

OHS&E LEVEL 1 COMMITTEE MEETING: 10 August 2011

PRESENT:

Professor Fred Hilmer	President and Vice-Chancellor
Professor Les Field	Deputy Vice-Chancellor (Research)
Professor Janet Chan	President of the Academic Board
Professor Wai Fong Chua	Pro-Vice-Chancellor (Enterprise Systems)
Professor Margaret Harding	Pro-Vice-Chancellor (Research)
Ms Jennie Lang	Pro-Vice-Chancellor (International)
Ms Jenny Bott	Chief Executive, UNSW Foundation
Professor Alec Cameron	Dean, Australian School of Business
Professor Graham Davies	Dean, Faculty of Engineering
Professor Ian Howard	Dean, Faculty of the College of Fine Arts
Professor Merlin Crossley	Dean, Faculty of Science
Professor David Dixon	Dean, Faculty of Law
Professor James Donald	Dean, Faculty of Arts and Social Sciences
Professor Alec Tzannes	Dean, Faculty of the Built Environment
Professor Peter Smith	Dean, Faculty of Medicine
Professor Ian Howard	Dean, Faculty of the College of Fine Arts
Professor Michael Frater	Rector, ADFA
Dr Rob Forage	CEO, UNSW Global
Mr Edward Ho	Head of Risk Assurance and Internal Audit
Professor Laura Poole-Warren	Dean of Graduate Research
Mr Jonathan Blakeman	Executive Director, Finance & Operations
Mr Neil Morris	Executive Director, University Services
Professor Joan Cooper	Pro-Vice-Chancellor (Students) & Registrar
Ms Jenny Bott	Chief Executive, UNSW Foundation

APOLOGIES:

Professor Richard Henry	Deputy Vice Chancellor (Academic)
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IN ATTENDANCE:

Ms Judy Brookman	Director, Communications
Mr Adam Janssen	OHS Manager
Mr Aaron Magner	Director UNSW Sustainability
Mr Robert Kelly	Director Facilities

WELCOME AND APOLOGIES

Professor Hilmer opened the meeting. An apology from Professor Richard Henry was noted.

1. Minutes Of The Previous Meeting

The minutes from the previous meeting 11th May 2010 were accepted.

2. Correspondence *In*

The University has received court orders to appear before the Industrial Court of New South Wales on charges brought by WorkCover. There are 2 charges:

1. failing to ensure the safety of a staff member whilst undertaking University activity at the place of work (in this instance aboard a boat on Sydney Harbour);
2. failing to ensure the safety of a student (on the same activity).

There are a number of particulars cited in the alleged offences including: failure of the University to conduct a specific risk assessment dealing with all foreseeable risks concerning the boat; failure to keep an owner's manual on the boat; failure to conduct a safety briefing/induction informing passenger of the risks including the need to wear personal flotation devices; failure to have

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provided a written safety procedure to passengers; failure to have properly identified the supervisor; and failure to train passengers on the use of on-board safety equipment.

The matter is listed for the first directions hearing on 23rd August 2011.

The committee was reminded that this is the 2nd prosecution by WorkCover against UNSW; the University has already been convicted of failing to ensure the safety of a student at the College of Fine Arts campus in April 2005.

The injured student has also taken out a personal liability claim against the University.

A question was raised as to what circumstance would warrant a prosecution against an individual. This normally involves evidence of willful negligence and a clear failing to carry out known instructions and failing to take appropriate action for foreseeable risks. The new Workplace Health and Safety Legislation which will be in force on 1st January 2012 places specific responsibilities on 'Officers' (see section 11 as well as the issues paper on this topic included as an attachment sent out with agenda for this meeting).

3. Correspondence Out - None

ACTIONS ARISING FROM THE PREVIOUS MEETING

4. Smoking on Campus – Verdict on smoke-free campus

Mr Morris reported (on behalf of Professor Henry) that an email sent to the UNSW community on 27th June outlining a total smoking ban surrounding the Lowy cancer research building including in the area between Wallace Wurth and the Chancellery Building, the Clancy Auditorium and the Michael Birt gardens was received with overwhelming support. The email also invited feedback from the community on the prospect of UNSW becoming a smoke free campus. The email attracted four hundred and fifty-two responses. 76% of responses requested a smoke free campus, 18% thought that there should be more smoke free zones or that there should be designated smoking areas and 6.2% opposed a smoke free campus. A common theme through many of the emails was the provision of designated smoking areas. A request has been directed to Mr Robert Kelly, the Director of Facilities Management, to identify some areas around the campus which can be established as designated smoking areas. Mr Kelly indicated he discussed several possible locations with Prof. Henry and they would undertake a walk around these areas (scheduled for (23rd August) to assess suitability. It was acknowledged that there were many complexities including how to manage special events such as graduations and that a phased in approach was likely to be more successful. **Action 1: Professor Henry to report back on the status of the Smoking on Campus Project.**

5. Traffic Management and Pedestrian Safety

Mr Kelly informed the Committee that the Gate 2 student accommodation project has already commenced with the erection of hoarding, shoring and excavation works. The work will result in the loss of the car park at Gate 2 until the completion of the project. Additional spaces are being made available at the car park on Western campus which is due to open end of August. A construction traffic management plan is being jointly developed by the Design and Construct contractor and UNSW. Traffic management will be in place to ensure the safety of site personnel, visitors and pedestrians around the construction site, the residential colleges and the gymnasium **Action 2: Mr Kelly to provide an update at the next meeting.**

6. Slips, Trips and Falls Project

Mr Janssen reported that the incidents of slips, trips and falls have increased at UNSW each year over the past 3 years. Facilities Management and the OHS Unit used incident data to identify seven hot spot areas where the highest percentage of slips, trips and falls have occurred on campus. These include the areas around the Botany St. car park (9%); AGSM (9%); Morven Brown (17%); Library Stage 2 (24%); K17 (9%); Scientia (14%) and the Quadrangle (18%). The

committee was provided with a project update showing that total expenditure by Facilities Management on surface repairs has reached \$89,763 year to date. In addition the Facilities budget will in future include re-surfacing and repair projects as an item requiring annual expenditure. Since the start of the project, workers compensation claims arising from slips, trips and falls have fallen from 17, for the period between January and 30 June 2010, compared to 10 claims for the January to June period this year.

7. Corrective actions for 2010

This item was discussed under Item 12 Statistics

8. Campus Lighting Project

Mr Kelly updated the committee on the improvements to lighting on the campus. A maintenance plan has been developed and implemented for all overgrown vegetation to be thinned and hedges trimmed back to a maximum height of 1metre. The main focus over the next few months are areas of high student usage and include: western end of Newton; western end of CLV; southern end of the lifestyle central southern drive adjacent to the Barker apartments and Barker apartments entrance. A follow up night time audit will be conducted within 3 months of all maintenance repairs and upgrading. **Action 3: Mr Kelly to provide an update at the next meeting.**

9. Alcohol on Campus

An issues paper tabled at the committee provided background to the concerns raised at the previous meeting i.e. disruption to surrounding building occupants from events being held at the Roundhouse as well as the responsible serving of alcohol during social functions organised by work units (e.g. staff parties). (Mr Morris acknowledged the more smoothly run event by Arc for the recent Foundation Day where the Arc notified people in advance and provided a timetable for the day's events).

The issues paper also provided findings from a review of other G08 policies around alcohol. Such policies were examined to see whether they included: disruption to surrounding building occupants from licensed university premises; social functions organised for staff parties; whether Responsible Serving of Alcohol (RSA) requirements are being met; the need for risk assessment for functions; the need for zero alcohol for operation of high risk equipment and whether there were any policies indicating an outright ban. No University had a policy moving to prohibition of alcohol and only Monash had a policy covering most of the other items. The current UNSW *Alcohol and other Drugs in the workplace guideline* was written in 2002 and focuses on: being fit for duty unimpaired by alcohol or other drugs; reporting any concerns about fellow employees who may be impaired by drugs or alcohol to the extent that their safety and that of others is affected; and advice on utilising the Employee Assistance Program. The Committee endorsed the recommendation of the paper to review and update the existing UNSW guideline.

Action 4: UNSW 'Alcohol and other Drugs in the workplace guideline' to be updated.

10. Significant Incidents

Three Significant Issues were noted:

1. A fire at the Randwick campus 18 June 2011. The fire was believed to have been caused by chemicals that had been abandoned when a Science research group finished up ~5 years ago. Some of the chemicals left behind included: nitric acid, ether, 3 types of insecticides, gas cylinders, batteries, paints and oily rags. Luckily they were sited directly beneath a sprinkler system so that when the fire started it was able to be controlled quite quickly. It is not clear what caused the fire - it may have been as a result of a self reaction of some of the chemicals or containers being knocked over by an animal etc. However it did highlight three particular deficiencies in UNSW systems:
 - i. The University does not have a method for 'registering laboratory spaces' to enable a new space to undergo specific commissioning procedures and in turn enable a decommissioning process to facilitate the removal of unwanted chemicals and equipment.

Action 5: Investigate feasibility of registering laboratory spaces through space management plans.

- ii. The University does not have a system to enable the tracking of chemicals from purchase to disposal. This shortfall is further highlighted when government agencies seek information on the existence of hazardous materials on site e.g. security sensitive biological agents; schedule 8 drugs of addiction; radioactive isotopes, explosives and explosive precursors as well as the emergency services requesting summary details of dangerous goods on site when they respond to an incident such as a fire or chemical spill.

Action 6: Investigate feasibility of implementing a UNSW wide chemical management system

- iii. There were failings in terms of the emergency response. A number of people turned up to the site (the incident happened on a Saturday) including people from Civil Engineering, Faculty of the Built Environment, security guards, emergency coordinator, OHS manager and Executive Director University Services. However it was not clear who was in control of the emergency. There didn't appear to be a clear plan.

Action 7: Review current UNSW Emergency Procedures and Resources.

There was also discussion about the ease of introducing hazardous materials onto site i.e. no restriction on purchasing via a personal credit card. However it was felt that this was more a failure of an OHS system rather than a purchasing system. Local areas should be enforcing the need to conduct an assessment of the risks before introducing new substances to the workplace.

Professor Field mentioned the incentive to reduce the quantity of hazardous material held at sites on Victorian campuses that get charged a tax proportionate to the square metre of space holding hazardous material. This relies on having an online chemical inventory system in place to enable the calculation.

The value in having a space vacating proforma which would enable a research facility, which was approaching the end of its term, be identified and carry out certain requirements was highlighted. In addition Professor Poole-Warren highlighted the lack of an exit checklist for both staff and research students which would include OHS issues, such as the need to ensure the space is left in a safe manner, but would be broader and include other matters such as data management and any licenses that may be required etc. She offered to work with someone to develop such a checklist.

Action 8: OHS Unit/HR to work with Professor Poole-Warren to develop an Exit checklist

2. The 2nd item mentioned under significant incidents was the handing in of 1kg of a Class 1 Dangerous Good by a researcher to the chemical store. This again highlights the potential for other such hazardous material to be held in storage without people's knowledge due to the lack of a comprehensive and secure chemical inventory system.
3. The third incident related to a liability claim just received by the University from a staff member who claims to have had exposure to mercury. The potential cost of the liability claim is significant. The University was unable to demonstrate that the person was not exposed to Mercury vapour. This highlights the lack of a proper assessment of the risks with adequate controls to both quantify exposure and minimise exposure through engineering means. This will become more significant next year where there is a specific requirement in the new Workplace Health and Safety Act to eliminate or minimise risk 'so far as is reasonably practicable'. Cost is to be the final consideration to be weighed up in determining what is reasonable practicable after assessing the extent of the risk and the available means of controlling or minimising it (the reasoning behind decision making needs to be documented).

11. New Workplace Health and Safety Legislation

A paper outlining the key aspects of the new legislation was tabled at the committee. The substantive change is the responsibility of 'Officers' (i.e. VCAC group). A briefing will be conducted

by an external lawyer at the November meeting to update members of this committee on the new OHS legislation. It was noted that fines were significantly increased from the existing OHS legislation i.e. the most severe category of offences involving recklessness will attract a maximum fine for corporations of \$3 million. An individual 'officer' can be fined up to \$600,000 with a maximum term of five years imprisonment. Workers can be fined up to \$300k and up to 5 years imprisonment.

12. OHS Strategic Framework KPT Update

(Quarterly Risk Management Report 2011
+ OHS&E Statistics January to June 2011

The incident statistics showed a reduction has occurred in the Lost Time Injury Frequency Rates (LTIFR). The target set for 2009 - 2011 was to achieve a reduction in the LTIFR by 25% from 6.7 to 5. 2011 year to date is showing an LTIFR (excluding journey claims) of 2.5. In addition the cost of claims has halved from an average cost per claim in 2010 of \$3,527 to \$1,662 in 2011 (to date).

In addition a comparison of the total incident frequency rates reported per Faculty and Division versus the Medical Treatment Injury Frequency Rates per Faculty and Division were reported. *(It would be expected that medical treatment rates would be much smaller being a subset of total incidents that is if there existed a culture to report incidents irrespective of whether an injury occurred or if the injury was only minor).* In all but one Faculty the rate of reporting of incidents was significantly higher than the reporting of injuries requiring medical treatment. For the Faculty of the Built Environment only those incidents which require medical treatment (i.e. worker's compensation) are being reported.

A similar trend ought to be seen in the reporting of Hazards versus Incidents i.e. it would be expected that more hazards would be reported than incidents (i.e. so that problems can be fixed before people get injured or something goes wrong). However for half of the Faculties and Divisions the number of incidents occurring was higher than the number of hazards reported.

The % completion of corrective actions for each Faculty and Division was also reported (2010 only). It would be expected that 90-95% of actions would be completed by now. 4 of the 13 areas had greater than 80% completion of corrective actions: ASB; DVA Academic; Engineering; and Law, 3 had over 70%: Medicine; Science; and University Services, 3 were greater than 60% i.e.: CoFA; FASS; and DVC Research. Finance and Operations were at 48% completion and FBE were at 36%.

Professor Hilmer questioned the rationale for choosing audit sites and expressed the view that areas showing high incident frequency rates should be visited at least annually. The value of onsite inspections was also discussed; audits tend to focus on systems and documentation but inspections can be better at identifying specific risks.

Actions 9: Deans and Divisional Unit managers to encourage a culture of reporting hazards and to communicate the importance of closing off actions on reported hazards.

Actions 10: OHS Unit to review the auditing / inspection program for 2012

13. Background Paper: National Greenhouse and Energy Reporting Compliance

Under the *National Greenhouse and Energy Reporting Act 2007* (the NGER Act) the University is required to provide the Commonwealth Government's Greenhouse and Energy Data Officer an annual report detailing our greenhouse gas emissions, including carbon emissions as well as energy use. Aaron Magner, Director UNSW Sustainability, spoke to the Background Paper and reported on UNSW's compliance obligations. For the 2010/2011 NGER reporting period UNSW must report on emissions and energy use across all "facilities" where the University exercises "operational control", as defined in the NGER Act. For noting.

14. National Greenhouse and Energy Reporting Procedure

In response to increased compliance obligations under the NGERS Act a new National Greenhouse and Energy Reporting Procedure has been developed that sets out UNSW's Greenhouse and Energy Reporting compliance methodology, identifying and allocating reporting responsibilities for gathering and providing greenhouse and carbon emission related data for inclusion in the NGER report, which is due before 31 October.

Resolution: That the OHS and E committee note and approve the NGER compliance methodology and procedure.

15. Environmental Law Compliance Procedure and Directory - updated 20 July 2011

The Environmental Law Compliance Directory sets out the key Australian Federal and State Government legislation relevant to the University's core activities that could impact on the environment. It forms part of UNSW's environmental management system and is intended to document and assign responsibility for compliance with specific environmental laws and regulations. The Environmental Law Compliance Directory has been updated following amendments to legislative amendments and an executive review of the UNSW personnel accountable and responsible for compliance. For noting.

NEW BUSINESS

16. Matters arising from Level 2 and Level 3 OHS Committees

None

CLOSE OF MEETING

Next Meeting: 2nd November 2011

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SUMMARY OF ACTIONS

Item	Date Action Was Agreed	Issue	Person Responsible	Target Date
1	10 th Aug. 2011	Smoke Free Campus Action: Professor Henry to report back on the status of the Smoking on Campus Project	Professor Richard Henry	2 nd November committee meeting
2.	10 th Aug. 2011	Traffic management and pedestrian safety Action: Mr Kelly to provide an update at the next meeting	Mr Robert Kelly	2 nd November committee meeting
3.	10 th Aug. 2011	Lighting improvements Action: Mr Kelly to provide an update at the next meeting	Mr Robert Kelly	2 nd November committee meeting
4.	10 th Aug. 2011	Alcohol on campus Action UNSW: <i>Alcohol and other Drugs in the workplace guideline</i> to be updated.	Mr Janssen	2 nd November committee meeting
5.	10 th Aug. 2011	Failing from the Fire at Randwick Action 1 Action: Investigate feasibility of registering laboratory spaces through space management plans.	Mr Janssen	2 nd November committee meeting
6.	10 th Aug. 2011	Failing from the Fire at Randwick Action 2 Action: Implement a UNSW wide chemical management system	Mr Janssen	February 2012 committee meeting
7.	10 th Aug. 2011	Failing from the Fire at Randwick Action 3 Action: Review current UNSW Emergency Procedures and Resources	Mr Karl Natschev	February 2012 committee meeting
8.	10 th Aug. 2011	Exit Checklist for Staff or Student Action: OHS Unit/HR to work with Professor Poole-Warren to develop an Exit checklist	Professor Poole-Warren, OHS Unit	February 2012 committee meeting
9.	10 th Aug. 2011	Reporting of Hazards Actions: Deans and Divisional Unit managers to encourage a culture of reporting hazards Actions: Deans and Divisional Unit Managers to communicate the importance of closing off actions on reported hazards.	All Committee members	2 nd November committee meeting
10.	10 th Aug. 2011	Incident Statistics Actions: OHS Unit to review the auditing / inspection program for 2012	Mr Janssen	February 2012 committee meeting