PROMOTING EFFECTIVE HEALTH AND SAFETY LEADERSHIP
USING THE PLATFORM IN THE MODEL WORK HEALTH AND SAFETY ACT

HEALTHY AND SAFE BY DESIGN

SUPPLY CHAINS AND NETWORKS

REDUCED INCIDENCE OF WORK-RELATED DEATH, INJURY & ILLNESS

REDUCED EXPOSURE TO HAZARDS & RISKS

HEALTH AND SAFETY CAPABILITIES

LEADERSHIP AND CULTURE

HEALTHY, SAFE AND PRODUCTIVE WORKING LIVES

IMPROVED WORK HEALTH AND SAFETY INFRASTRUCTURE

IMPROVED HAZARD CONTROLS

RESPONSIVE AND EFFECTIVE REGULATORY FRAMEWORK

RESEARCH AND EVALUATION

GOVERNMENT

Barry Sherriff – March 2011

safe work australia

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Promoting effective health and safety leadership: using the platform in the model Work Health and Safety Act

Barry Sherriff, Norton Rose (March 2011)

PROJECT BACKGROUND

This paper was initiated as part of the development process of the Australian Work Health and Safety Strategy 2012-2022 (Australian Strategy). The purpose of this paper is to describe how the elements of the due diligence definition in the duty of officers under the harmonised work health and safety laws support the leadership that contributes to an improved organisational culture.

EXECUTIVE SUMMARY

There has been a shift in focus from physical workplace hazards towards systems of work and the role of decision-makers in ensuring a healthy and safe workplace. This focus therefore expands from the individual shop floor or 'sharp end' workers to those at the senior management and board levels who determine how the organisation conducts its business.

The due diligence requirements relate to functions that officers have control over that affect decisions and behaviour on work health and safety. These duties may therefore influence the workplace culture.

The organisational culture that can improve safety is supported by awareness or "mindfulness" and encourages engagement throughout the organisation arising from sharing information, promoting flexibility and innovation and supporting honesty and transparency through a "no blame" approach. This is aligned with the prerequisites of a positive organisational culture: an informed culture, a reporting culture, a just culture, a flexible culture and a learning culture.

An organisational culture is dependent upon its values and beliefs, and can be manifested through what an organisation 'does', whether consciously or unconsciously.

What an organisation does is driven by the leadership of the organisation. Leaders establish the values and are able to support the creation of mindfulness. They develop and implement policies and enforce accountability. They can be the initiators and supporters of a culture of blame or of a no-blame approach.

Leadership styles include transactional leadership and transformational leadership. The former is process-driven and is usually associated with supervisory and middle-level management. Transformational leadership is inspirational by engaging 'hearts and minds' to participate in decision-making and to 'own' work at an individual level. Transactional leadership can provide consistent quality processes and outcomes; transformational leadership can initiate and support continuous improvement, innovation and worker commitment.

Leaders are not only those in those formal leadership roles associated with legislated duties. Informal leaders can be highly influential and are most likely to be transformational in style. Such leaders can be identified and supported to influence in a positive way.

The due diligence requirements are drivers of active involvement by those falling within the scope of 'officer'. This involvement may facilitate leadership of workplace health and safety and the existence of some prerequisites of a positive organisational culture.

Implications for the Australian Strategy

1. Policy

- Focus on organisational and industry governance as a means of promoting work health and safety
- Prioritise leadership as a means of fostering a workplace culture of health and safety, and
- Consider further regulatory strategies to develop and promote leadership, governance and a positive organisational culture.

2. Action

- Utilise guidance and compliance approaches that consolidate and reinforce the due diligence requirements of officers.
- Develop performance measures for due diligence and for leadership, and
- Develop an organisational reporting framework for due diligence compliance, leadership and/or culture.

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INTRODUCTION

It is well understood that the physical environment in which work is undertaken (the workplace) and the things used for, or in, work (plant and substances) must be safe and without risks to health. Work health and safety laws have focused on those elements, placing duties on those who provide those things, or require work to be done.

It has for some time been recognised that work must also be done in a way that is safe and without risks to health. To promote that, work health and safety laws require safe systems of work and associated information, instruction, training and supervision to be provided by those who employ or engage people to carry out the work.

Systems of work, including consideration of the resources and other requirements for the work to be done, will be more likely to provide for health and safety if they take into account all of the relevant circumstances. This is aided by input into the decision making process by all who are involved in managing, supervising and undertaking the work. Consultation obligations in legislation are aimed at ensuring that contribution of information. Ideally, the flow of information should be a continuous process, with information volunteered rather than only provided when it is sought during formal consultation processes.
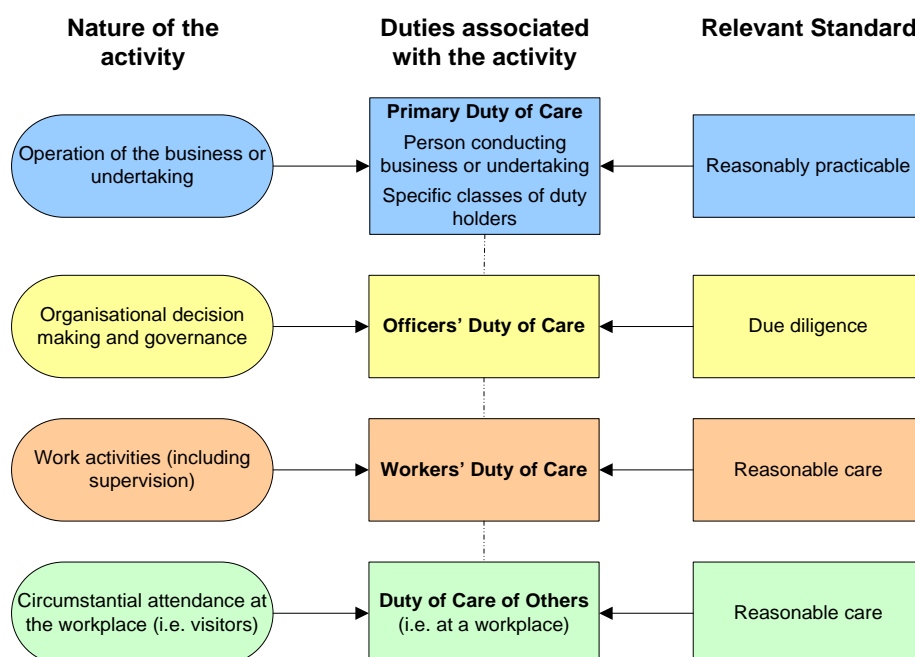
Even where the physical environment and inputs to work are safe, supported by appropriate systems of work, training etc., incidents still occur in which people suffer or are put to a risk of death or injury. This may be attributable to individuals not acting safely and in accordance with policies and procedures. That behaviour may result from a lack of understanding of the systems and procedures, a lack of appreciation of the risks, the systems not being followed where they are considered to be inappropriate or ineffective, or a tension between productivity and safety. Safe outcomes require those who carry out work to do so in accordance with systems of work that have been provided for them, and in which they have been instructed and trained. The supervisory process facilitates this process.

THE INFLUENCERS: DUTY HOLDERS

There are various people who are involved in work being done who may by that involvement put the health or safety of themselves or others at risk. They may do so by directing the work and the way in which it is done, contributing to it (e.g. by design, manufacture or supply of plant), doing the work, or by their behaviour at the workplace while the work is being done. The harmonised work health and safety laws recognises the influence these people (and organisations) may have and provides for them to each have a health and safety duty. The following table[1] identifies each of the classes of duty holder, the relevant activities and the standard that they are required to reach.

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[1] From National Review into model Occupational Health and Safety Laws: Second Report to the Workplace Relations' Ministers Counsel, January 2009 at paragraph 23.131.

Relationship between recommended duties of care

Nature of the activity	Duties associated with the activity	Relevant Standard
Operation of the business or undertaking	**Primary Duty of Care** — Person conducting business or undertaking; Specific classes of duty holders	Reasonably practicable
Organisational decision making and governance	**Officers' Duty of Care**	Due diligence
Work activities (including supervision)	**Workers' Duty of Care**	Reasonable care
Circumstantial attendance at the workplace (i.e. visitors)	**Duty of Care of Others** (i.e. at a workplace)	Reasonable care

The person conducting a business or undertaking (PCBU) is the 'operator' of the business or undertaking, not the officers or workers within it. Except where a business is being conducted by an individual as a self-employed person, the PCBU is a company, partnership or association.

The officers of the PCBU determine the field of activities of the PCBU, how the business or undertaking will operate and provide for the necessary resources—they govern the organisation. What the organisation does and how, is subject to the influence and direction of the officers.

Workers include not only those who carry out work tasks, but also the managers and supervisors who provide advice, implement and oversee the processes and systems.

What those who carry out work tasks do is subject to the activities and direction of the supervisors and managers, who in turn are subject at least in part to the decisions and activities of the officers. Conversely, the effectiveness of what each of the officers, managers and supervisors do and require will be subject to the actions of those at a lower level in the hierarchy.

BEHAVIOUR AND PERFORMANCE

There are numerous things that influence individual and collective behaviour at work. Some of these are beyond the control or influence of the PCBU, such as the personal experiences of the individuals and the influence of external parties. There are however many ways in which individual and collective behaviour can be influenced by people within the organisation.

The values and culture of the organisation may support and promote safe behaviour, or may undermine attempts to provide for and enforce safe behaviour. A person may be encouraged to act in a particular way where they perceive there to be a benefit in doing so. That perception may flow from or be supported by information provided to them. Conversely, an individual may act in a particular way to avoid a detriment they may suffer from not doing so, such as sustaining injury or being disciplined for failing to follow a system of work. Whether resources are provided may determine whether a person uses things necessary to ensure the work is done safely and without risk to health.

Each of these elements can be determined and influenced by the way in which the leaders of an organisation behave, and what they provide.

While some academics and safety professionals have in recent years focused on the behaviour of the individual (including through behaviour based safety principles and initiatives) there has been a growing recognition of the significance of the collective contribution, particularly that of the leaders of the organisation. This has been described in various ways including the work undertaken by Patrick Hudson and James Reason on "safety" culture, and the concept of "collective mindfulness" developed by Weick and others. As Andrew Hopkins has noted[2], there is a consistency between these various principles and theories, as each are aimed at enhanced awareness and the promotion of safe behaviour.

Models of leadership styles, such as transactional (or situational) leadership and transformational leadership, have also been applied to describe the influence of leaders and others on health and safety performance. These are discussed further below.

ORGANISATIONAL CULTURE

The culture of an organisation is defined by its values, beliefs, common working practices and the ways in which the organisation and individuals within it respond to unusual situations. An organisational culture support health and safety through its values, beliefs and practices. As described by Hudson the culture may range from pathological (uninformed and passive) through reactive, calculative (command and control) and proactive to generative (universal involvement, with safety integrated in day to day activities).

Reason and others have identified the various elements of a culture that will move an organisation forward through these stages of development. These elements are described by Reason as follows:

An informed culture—one in which those who manage and operate the system have current knowledge about the human, technical, organisational and environmental factors that determine the safety of the system as a whole;

- A reporting culture—in which people are willing to report errors and near misses;
- A just culture—a culture of 'no blame' where an atmosphere of trust is present and people are encouraged or even rewarded for providing essential safety-related information—but where there is also a clear line between acceptable and unacceptable behaviour;
- A flexible culture—characterised as shifting from the conventional hierarchical mode to a flatter professional structure; and
- A learning culture—in which there is the willingness and the competence to draw the right conclusions from its safety information system, and the will to implement major reforms when the need is indicated.

Each of these elements relates to one or more of the availability and sharing of information, the promotion of flexibility and innovation, and supporting honesty and transparency (and through that avoiding barriers to the free flow of information) through a "no blame" approach.

Collective and individual mindfulness are enhanced through each of these elements. Individuals are encouraged to provide information and various people receive and consider information. The organisation becomes more aware through the gathering together of information, and the analysis and use of that information.

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[2] For example in Safety Culture, Mindfulness and Safe Behaviour: Converging ideas? National Research Centre for OHS Regulation, Working Paper 7, December 2002.

Organisational values and beliefs are important to providing and supporting each of the elements that support health and safety. The values are those things which are considered to be the most important or even sacrosanct for the organisation, while the beliefs (such as whether or not safety properly fits within the concept of corporate social responsibility, or makes commercial sense) will underpin thought processes and policy decisions. The way in which activities are undertaken, including the ways in which decisions are reached, consultation and risk assessment are undertaken and so on, will influence the flow of information and the attitudes of behaviours of individuals.

The values and beliefs of the organisation and those within it are not the only determinants of the culture of the organisation. Others who may influence the individual and collective values and beliefs include peers, family members, unions, clients, suppliers and contractors who work within or alongside the organisation. The experiences of individuals will necessarily influence their beliefs and through that their attitudes, values and behaviour.

The culture of the organisation may be determined by the relative strengths of these internal and external influences, and the stated and executed values of the organisation.

THE IMPORTANCE OF LEADERSHIP

Those who make the key decisions as to how an organisation is run are integral to determining, supporting or undermining the organisational culture, in the following ways:

- The leaders set the values and may promote and support, or undermine, those values by the way in which they behave, including through the processes that they put in place.
- The leaders may drive or support organisational mindfulness and individual knowledge through the processes that they put in place or require within the organisation.
- Policies that are developed or authorised by the leaders may be either consistent or inconsistent with the culture and values that they seek to promote.
- Failing to hold people accountable for inappropriate or non-compliant behaviour may undermine the credibility of the leaders and the culture they seek to promote. This is particularly evident where safety is seen as being discretionary and treated seriously only where it is convenient, and not where it gets in the way of the day to day demands of the business or productivity. Accountability is driven from the top of the organisation.
- Leaders who engage in a "witch hunt" to apportion blame following a significant incident will stifle the free exchange of information and the volunteering of information on hazards and risks. Conversely, recognising or rewarding the reporting of hazards and risks can encourage that flow of information.
- To the extent that individual behaviour is driven by perceptions of benefit, this is achieved through the promotion of training and less formal means for providing information.
- To the extent that perceptions of detriment may drive individual behaviour, the identification and enforcement of accountability throughout the organisation is critical. This links in with the question of whether safety is considered mandatory or discretionary. If the leaders of the organisation do not hold accountable those who report directly to them, they will in turn not hold accountable those below them and so on down through the organisation.

Financial, physical and human resources are required to ensure that work is undertaken in a way that is safe and without risks to health. There needs to be an appropriate allocation of resources to ensure the technical, strategic safety knowledge is available and used by the organisation—for

example, adequate safety professionals within the organisation. There must also be adequate resources to enable work to be done properly and safely (e.g. equipment, training). The leaders of the organisation have significant roles in budgeting and organisational strategy that affect the allocation of resources.

Performance targets, the bases for remuneration and reward, operational strategies and governance arrangements are all matters that are relevant to health and safety performance in which the leaders of the organisation are involved.

The significance of the role of leaders, and how they should be involved in driving health and safety, has been recognised in various measures of an effective health and safety management system. This is reflected in a number of the elements of AS/NZS 4801:2001 *Occupational health and safety management systems—Specification with guidance for use* and AS/NZS 4804:2001 *Occupational health and safety management systems—General guidelines on principles, systems and supporting techniques* and the National Self-Insurer OHS Audit Tool.3 These standards provide specific guidance on the role of senior and middle management in matters including:

- The authorisation of the work health and safety policy
- Planning, including the setting of targets and designation of responsibilities
- Provision of resources
- Reporting, auditing and review and
- Incident reporting and rectification.

IDENTIFYING THE LEADERS AND LEADERSHIP STYLES

'Leaders' may be described as those who are able to influence the attitudes and behaviour of people. While that may generally be those with formal, senior positions in an organisation that need not be the case. There are often people at various levels of an organisation with the practical rather than formal ability to influence, or have people 'follow their lead'. They lead by being opinion formers, with an informal 'power base' or following, exhibiting behaviour that is seen by their peers as being appropriate to the circumstances as understood by them. Conversely, there are some with formal titles and authority who are not true leaders as they lack credibility and their directions are not followed.

Officers, managers and supervisors can and should all be leaders in safety. A consideration of the styles of leadership—transformational and transactional/situational—demonstrates how[4].

Transactional or situational leadership is aimed at achieving compliance through the setting and obtaining agreement on goals, monitoring circumstances and performance and administering reinforcement and accountability. This may be considered to be management rather than leadership, but is leadership to the extent that it is aimed at influencing the behaviour of others.

Transactional leadership is most commonly seen at the middle management and supervisory levels, and particularly in process driven organisations. This style may be less dominant at the board and executive level, but is a significant element of the role of those at that level. This style of leadership is most likely to produce compliance with processes and consistent outcomes. Measuring individual performance, and through that reward and recognition may be seen to be objective and easily undertaken. This style of leadership may be dominant in command and control organisations, and those in which strict observance of procedures is critical to quality or safety outcomes.

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[3] Approved by the Heads of Workers Compensation Authorities and released in August 2009.
4 For a discussion of transformational and transactional/situational leadership styles and the relationship between them and with safety culture see Flin,R and Yule,S Leadership for safety: industrial experience Quality and Safety in Health Care 2004 13 (Supplement II at 45).

Transformational leadership is more readily identified with what is now commonly seen as leadership—engaging the 'hearts and minds' of others to participate in evidence gathering and decision making[5], producing 'work ownership'[6] at an individual level. This is aimed at producing mutual understanding and sharing of values and goals, with a greater level of safety consciousness and compliance and perceptions of a positive safety climate[7]. This style is aimed at inspiring others, promoting self-motivation, eliciting ideas and encouraging flexibility that may assist ongoing development and improvement. This style is represented by openness and trust, communication, supporting rather than directing, flexibility in thinking, and a preparedness to accept new ideas and challenge existing processes and beliefs. This style may focus more on strategy and concepts than tactics.

Transformational leadership is a key to success at the strategic levels of an organisation—the board and executive. It is, however, also important at the middle management and supervisory levels as quality communication and engagement of team members has been shown to help shape safety interventions and improve safety commitment and performance.[8]

The informal 'leaders' on the factory floor may be more likely to be transformational than transactional, challenging perceptions and approaches, with monitoring and directing undertaken by the supervisor or manager. Ensuring that the informal leaders are positive influencers, consistent with and supporting the organisation objectives and contributing ideas, can support broader work ownership and assist work health and safety improvement initiatives. A key to achieving this is ensuring their understanding, trust and identification with the objectives of the organisation.

Both styles of leadership are essential to producing an optimum organisational culture that sustains health and safety practice and performance. Transactional leadership is necessary to provide consistent, quality outcomes while adapting (within boundaries) to changes in circumstances. Transformational leadership is necessary for continuous improvement, adapting to changes, and encouraging work ownership. Both styles are needed at all levels in the organisation. The styles are complementary, not mutually exclusive.

OFFICER DUTIES DRIVE CULTURE, BEHAVIOUR AND PERFORMANCE.

Section 27 of the model Act places on people defined as "officers" a health and safety duty to exercise due diligence to ensure compliance with the Act by the organisation. This is intended to meet the need, clearly stated by Flin and Yule

> In order to improve the standard of corporate responsibility for safety, it is necessary to raise the level of safety awareness of those who are in positions to give greater prominence to the place of safety on the corporate agenda…[9]

While the expression 'due diligence' may suggest monitoring and enforcement of compliance, the definition of due diligence in the section includes each of the elements of culture referred to above, and requiring each of the leadership styles discussed.

The definition of an officer is that contained in section 9 of the *Corporations Act 2001* (Cth). That definition identifies those who make the key decisions as to how the organisation is to be run,

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5 See Clarke, S and Ward, K The role of leader influence tactics and safety climate in engaging employees' safety participation Risk Analysis (2006) 26 at 1175.

6 See Zohar,D Safety climate and beyond: A multi-level multi-climate framework Safety Science 46 (2008) 376 for a discussion of the role of work ownership in an effective safety culture.

7 See for example Barling,J, Loughlin,C and Kelloway, E Development and test of a model linking safety-specific transformational leadership and occupational safety Journal of Applied Psychology (2002) 87 at 488.

[8] See Flin,R and Yule,S op cit. See also Clarke and Ward, op cit.

[9] Ibid, at 49.

otherwise known as corporate governance. The officers are those who are involved at the strategic, organisational (macro) level, rather than those who are involved in the day to day (micro) level decisions that relate to specific activities. While a more limited definition of an officer applies to the Crown and public authorities, that definition (those who make or participate in the making of decisions that affect the whole or a substantial part of the organisation) is consistent with that applied to corporations, partnerships and associations.

As explained in the second report of the panel that undertook the National OHS review,[10] that definition of an officer was adopted to achieve the objectives of the duty, by placing the duty on those who make the key decisions and provide leadership for the organisation.

The positive duty on an officer to exercise due diligence is aimed at providing for their active involvement in activities that will support and drive a positive organisational culture and ensure the provision of resources and accountability to support work health and safety. Due diligence is defined in section 27 to require an officer to take reasonable steps to:

a) acquire and keep up to date knowledge of work health and safety matters; and
b) gain an understanding of the nature of the operations of the business or undertaking and generally of the hazards and risks associated with those operations; and
c) ensure the availability for use and the actual use of appropriate resources and processes to eliminate or minimise risks to health and safety from work; and
d) ensure there are appropriate processes for receiving and considering information regarding incidents, hazards and risks and responding in a timely way to that information; and
e) ensure the implementation of processes for complying with specific duties and obligations under the Act (e.g. reporting notifiable incidents, consultation); and
f) verify the provision and use of the resources and processes.

This clearly requires proper corporate governance of the organisation, which includes a high level (macro) consideration of significant issues arising at a day to day (micro) level. This is clear from the definition of who are officers, and the elements of due diligence. This is consistent with accepted principles for corporate governance in aspects of the business.

Officers only be able to meet the requirements of the due diligence definition through having information and being sufficiently skilled to understand and respond to it. In smaller organisations the officers have a more immediate involvement in the day to day activities and thereby have access to the information and understanding of it. In larger organisations, the officers will need to be assisted by structures and processes that provide for this.

The organisation's structure should clearly identify the people (individuals and committees) at the various levels who are responsible for the gathering, analysis, reporting and advising on information. This must include clear responsibilities and accountabilities in committee charters and individuals' position descriptions. The processes should provide for the means by which this occurs. The matters that are reported and advised upon must be those that provide the understanding of each of the elements of the due diligence definition (not just incident and injury data or other information with significant financial implications).

Each of the elements of the definition of due diligence are directed at one or more of the elements of a positive organisational culture and the drivers of workplace practices, and are supported by each of the leadership styles.

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[10] National Review into model Occupational Health and Safety Laws: Second Report to the Workplace Relations' Ministers Counsel, January 2009 from paragraph 23.115. See also the discussion on the duty of officers, in Chapter 8 of National Review into model Occupational Health and Safety Laws: First Report to the Workplace Relations' Ministers Counsel, October 2008.

Element (a) requires the officers to understand what health and safety means in the context of the organisation and the associated legal obligations. This is related to **element (b)**, which requires them to understand the key hazards and risks from the core activities of the organisation and **element (d)** of receiving information as to hazards, risks and incidents. These elements involve aspects of an informed culture, reporting culture and learning culture. They require trust within the organisation. Transactional leadership will assist in the process of obtaining information, while transformational leadership will assist in encouraging flexibility in thinking and active engagement in the process. This will require the involvement of people at all levels of the organisation (e.g. in developing and updating risk registers).

Element (c) requires an identification of the risk elimination and minimisation strategies, options for actions, analysis and making decisions for the taking of action—including allocation of resources and development and implementation of policies and procedures. The requirement to ensure that resources and policies are applied is related to **elements (e) and (f)** of ensuring and verifying. Each of the elements of culture and each of the leadership styles are required to satisfactorily undertake these processes. Each of these elements requires the involvement of people at all levels of the organisation.

An officer cannot have the appropriate knowledge and understanding without being properly informed. That will require the gathering and analysis of information and the preparation of advice. That process will encourage an informed culture and a learning culture. The information will need to be gathered and analysed at various levels of the organisation, thereby making safety more visible through the organisation and promoting a positive organisational culture. The fact that the information is ultimately needed by the officers enhances its importance throughout the organisation, and thereby the importance of safety.

The fact that officers must have, and will therefore encourage the flow of, information regarding incidents, hazards and risks will help to support not only an informed reporting culture but also a just culture rather than a blame culture.

The requirement to ensure appropriate resources, and the consequent provision of those resources, will also be consistent with the promotion of a positive organisational culture, while also enabling the work to be undertaken safely and without risk to health.

To comply with the requirement to verify the provision and use of resources and processes, the officers will need information through audits or other reporting. Those processes will support an informed and reporting culture. They may also support a just culture.

Compliance with each of the elements of due diligence will mean the officers have a greater understanding of what is needed to effectively manage health and safety risks. This will enable health and safety to be more readily integrated into broader strategies, permitting a more proactive, rather than reactive, approach to be taken to it. Key decisions, such as acquisition of businesses, entering into new areas of activity, or organisational restructuring (including down-sizing and outsourcing) will take into account and be influenced by health and safety considerations.

In complying with each of the elements of the definition of due diligence the officers will demonstrate their interest in health and safety which should have a positive cultural impact. The active involvement of middle managers and supervisors in each of the processes may assist with this, particularly if a transformational style is exercised by them.

The flow of information and encouragement of reporting should increase organisational mindfulness, while also increasing individual mindfulness through the necessity for involvement throughout the organisation.

The top-to-bottom and bottom-to-top involvement in the gathering, analysis and reporting on information should also enhance the perception and reality of accountability for individual performance, although care should be taken to avoid adopting a blame culture in doing so. Again,

an appropriate mix of transactional and transformational styles of leadership at middle management and supervisory level can assist this.

CONSIDERATIONS FOR THE AUSTRALIAN STRATEGY

It can be seen from this that the health and safety duty of an officer in the harmonised work health and safety laws provides at least a legislative requirement for, and driver for, appropriate leadership behaviour.

Simply providing for specific actions or measures by legislation does not, however, guarantee that those things will occur. The patchy compliance with legal requirements for managing the health and safety of contractors is an example of this.

Those who are subject to the duty must first be aware of the legal requirements. They must understand them and what they require of them. They must then understand the individual and organisational pre-conditions to successful compliance and effective leadership, including organisational structures and processes, and individual knowledge and skills.

The duty and the definition of due diligence are necessarily broadly based, as is appropriate for a health and safety duty. The detailed requirements to achieve compliance with each of the elements of the duty must be understood and action taken.

A challenge moving forward will be to provide the necessary support for officers, to provide the understanding and capability to enable them to comply with their duty and effectively lead in health and safety. A further aspect of this must be to promote appropriate roles and skill-sets at the middle management and supervisory levels, to promote appropriate leadership styles and cultures.

This may be considered as a significant component of the Australian Work Health and Safety Strategy 2012-2022. But what should that strategy include?

Issues to consider include:

1. How best to inform officers of the existence and detail of the duty of an officer, including guidance on the identification of officers in an organisation.

2. The development and dissemination of guidance and tools, to assist officers and organisations to develop and implement appropriate structures, policies and procedures for effective leadership. Who will provide this and how will it be done?

3. What can and should be done to assist people to adopt and demonstrate appropriate leadership at the middle and lower levels within organisations?

4. Should the law make specific provision for the roles and activities of middle managers? If so, can that be done without concerns about over-regulation or reducing the clarity in roles in the chart above? Or should this be dealt with through guidance and other initiatives?

5. Should the law require training of officers and managers (and if so, which managers) in work health and safety?

6. The provision of assistance to small business in the area of work health and safety governance and management (including the promotion of mentoring by larger organisations).

7. Measuring and bench-marking of organisational and individual performance.

8. How to encourage and reward good performance.

9. The development and promotion of compliance and enforcement strategies directed at the officers' duty.

10. Should there be any and, if so what, interaction between work health and safety leadership and workers' compensation premiums or self-insurance?

11. Should there be requirements for reporting, to regulators and/or to the public, on work health and safety governance and performance?

12. How to promote ongoing research and development of safety leadership principles.

13. How to keep abreast of changing knowledge and principles of leadership and encouraging the adoption of improvements.

14. How to determine the process for considering changes to the officers' duty when the harmonised work health and safety laws are reviewed (expected in or around 2017).