CORRECTED TRANSCRIPT

RURAL AND REGIONAL SERVICES AND DEVELOPMENT COMMITTEE

Inquiry into cause of fatality and injury on Victorian farms

Melbourne – 21 January 2004

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Witness

Mr D. Rich (affirmed).
The CHAIR — Welcome, David. I think you have sat through the testimony of a fair few witnesses this afternoon, so I will not read all the way through! Do you mind providing us with your full name and address, please?

Mr RICH — David Peter Rich, 80 Barkly Street, Sunbury, Victoria.

The CHAIR — Are you here today in a private capacity.

Mr RICH — Yes.

The CHAIR — Your evidence will be taken down and become public evidence in due course. If you do not mind, could you make your presentation for however long it takes, and after that we will ask you some questions.

Mr RICH — I am planning to read through my prepared notes. Along the way I will correlate them with overheads. I want to spend most of my time focusing on a proposed strategy and a way forward. I know there has been a lot of discussion about the problems associated with agriculture, forestry and fishing et cetera, but there has probably been enough said that I cannot contribute a lot more to.

Overheads shown.

Mr RICH — As background, I was engaged as manager of the Victorian Farmsafe Alliance for about four years, between June 1999 and August 2002. Further, I held the position of Farmsafe Victoria Executive Officer from 2001 to 2002. In the capacity of these roles I was required to develop the inaugural Farmsafe Alliance strategy and to encourage farming communities to engage with farm safety initiatives through the formation of Farm Safety Action Groups. At a national level I held the position as chair of Farmsafe Australia’s Child Safety Committee from 2001 to 2002. I am currently on secondment from Worksafe Victoria to the Department of Education and Training; however, I submit this response as an individual; I am not representing any one organisation.

In response to this submission, I do not respond directly to items 1, 2 and 5 of the terms of reference. It should suffice to say that my views on the causes and associated financial and social costs of fatality and injury on Victorian farms will add no further insight than is currently provided by Worksafe Victoria, the Australian Centre for Agricultural Health and Safety and Monash University Accident Research Centre. My submission to this inquiry is in reference to terms of reference 3, 4 and 6; however, this response is prepared in a progressive format beginning with the failure of current programs which arises from impediments to sustaining improvements in farm safety and leads to a recommended way forward.

My fundamental contention is to provide an innovative governing strategy that will be inclusive and deliver effective injury prevention outcomes. The goal of this submission is to present an inclusive farm safety strategy that is considerate of the needs of each type of farm. The model presented here is based on the United Kingdom’s Health and Safety Executive strategic plan 2001–04.

With respect to the current programs and initiatives, I believe a failure in the past to prevent and minimise fatalities on farms has been that farm safety programs and media campaigns have most often adopted a one-size-fits-all approach. A farm is too often categorised or viewed by many injury prevention stakeholders as being archetypically commodity specific — for example, a dairy farm, a grain farm or an orchard, et cetera. However, there is great variation in farming practices within each commodity group. Orchards can range from family enterprises which only grow fruit to large exporters with processing plants which employ many staff, both permanent and itinerant. A universal farm safety approach to these two vastly different farming practices is likely to ensure that neither farm manager is engaged by a farm safety strategy, or that one farm safety manager will be engaged at the expense of the other, therefore a generic approach to farm safety does not resolve all issues. Utilising both the public health model and an occupational health and safety model will be helpful in building bridges to the stakeholders and moving forward.

An injury has a dire effect on work productivity and on the social fabric of rural communities, so it would serve in the best interests of the farming and rural communities if both the public health and OHS approach were considered collectively. In other words, it is pointless to say that we should only address it from a health and safety point of view or a public health approach. There are also divergent views on the causes of injury and fatality on farms between union and industry association stakeholders. Essentially the differing views are that farm injury and fatalities are mostly attributed either to work-related activities or to lifestyle activities. It is an either/or approach; there does not seem to be a middle ground. To me this is an erroneous argument as, regardless of the nature of
activity, farm injury has the same impact on individual health and the social fabric of the rural community. This ongoing debate only serves to diminish an effective and agreed approach to injury prevention on farms. Farm work activity and lifestyle are interrelated, therefore all settings and activities must be considered in any farm injury prevention approach.

Stakeholders’ broad agendas do influence farm safety initiatives and funding opportunities. This influence has impact on the effectiveness to reduce injury and death on farms. Farm safety strategies and programs must relate to hard facts — that is, available data — and not to the innate or political needs of organisations. Worksafe Victoria can be and has been unduly influenced in its approach to farm safety by stakeholder views and government inclinations and agendas. For example, there is a current focus on compliance with the Occupational Health and Safety Act, whereas during the incumbency of the previous government the focus was on providing advice and information and on driving public awareness campaigns. Varying political views can influence the operational agenda of Worksafe Victoria, and this does prevent having long-term and adequately funded strategies on farm safety.

The point I would like to make is that the influence on Worksafe Victoria is not a fault of any one person; it is a fault of the current structure. Again, it is an either/or approach, so there needs to be a bipartisan approach to farm safety across both political parties. Many Worksafe inspectors lack an understanding of the work practices and cultures associated with agriculture. This creates a view by farmers whereby Worksafe inspectors often lack credibility in the field. This is a flaw in the existing structure where there is not a capacity for dedicated and specifically trained inspectors for agriculture, forestry and fishing.

The role of the Victorian Farmsafe Alliance needs to be clarified. Is the role of the alliance to adopt a public health approach around Farm Safety Action Groups, or to adopt a risk management occupational health and safety approach? Further, because of the Farmsafe Alliance’s position in the Victorian Farmers Federation — it is physically located there — there is a perception that the Alliance is only supportive of the VFF’s views on farm safety. This is a perception; it is not necessarily the reality. Both the long-term support and the clear role of the Alliance is required.

I move to term of reference item 6, the need for further strategies. The following strategy I am about to propose is aimed to engage all stakeholders and, most importantly, all farmers. Further, the following approach will go a long way towards streamlining effective interventions. It is likely to be more resource efficient and more likely to be subject to a broad range of stakeholder views. As I said earlier, this model is adopted from the Health and Safety Executive in the United Kingdom, and it distinguishes between farming practices rather than focusing on commodity approaches. The Health and Safety Executive in the UK adopts the approach whereby farms are divided into four broad categories so that safety strategies can be best targeted to issues relevant to the varying farm practices. Thus, as outlined on the overhead, category A would be linked to large national farming, forestry and fishing companies with 20 or more employees. These employees could be either full or part time. Category B farms are those employing up to 20 full or part-time employees. Category C farms are family-run farms. Category D — and this group is often left out of the loop in farm safety initiatives — are the service providers such as machinery dealers, suppliers, contractors, auctioneers and consultants.

By distinguishing between these farms or enterprises on the size of the farms — that is, by the number of employees and the farming management practices — specific strategies can be more effective and resources efficient by appropriately targeting each farm’s peculiar work practices. This model can utilise a broad range of injury prevention strategies that target each of the above categories. These injury prevention strategies are inclusive of: compliance, which can mean industry-driven compliance, not just from the government; continuous improvement, such as through quality assurance programs; knowledge, through OHS training and other bodies providing information; skills training; and support. These five injury prevention strategies should be weighted appropriately to each of the four farm categories.

I want to spend most of my presentation on slide 8. For example, for category A there would be a requirement to audit all category A-type farms or forestry and fishing enterprises to ensure mandatory legislative compliance so there is a greater focus on compliance to these groups rather than providing support, information and awareness.

With category B-type enterprises, blitz inspections would be initiated so that there is not a broad overwhelming or overriding general compliance to all of these farms but targeted blitz inspections such as during seasonally busy times — for example, fruit picking — where employees are at greater risk to health and safety because of the immediacy of the tasks. Blitz inspections can also target compliance of new regulations, such as falls prevention, and support farms in this category through voluntary self-assessment and training, and particularly by promoting
and subsidising to farmers the well regarded Managing Farm Safety training program, as modified in Victoria through the Victorian Farm Safety Training Centre.

Category C enterprises are family-run farms and they should be subject to less targeted interventions by Worksafe inspectors, so there is greater reliance on training — again, the Managing Farm Safety program — providing information, voluntary self-assessment and most of all support. Farm safety information rather than compliance is more likely to engage farmers in this category. Those within the category will also be open to safety initiatives that are often attributed to lifestyle such as child safety on farms and recreational safety strategies.

This category should be the primary focus of the Victorian Farmsafe Alliance initiatives — it is one that should support Farm Safety Action Groups through a health promotion model rather than one targeted by an occupational health and safety approach. Just as importantly, those in category D — other service providers — need to be targeted; for example, auditing of suppliers and ensuring that the inspectorate enforces the duties under the Act to suppliers, farm machinery dealers and those who supply plant and chemicals.

Farm workers in the age group between 16 and 45 are more likely to suffer farm-related injuries, as you have probably already heard. Fatalities on farms mainly correlate to kids under the age of five and farmers over the age of 55. By implementing a targeted approach across the four categories it is more likely that you will have cost-effective interventions which will reach all targets. For example, by focusing on compliance with category A and B farms you are likely to protect workers who are more likely subject to injury — that is, those in the 16 to 45 years age group. By driving a public awareness campaign and providing support processes to those in the category C farms you are most likely to subject those who are subject to fatalities — that is, the under fives and the over 55s, but it is not necessary that the over 55s are retired of course.

Adopting this targeted approach is more likely to lead to balanced and research-effective interventions as farms with more employees — that is, category A and B farms — will be targeted by compliance whereas family-run farms will be targeted through support and information and the provision of advice. This model is likely to be better accepted by unions and associations and will possibly meet the needs of political parties as it will engage rather than alienate rural communities. Further, taking a compliance approach with category A and B farms will concentrate limited WorkSafe resources to protecting employees and lead to reducing the cost of Workcover claims.

This model also provides flexibility. It can allow for single-issue interventions — that was presented earlier by John Dawson and Lyn Fragar; as single interventions can be targeted through appropriate categories. It can include a commodity-specific approach across the categories so you can focus, for example, on the dairy industry but target it to different size dairy farms across the categories. It can also target a population approach — an under-fives, for example, approach to injury prevention.

To illustrate this flexibility a black spot approach can be applied across the four categories, that may prove cost-effective. For example, it appears from the injury/fatality data that ATV injuries and fatalities are mainly linked to those with category C groups. Therefore, it is appropriate to initiate a targeted approach to specifically address ATV risk with category C and D groups; category D are the suppliers and manufacturers.

In my opinion the role of Worksafe Victoria’s strategy on farm safety should be reviewed. Worksafe Victoria needs to ensure both the reality and the perception that a neutral view is taken in respect to farm safety rather than one of servicing the squeaky wheel. Worksafe inspectors require specific farm safety training to ensure effective and appropriate compliance by becoming more credible to their clients. A dedicated farm, fishing and forestry program will support an appropriately targeted approach to these industry sectors. I believe it would be a great benefit to have a separated farm safety program within Worksafe Victoria.

There are too few resources made available to farm safety in Victoria, considering the size of the problem. Farm safety needs appropriate — that is, much greater — resourcing. Your committee may consider the resources provided to farm safety in countries such as the United Kingdom, the USA and Canada.

It is worth reviewing the role and positioning of the Victorian Farmsafe Alliance. There is benefit for the Alliance to be positioned within a neutral venue. A neutral physical location will dissipate the current ownership barrier allowing an opening for all stakeholders to become active in the role and initiatives of the Alliance. As an extremely important stakeholder, the Farmsafe Alliance can maintain links to the Victorian Farmers Federation through the Farmsafe Victoria committee, which is positioned within the VFF and has a direct link with Farmsafe Australia.
Victoria should not consider operating the farm strategy in isolation and should consider closer ties with Farmsafe Australia and the Australian Centre for Agricultural Health and Safety, because this will assist in leveraging both commonwealth and state government support.

I should also add that one of the barriers for the Alliance at this present stage is because it is positioned in the Victorian Farmers Federation, it is not eligible for funding from philanthropic trusts. That is a great barrier to attracting money and funds to support its programs.

I urge continued endorsement and agreement to a national approach to farm safety by supporting the Managing Farm Safety training program through the Victorian Farm Safety Training Centre, especially targeted to category B and C farms. At the moment there are too few incentives for smaller farms to integrate safety into their overall management practices. This is, in part, a reflection of the Workcover scheme where farmers who reduce their injuries receive little reward due to the impact of the industry rate on their premiums.

Therefore, some form of incentive such as the premium reduction approach adopted in Western Australia should apply to farmers in Victoria who complete and make demonstrable safety changes on their own farms. The Managing Farm Safety program and the Farmsafe farms concept is an existing and appropriate vehicle for this to occur.

In summary, there is at present too much influence by stakeholders’ agendas with the farm safety programs and government interventions. We must address the real health issues of safety risks on farms as we know them with targeted, cost-effective and measured interventions. A balance is required between ensuring stakeholder engagement — in other words, acknowledging and managing their needs — with targeted risk prevention strategies based on pure merit — in other words, hard facts.

The strategy proposed in this submission presents a way forward. Farm safety programs must above all be adequately resourced and accountable to injury data and to the cost-effectiveness of interventions by ensuring that appropriate programs are properly evaluated. Without effective farm safety program evaluations we will continue to best-guess solutions to a problem that is driven by many views. Finally, I believe there is the current capacity to implement this farm practices model; the task is to make better use of resources through targeted interventions.

**The CHAIR** — Thank you very much; we will take some questions. In regard to those models, you talked about numbers of employees. Are you talking effective full time or are you saying 20 seasonal workers who come in and pick fruit, for example, or a very large dairy operation which might have many staff?

**Mr RICH** — The model that was presented, the UK model, categorised 20 employees part time or full time. One of the problems that has already been presented at this inquiry is, firstly, it is difficult to get employees onto farms and, secondly, a lot of the work can be itinerant. There needs to be a focus on when those 20 or more employees are engaged on those premises.

**The CHAIR** — In regard to the family farm, are you talking about all sizes down to rural living-type arrangements?

**Mr RICH** — I have deliberately excluded hobby farms from this model because I think they should be addressed outside the general approach to farming as a means of earning a living.

**The CHAIR** — So a tax office ruling that you have to earn X amount of money for it to be a business?

**Mr RICH** — Yes.

**Mr CRUTCHFIELD** — I have two questions about the model you have proposed, one you might choose not to answer as it relates to Worksafe itself. I am sure Worksafe would be aware of the model you are proposing but has it been brought to the attention of Worksafe as a potential model in Victoria and what are its views, if any?

The second question relates to the model and United Kingdom experience. Can you illuminate us on how long it has been in — you may have said but I cannot remember — and what demonstrable differences or changes have occurred, both positive and negative?

**Mr RICH** — To answer the first question, I did forward my submission to the Manufacturing and Agricultural Division of WorkSafe Victoria prior to this submission, simply because I was making reference to them, and although I am making this submission on my own behalf I am linked to Worksafe through my
employment there. They were aware of this model but only recently, and they have made no comment back at all on the model.

With the United Kingdom model as it was presented, it was initiated in 2001 and it was initiated there across all industry sectors by the Health and Safety Executive — as you may know, it is equivalent to our WorkSafe here. As to its effectiveness, an interim report has recently come out. It has been shown to be effective in both quantitative and qualitative measures. When I say qualitative measures, it means engagement of farmers, the number of farm visits, the types of approaches taken. The difficulty in making that comparison is it is far more greatly resourced than our farm safety program here.

Mr CRUTCHFIELD — In your experience have any comments been made on an industry-wide basis from the clients themselves — the farmers — on that model in the United Kingdom?

Mr RICH — I am not aware of that. However, I know it is based on a consultative committee which does engage farmers within that committee as to the development and implementation of the strategies.

The CHAIR — Thank you for that. It was very comprehensive. We appreciate the work you have done to help us solve some of the issues, which is our big hurdle. It is very much appreciated. You will receive a copy of the transcript in about a fortnight. Any obvious errors of fact or grammar can be corrected but not any matters of substance. Thank you very much, it has been very helpful.

Committee adjourned.