

# What does an officer need to do?

**You may have a duty as an ‘officer’ under WHS laws if you make or influence the significant financial or operational decisions of the business.**

To learn whether you may be an ‘officer’, read our information sheet [Who is an officer?](#)

## What does an officer need to do?

Officers in small businesses have an obligation under WHS laws to demonstrate a proactive approach to WHS matters.

Officers must exercise ‘due diligence’ to make sure the business meets its duties to protect workers and other persons against harm to health and safety.

Due diligence includes taking reasonable steps to:

- acquire knowledge and keep up-to-date about WHS matters
- understand the business, including WHS hazards and risks
- ensure the business has the right resources and processes in place, and uses those resources and processes to eliminate or minimise WHS risks
- ensure the business has the right processes to receive and respond to reports of incidents, hazards or other WHS issues, and processes to comply with any other WHS duties, and
- verify the processes and resources set out above are being used.

What steps are reasonable for an officer to take will depend on the circumstances,

including the role and influence of the officer and the nature and structure of the business.

## How can I meet my officer duty?

You need to make sure the business has suitable safe work systems in place, and actively check those systems are up to date and working effectively.

As an officer in a small business, you will often be the one setting up the systems the business needs to comply with WHS laws. If you are not doing it yourself, you must ensure suitable safe work systems are established.

## Simple steps you can take to help meet your duty as an officer

### Knowledge of WHS matters

It is important that you acquire knowledge and then keep up-to-date about WHS matters. The best sources of information will vary depending on the business.

You could start by:

- Familiarising yourself with the business’ obligations under WHS laws.
- Looking at information from your WHS regulator – they have practical information for all sizes of business.
- Talking to suppliers or reading the hazard and safety precaution information you get with products.
- Contacting your industry association or reading trade publications.
- Getting advice from a WHS specialist.

## Understand the business, its hazards and risks

You will need to understand what is involved in the day-to-day operations of the business and be aware of the WHS hazards and risks associated with that work. Information can come from:

- Consulting workers and their representatives, possibly by setting up a WHS committee or more informally during team meetings.
- Consulting supply chains and networks.
- Inspecting the workplace and observing how work is performed. This could include inspecting how equipment is used, whether work is performed at heights, whether chemicals are used.

## Make sure the business has the right resources and processes

You must ensure the business is resourced properly to manage WHS risks and has adequate processes in place that are clearly communicated. You also need to ensure those resources and processes are being used.

It is important to understand that this requires actively checking, for example by inspecting or auditing processes. To do this, you need the knowledge and understanding acquired under the previous steps.

### Resourcing

- Ensuring the business is properly resourced to manage WHS risks includes:
- sufficient staff and work practices to do the work safely, possibly a roster for repetitive tasks
- workers with the right skills, possibly safety personnel, and
- appropriate equipment, like guarding on machinery or trolleys to transport heavy or awkward items.

Officers should proactively consider the need for and timing of WHS resources in the business' budget. Cost is relevant when deciding how to control risk, but must only be considered after assessing the severity of the risk and ways to eliminate or minimise it.

### Processes for reporting

Ensuring the business has reporting processes for incidents, hazards and other WHS issues, and that the business acts quickly to address reports includes:

- Establishing a process to receive and respond quickly to reports of incidents, hazards or other WHS issues.
- Keeping records of incidents, near misses, complaints, sick leave, inspections and investigations – this information can help you identify WHS problems that need to be fixed.
- Monitoring to make sure reported incidents and issues are actioned.

### Processes to comply with WHS duties

Ensuring the business has the right processes to comply with WHS duties includes processes for:

- managing risks to health and safety
- consulting with workers
- informing, training, instructing workers
- training health and safety representatives
- consulting, cooperating and coordinating with other duty-holders
- reporting notifiable incidents, and
- meeting licensing obligations.

## What if I don't meet my duty?

Excluding volunteers, officers can be prosecuted for an offence under WHS laws if you fail to meet your duty. You can fail to meet your duty even if there hasn't been an incident at your workplace, or the business has not also been held liable.

#### For more information

See our Officer duty web page to watch videos about who is an officer and what it means to be an officer, read our information sheet *Who is an officer?*, or read our guide on the health and safety duties of an officer. You can also talk to your [WHS regulator](#) for tips, advice and support.



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