



Frequently Asked Questions #2

2. Risk Management

i) Q: *How is risk defined in the Work Safety Act 2008?*

A: The Act defines risk as exposure to the chance of injury or loss. Examples of this may include the possible impact on wellbeing of workers from the failure to provide adequate facilities or a possible broken arm because of a failure to provide adequate safety rails.

ii) Q: *Where is risk defined in the Act?*

A: Risk is defined in Section 8.

iii) Q: *What is an example of risk?*

A: A simple example of risk which is used in the Act is a possible broken arm due to a failure to provide adequate safety rails.

iv) Q: *What does manages risk actually mean?*

A: The main obligation on duty holders (which include employers, principals, franchisees and head contractors) under the Act is to “manage risks”. A duty holder must manage risks as far as reasonably practicable. This involves weighing up the seriousness of the risk and the availability and suitability of eliminating or minimising the risk. This is covered in sections 14 and 15.

The steps required to manage risks involve firstly identifying the risk, then eliminating the risk or, if not possible to eliminate, minimising the risk. To minimise a risk, the duty holder must complete the following steps:

- Substitute the thing giving rise to the risk for something that gives rise to a lesser risk
- Isolate the thing giving rise to the risk from anyone otherwise put at risk
- Minimise the risk by engineering means
- Minimise the risk by administrative means, and
- Ensure personal protective and safety equipment is used.



Frequently Asked Questions #2

2. Risk Management (Cont.)

- v) **Q:** *Where do I find information about risk management in the Act?*
A: Section 14 of the Work Safety Act 2008 deals with the meaning of “manages risk”.
- vi) **Q:** *What does the term reasonably practicable really mean?*
A: Australian courts and Work Safety legislation jointly interpret the notion of what is reasonably practicable for employers to carry out to proactively and positively identify, assess and address risks.
In essence, the duty holder must weigh up the risk of causing harm to a worker against the cost and time of removing or reducing that risk.
Section 15 of the Act outlines steps that should be considered in this regard.