to the Strategy include:

- Government in collaboration with the social partners which are represented on the Danish Working Environment Council.
- OHS actors in research, sector Working Councils, Knowledge Centre for Work, Prevention Fund Work Research Foundation, Board Work and Safety Advisers
- National Institute of Occupational Health: development and research activities to have alignment with Strategy priorities.
- Danish Working Environment Authority: development work, inspections, regulations, competence development as well as guidelines and information material should be based on the working environment problems that have been given priority.
- National Board of Industrial Injuries: special attention to be given to the priority areas in connection with statistics and analysis. This information expected to serve as background knowledge for the Working Environment Authority in its pre-emptive initiatives and or the social partners in their information and training activities.
- Sectoral Councils: to take an active role in the implementation of the new priorities with the view that some working environment problems that are not common at the national level can be common in specific sectors.
- Transparency, cooperation and assessment of stakeholder relationships was highlighted in the 2009 assessment of the 2010 Action Plan. It was noted by the Working Environment Council Chairman that there would be a need to continuously evaluate and assess whether the partnership arrangements add value.
Strategy to be used by the Ministry for Social Affairs in its planning and actions however the Ministry encourages others in the health and safety sector to use the Strategy to help in targeting actions and developing cooperation between different parties.

<table>
<thead>
<tr>
<th>New Zealand</th>
<th>The Strategy is intended for a wide range of organisations and individuals including:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>- Business owners and managers</td>
</tr>
<tr>
<td></td>
<td>- Workers and their unions</td>
</tr>
<tr>
<td></td>
<td>- Health and safety representatives</td>
</tr>
<tr>
<td></td>
<td>- Self-employed people</td>
</tr>
<tr>
<td></td>
<td>- Employer and industry organisations</td>
</tr>
<tr>
<td></td>
<td>- Occupational health and safety practitioners</td>
</tr>
<tr>
<td></td>
<td>- Non-government organisations and community groups</td>
</tr>
<tr>
<td></td>
<td>- Local government</td>
</tr>
<tr>
<td></td>
<td>- Central government</td>
</tr>
</tbody>
</table>

The Department of Labour identified the importance of promoting the Strategy to government agencies and other key stakeholders and actively seeking partnership projects that support the Strategy.

The 2005/06 Action Plan provides details on the agencies and stakeholders who have responsibility against each action and the timeline they have to complete the action by.

Developed from NOHSC (2002a); Health and Safety Executive (2009a); KRC Research (2009); Danish Government (2005); Ministry of Social Affairs and Health (1999); New Zealand Department of Labour (2004); New Zealand Department of Labour (2005a).
Table 8: Stakeholders and Their Responsibilities - Earlier Strategies

<table>
<thead>
<tr>
<th>United Kingdom</th>
<th>Revitalising Health and Safety</th>
</tr>
</thead>
</table>
| - Everyone engaged in work and the health and safety system expected to think about what they can do to deliver the targets.  
- Stakeholders expected to draw up action plans to help meet the targets |

<table>
<thead>
<tr>
<th>United Kingdom</th>
<th>Great Britain to 2010 and Beyond</th>
</tr>
</thead>
</table>
| - HSC’s commitment to the Strategy includes the development of an evidence based intervention strategy to help regulators focus on core business and make the right interventions where they are best placed to reduce workplace injury and ill health. This was commitment was outlined in the document *Sensible Health and Safety at Work – The Regulatory Methods Used in Great Britain*.  
- Local Authorities and HSE: produced a joint vision and statement of intent, which sets out their commitment to work together. |

<table>
<thead>
<tr>
<th>Denmark</th>
<th>Action Programme for a Clean Working Environment 2005</th>
</tr>
</thead>
</table>
| - All players must make a determined, coordinated and effective effort  
- As per the Danish Working Environment Act, the Action Programme reinforced the need for workplaces to solve their own problems using the guidance provided by the various government agencies. Under the Action Programme, the Government was to focus on helping organisations strengthen their work on OHS and therefore be able to live up to the Action Programme.  
- The Danish Government also expected that other players in the working environment would provide support services to enterprises. |

Table 9: Implementing OHS Strategies

<table>
<thead>
<tr>
<th>Country</th>
<th>Actions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Australia</strong></td>
<td>Signatories to the Strategy expected to work together to deliver the priorities and actions.</td>
</tr>
<tr>
<td></td>
<td>NOHSC developed and implemented three-year national action plans in the first year of the National OHS Strategy with the action plans outlining:</td>
</tr>
<tr>
<td></td>
<td>- Actions to be taken against each of the national priorities</td>
</tr>
<tr>
<td></td>
<td>- Benchmarks, milestones and other indicators to be used to measure progress and outcomes of the national priorities.</td>
</tr>
<tr>
<td></td>
<td>Action plans continued to be developed by the Australian Safety and Compensation Council and Safe Work Australia, however, over time, the focus of the action plans was shifted to harmonisation of OHS legislation and away from the National OHS Strategy.</td>
</tr>
<tr>
<td></td>
<td>Each State and Territory Government and other stakeholders to incorporate the National OHS Strategy into their own working Plans with priority to be given to co-ordinated national action addressed in the National OHS Strategy.</td>
</tr>
<tr>
<td><strong>United Kingdom</strong></td>
<td>Everyone expected to contribute to the delivery of the strategy, however, a strong relationship between the HSE and Local Authorities is considered integral to the Strategy and its delivery.</td>
</tr>
<tr>
<td></td>
<td>HSE expected to make support available to local authorities to enable them to deliver the interventions necessary in the areas where they have responsibilities.</td>
</tr>
<tr>
<td></td>
<td><strong>Use of annual business plans to:</strong></td>
</tr>
<tr>
<td></td>
<td>- Provide further detail on the specific actions under each of the 10 goals</td>
</tr>
<tr>
<td></td>
<td>- Demonstrate how the HSE will work with local authority partners to action the goals</td>
</tr>
<tr>
<td></td>
<td>The 2009/10 Business Plan also provides information on the various corporate support functions that the HSE will provide to help with the implementation of the strategy. They include:</td>
</tr>
<tr>
<td></td>
<td>- Using science (undertaking forensic investigation, research and analysis). Details of this are included in a separate science plan</td>
</tr>
<tr>
<td></td>
<td>- Using communication (helping to raise awareness of the strategy through specific campaigns and other communication events. Details are contained in a communication plan)</td>
</tr>
<tr>
<td></td>
<td>- Making efficient use of resources.</td>
</tr>
<tr>
<td></td>
<td>Business plan represents the beginning, not the totality, of the actions the HSE will undertake.</td>
</tr>
<tr>
<td></td>
<td>When the Strategy was introduced it was acknowledged that many of the actions would require discussion in the months to following regarding further work with local authorities, employers and employees organisations and others in the health and safety system.</td>
</tr>
<tr>
<td></td>
<td>Within the strategy, examples are provided to demonstrate how certain OHS initiatives are already being employed against each of the strategic goals.</td>
</tr>
<tr>
<td><strong>Denmark</strong></td>
<td>All working environment players expected to participate in carrying out tasks both together and individually.</td>
</tr>
<tr>
<td></td>
<td>The Danish Working Environment Authority, the National Institute of Occupational Health, the National Board of Industrial Injuries, the Sector Working Environment Councils, the Working Environment Information Centre and trade unions must include these priorities in their work where relevant</td>
</tr>
<tr>
<td></td>
<td>The details of the OHS strategy are further contained in an action plan</td>
</tr>
<tr>
<td></td>
<td>An individual strategy also established for the Danish Working Environment Authority to help reduce the number of accidents in Danish enterprises by:</td>
</tr>
<tr>
<td></td>
<td>- Focusing more on accident prevention in its surveillance work</td>
</tr>
<tr>
<td></td>
<td>- Placing additional focus on companies' own accident prevention</td>
</tr>
<tr>
<td></td>
<td>The majority of the initiatives of the Danish Working Environment Council are based on the priorities of the Danish OHS Strategy.</td>
</tr>
</tbody>
</table>
### Finland

Main idea of the implementation of the Strategy is to strengthen the part of the OSH administration which is in direct contact with workplaces.

The Strategy is implemented taking account of the guidelines laid down by the Government, Ministry of Social Affairs and Health, and the European Union.

**Implementation of the strategy dependent on two key factors:**
- Workplace capabilities, skills and will for taking OHS measures on their own initiative
- Authorities direct contact with workplaces

The Strategy to be implemented in close cooperation with parties in the labour market. Other sectors of administration support the strategy through interaction between authorities, industry and labour market organisations.

Ministry for Social Affairs and Health hopes other bodies in the health and safety sector will use the Strategy when targeting their actions and developing cooperation between different parties.

### New Zealand

Cabinet approves the Strategy and the action plans.

The Associate Minister of Labour is lead Minister for the Strategy, its implementation and progress reports.

An Injury Prevention Ministerial Committee will have oversight of this Strategy and other national-level injury prevention strategies developed under the New Zealand Injury Prevention Strategy.

The Secretary of Labour is responsible for the Department of Labour’s performance in developing and implementing the Strategy.

Two key groups set up to focus on the Strategy: the WHSS Advisory Committee and the WHSS Government Agency Group.

The WHSS Advisory Committee, a high level advisory body, was established to:
- Provide leadership and ensure consultation and coordination between representatives of government, employers and employees in relation to the Strategy and its delivery
- Provide advice independent, evidence-based advice directly to the associate minister for labour on major OHS issues
- Comment on the ongoing development of the Strategy

The WHSS Government Agency Group to:
- Work with the New Zealand Department of Labour to develop the Strategy
- Provide a forum for co-ordination of activities across Government
- Provide advice independent, evidence-based advice directly to the associate minister for labour on major OHS issues
- Monitoring implementation
- Produce accountability reports
- Collect and disseminate information through the Strategy’s website

The Department of Labour will:
- Lead the ongoing development of the Strategy and action plans
- Coordinate promotion and evaluation of the Strategy
- Monitoring implementation
- Produce accountability reports
- Collect and disseminate information through the Strategy’s website

The National Strategy delivered through action plans which outline the program of activities for government agencies and other key organisations.

Action plans identify specific deliverables on what is to be achieved, by whom and when.

Developed from NOHSC (2002a); Health and Safety Executive (2009a); Health and Safety Executive (2009b); Danish Government (2005); Danish Working Environment Authority (2009); Ministry of Social Affairs and Health (1999); New Zealand Department of Labour (2005a).
Table 10: Implementing Earlier OHS Strategies

<table>
<thead>
<tr>
<th>UK Revitalising Health and Safety</th>
<th>National strategy guided by:</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Strategy Action Plan: Supporting the Strategy targets was a 44-point action plan that incorporated many ideas suggested in the consultation and focuses, in particular, what more government can do in the short to medium term to support the HSC’s work</td>
</tr>
<tr>
<td></td>
<td>Health and Safety Commission’s Strategic Plan: the HSC’s Strategic Plan for 1999/2002 set out five strategic themes – to raise the profile of occupational health; to improve health and safety in key risk areas; to develop health and safety aspects of the competitiveness and social equality agendas; to increase the engagement of others to participate in health and safety; to improve the HSC’s and HSE’s openness and accountability</td>
</tr>
<tr>
<td></td>
<td>Commitment of stakeholders: Stakeholders called upon to contribute to the Strategy by drawing up their own action plans in order to meet the targets</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>United Kingdom Great Britain to 2010 and Beyond</th>
<th>Strategy promoted:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strategy</td>
<td>Externally through speaking opportunities to explain the key ideas.</td>
</tr>
<tr>
<td></td>
<td>Through Ministers speeches</td>
</tr>
<tr>
<td></td>
<td>In evidence given to the Work and Pensions Select Committee</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>A number of strategic programmes developed to help meet the challenges:</th>
<th>Two key Strategic Delivery Programmes (Fit3 and Major hazards)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Four Strategic Enabling Programmes - STEPs (LA/HSE partnership worker involvement, business involvement and enforcement)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>To complement the strategic programmes, two further initiatives to improve delivery of business objectives were developed:</th>
<th>A science strategy to direct the way in which HSE’s science and technology resources will be targeted</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>An internal workforce strategy to ensure that the HSE has the right people in the right place with the right skills</td>
</tr>
</tbody>
</table>

A further separate document was prepared Sensible Health and Safety at Work. Its purpose is to explain to everyone who has an interest in health and safety at work how the main regulators – the Health and Safety Executive (HSE) and Local Authority Environmental Health Departments (LAs) – will act to bring about good standards, without wasting either their own resources, or those of the many organisations which have duties under the Health and Safety at Work Act (HSW Act).

| Denmark Action Programme for a Clean Working Environment 2005 | |
|---------------------------------------------------------------|
| Action Programme is a body of several strategies: one platform strategy completed by more detailed strategies and programmes covering all relevant important areas and players in the Danish society |
| Strategy construction developed over many years, constantly adapting to developments in society |
| Government emphasis that action in the priority areas to be intensified |
| All stakeholders participation in the Programme to have a determined, coordinated and effective effort |
| Increased use of sectoral action to make it possible to adapt instruments and methods of work to the sector’s specific conditions and problems |
| Intensification of Danish OHS Authority’s workplace assessment activities to encouraging greater use of systematic OHS |
| Danish OHS Authority to inspect suppliers, designers and consultants to make sure they are following the legislation |
| Danish OHS Authority personnel to receive more training to enable them to be more knowledgeable in their inspections |
| Prioritisation of statistics and documentation that all working environment players, including enterprises, can use as a basis for prioritising preventative actions |
| The Danish Institute of Occupational Health to continue to provide research that will support the implementation of the Action Programme. |

### Table 11: Monitoring and Reporting on National Strategy Outcomes and Progress

<table>
<thead>
<tr>
<th>Country</th>
<th>Workplace Relations Ministers’ Council set requirements that:</th>
<th>Australia</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>The peak national OHS agency report annually on progress made in implementing the Strategy, including evaluations of each action plan for the national priorities developed under the Strategy.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>The National Strategy to be evaluated once every three years to gauge its efficiency, effectiveness and impact and to allow for the priorities and actions to be adjusted to meet changed needs. This three-year evaluation report is referred to as the triennial review.</td>
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<thead>
<tr>
<th>Country</th>
<th></th>
<th>United Kingdom</th>
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<tbody>
<tr>
<td></td>
<td></td>
<td>Annual statistics to measure progress on occupational health and safety targets published every November</td>
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<td></td>
<td></td>
<td>Quarterly in-year OHS performance data</td>
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<td></td>
<td>Progress against planned milestones in programmes and projects</td>
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<td></td>
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<td>Quarterly statistics to measure progress on major hazards targets</td>
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<td>Compliance with Enforcement Policy through audit and review activity</td>
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<td>There is an emphasis on measuring the success of the Strategy based on collective efforts and not just on the role of the regulator.</td>
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<td></td>
<td>The HSE Executive Board provided with an overview of the HSE’s work on engaging stakeholders in delivery of the Strategy</td>
</tr>
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<tr>
<th>Country</th>
<th></th>
<th>Denmark</th>
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<td></td>
<td></td>
<td>A seminar on the National Action Plan 2010 was held in February 2009 with the aim of discussing:</td>
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<tr>
<td></td>
<td></td>
<td>How far the Working Environment Council has come to achieve its objectives in the National 2010 Plan</td>
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<td>What it is still needed to achieve the goals of the plan</td>
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<td>Seminar attended by representatives from the Working Council, Industry Work Councils, the Working Environment Authority and the National Research Centre for the Working Environment.</td>
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<td></td>
<td>Recognises that the Strategy will need ongoing review: the list of priorities in the Government’s report is seen as a dynamic list, which is to be adjusted to new trends to the labour market as well as the development of new technologies.</td>
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<td></td>
<td></td>
<td>The Activities of the Working Environment Authority were also put under review.</td>
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<tr>
<th>Country</th>
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<th>Finland</th>
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<td></td>
<td></td>
<td>Implementation of the Strategy is evaluated every three years by the Advisory Board/Committee on Occupational Safety and Health working in connection with the Ministry of Social Affairs and Health; the central labour market organisations are represented on the Board/Committee</td>
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<td></td>
<td>Three follow-up reports of the OHS strategy have been prepared since the launch of the Strategy</td>
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<td></td>
<td>The implementation is evaluated on the following aspects:</td>
<td>Parameters for occupational accidents and diseases and other cases of work-induced loss of health as well as parameters for resulting absenteeism and premature retirement</td>
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<td></td>
<td>Parameters for experience of working conditions</td>
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<td></td>
<td>Data illustrating changes in the working environment and in working communities’ way of action and data describing the functions and modes of action of the OSH administration.</td>
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<td>The OSH administration reforms its monitoring systems in compliance with the strategy</td>
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<tr>
<th>Country</th>
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<th>New Zealand</th>
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<tr>
<td></td>
<td>Department of Labour undertakes two types of reviews:</td>
<td>Intermediate annual reviews – annual Snapshot of Progress that reports on annual progress and activities</td>
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<td>A formal review every three years</td>
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<td>DoL also provides a progress briefing to the Minister of Labour twice a year</td>
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<td></td>
<td>Other government agencies:</td>
<td>Report to their Ministers about their work under the Strategy</td>
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<td></td>
<td>Provide the DoL with information to brief the Associate Minister of Labour on progress and to produce annual reports.</td>
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</table>
An evaluation framework to guide the Strategy was drawn up in June 2005 by the DoL in consultation with the advisory bodies and the WHSS Government Agency Group.

**What has been done:**
- Four ‘Snapshot of Progress Reports’ for the following years: 2005-06, 2006-07, 2007-08, 2008-09
- Outcome Monitoring Framework – Consultation Paper: this document describes and explains a proposed framework for monitoring outcomes relating to the improvement of workplace health and safety through the WHSS

**DoL initiated its three year review of the Strategy in February 2009**

**Key purposes of the review were:**
- Determine progress against the Strategy’s aims from June 2005 to December 2008
- Provide in-depth analysis of the Strategy’s performance
- Provide recommendations to improve the Strategy
- Establish key priorities for the strategy to focus future activity

**The review involved:**
- Consultation activities including public events, consultation with agencies, in-depth interviews with a range of health and safety experts and practitioners and written submissions
- Use of the stock-take of activity
- A survey of other OHS strategies internationally
- The development of a draft Outcome Monitoring Framework
- The Workplace Health and Safety Council was also reviewed Workplace Health and Safety Council produced an annual report for 2009 which covered the work of the council for the year

Developed from NOHSC (2002a); Health and Safety Executive (2010c); Working Environment Information Centre (2009); Ministry of Social Affairs and Health (2008); Ministry of Social Affairs and Health (1999); New Zealand Department of Labour (2009f); New Zealand Department of Labour (2009c); Workplace Health and Safety Council (2010).
Table 12: Monitoring and Reporting on National Strategy Outcomes and Progress – Earlier Strategies

<table>
<thead>
<tr>
<th>Country</th>
<th>Description</th>
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<tbody>
<tr>
<td>UK</td>
<td>Technical approach to measuring progress against the targets was set out in a Statistical Note where it was noted that a report on progress would be prepared each year, comparing the latest data with that of the base year.</td>
</tr>
<tr>
<td>Revitalising Health and Safety</td>
<td>HSC report on performance against published targets and outcomes, including what is happening in the different industry sectors.</td>
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<td></td>
<td>Produced a progress report for the 44 action points under the action plan that identifies which Department has lead responsibility and the key players involved. It also shows the current position, achievements and next steps.</td>
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<td>Eight case studies were developed to mark the mid-point of the ‘Revitalising’ Health and Safety initiative. They cover a range of industries, and highlight the good practice and initiatives developed by many sectors since the launch of the Strategy.</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>A year after the strategy was launched, the HSC provided a report to the Minister for Work on the first year of the strategy. This report provided examples of the various activities and initiatives that had been undertaken under each of the four themes in the first year of the strategy. It included work to date and work, which was still in progress. The document also provided a list of all the early deliverables that had been completed and the dates they were completed.</td>
</tr>
<tr>
<td>Great Britain to 2010 and Beyond</td>
<td>HSE will continue to evaluate the Strategy’s success in three key areas:</td>
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<tr>
<td></td>
<td>Impact on outcomes: are fewer people being killed, injured and made ill at work? Is the Strategy supporting delivery of the targets?</td>
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<td></td>
<td>Impact on attitudes, roles and behaviours: Are they changing in the ways we want as we implement the vision set out in the Strategy?</td>
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<td></td>
<td>Impact on HSE and LAs: is focusing on the four themes in the Strategy and organising work around key programmes enabling HSE and LAs to become more effective in using their collective resources? Is HSE more efficient?</td>
</tr>
<tr>
<td></td>
<td>Obtaining reliable and accurate data will be a major challenge but work has already begun on supplementing existing sources with a range of alternatives</td>
</tr>
<tr>
<td>Denmark</td>
<td>Priority areas were monitored through annual surveillance reports</td>
</tr>
<tr>
<td>Action Programme for a Clean Working Environment 2005</td>
<td>Annual analysis examines a number of development indicators with the purpose of showing the level of development and the need to make adjustments to activities of the WEA if unintended developments are detected.</td>
</tr>
<tr>
<td></td>
<td>The government finds it necessary to evaluate the other working environment players that must provide support to help businesses in their endeavours to create a good working environment</td>
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<td>Developments are monitored on the basis of a data model comprising three pillars:</td>
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<td>Information on risk exposure and health conditions in the working environment</td>
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<td></td>
<td>Preventive working environment activities undertaken by enterprises</td>
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<td></td>
<td>Preventive activities undertaken by the working environment professionals.</td>
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Table 13: Findings from Reviews

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<th>Country</th>
<th>Findings</th>
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| Australia | First triennial review conducted in 2004-05. Results of review not made available to the public, however, a brief statement on the outcomes of the review was released. It noted that the National Strategy was contributing to improvements in OHS because it:  
- Set targets based on data  
- Provided a focus for national efforts enabling resources to be used to greater effect  
- Established a framework which encourages the development of new relationships between governments, businesses and employees.  
The review identified that all Australian OHS authorities had modelled business plans or strategies on the National Strategy. The review also recognised that all the signatories to the Strategy were working on education and compliance campaigns to raise awareness of OHS and engage industry in activities which support the National Strategy’s goals. Second triennial review completed in 2009, however, like the first triennial review was not made available to the public. |
| United Kingdom | Yet to be review. However, the outcomes of the previous strategy show:  
- Stakeholder’s feedback recommends separating enforcement from support and advice  
- Lack of coherent direction to the overall health and safety system. HSC, HSE and Las cannot and should not do it all.  
- HSE and Las spread too thinly and need to be targeted to where they can have the most impact  
- Many firms are scared if HSE and Las. This fear motivates them to seek help but there is nowhere they are happy to go to get it |
| Denmark | The following conclusions were drawn from the seminar held in February 2009 review the 2010 Action Plan:  
- It is still very difficult to say how far away Denmark was away from achieving the objectives of the 2010 plan - partly because the targets are split into a number of complex targets  
- Many activities taking place and that the players have begun to meet goals and they have an understanding of the challenges presented in the four focus areas  
- Lack of knowledge about what other stakeholders were doing to achieve the goals or knowledge of what experiences others have about what works and what does not  
- Complicated to measure progress in the four areas and that Denmark may have made it too complicated. A challenge has been reaching out to individual workplaces. Stakeholders shared a common challenge of being able to reach out to individual companies and the safety representatives in these companies. Even across stakeholders, including Bars, there was poor knowledge of what each was doing.  
The Danish Working Environment Authority is also subject to evaluation:  
- The evaluation process appears to have had its roots back in 2000 when the Working Environment Authority was not able to provide clear details on the impact of its activities.  
- An impact policy was introduced in 2002 and in 2008 a further impact evaluation strategy was introduced as update to the 2002 policy.  
- The Impact Evaluation Strategy was prepared on the basis of recommendations from an international expert group at the end of 2008.  
- The Evaluation Strategy evaluates the core activities of the Danish Working Environment Authority with the aim of ensuring maximum impact of the authority’s services.  
- Implementation of the Strategy requires the Danish Working Environment Authority to prepare an annual work plan. |
| Finland | Working conditions have further improved in various sub-sectors but the good development seems to have partly stagnated  
- OSH activities and cooperation have developed favourably. |
There is still much work to do for improving working conditions and new challenges are emerging with changes in working life.

Report produced in 2009 on the stock take of activities that had occurred from 2005 to 2008.

It noted that most activity was taking place under Outcome 1, which represents government leadership and practices while reporting under the industry led outcomes 2 and 3 were less developed.

The report made the following recommendations:

- Promote wider ownership of the Strategy among industry, the community and general public
- Counterbalance the perception that the WHSS is a strategy to direct the action of government agencies
- Ownership for the Strategy to devolve to workplaces in order to achieve improved outcomes.
- Provide guidance on OHS reporting in accountability documents
- Ensure the Strategy remains visible in reporting structures
- Develop and implement an ongoing activity reporting structure for the WHSS that a) encourages greater industry response, and b) goes beyond stakeholders providing updates on previously reported activities. It is likely

The formal three-year review of the Strategy that was released in December 2009, found the following:

- The Strategy is sound
- There has been progress in OHS in New Zealand
- The Strategy needs clearer direction to focus action [particularly to engage stakeholders at the workplace level – an implementation gap has emerged between the high-level Strategy framework and the actions at the workplace, industry or hazard level]
- There is agreement on the health and safety problems that need fixing
- Include workplace capability and guidance and standards, especially for small business]
- The Strategy needs rejuvenation to be more effective
- Improving cross-agency leadership and coordination
- An action agenda is needed to fill the implementation gap
- New Zealand needs to build and strengthen its monitoring and measurement capacity
- There is support for the Workplace Health and Safety Council

A series of recommendations to try and address the short-falls of the National Strategy were noted for delivery.