RURAL AND REGIONAL SERVICES AND DEVELOPMENT COMMITTEE

Inquiry into cause of fatality and injury on Victorian farms

Leongatha – 7 April 2004

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Mr D. G. Bennett, director, Safety Training and Environmental Management Services Pty Ltd (sworn).
The CHAIR — Welcome, David. Under the powers conferred on this committee by the Constitution Act and the Parliamentary Committees Act, this committee is empowered to take all evidence at these hearings on oath or affirmation. I wish to advise all present at these hearings that all evidence taken by this committee, including submissions, is, under the provisions of the Constitution Act, granted immunity from judicial review. I also wish to advise witnesses that any comments made by witnesses outside the committee’s hearing are not protected by parliamentary privilege. David, thanks very much for coming along. Kristen has informed me that you are actually doing some law exams and you have interrupted that time. It is very good of you to put yourself out for this and I hope it does not impinge on you today. For the purposes of the transcript, would you provide us with your full name and address and, if you are representing an organisation today, the name of that organisation and your position within it?

Mr BENNETT — My name is David Graham Bennett. I live at 275 Hulls Road in Nerrena. I am the director of the company STEM Services Pty Ltd.

The CHAIR — I believe you have a PowerPoint presentation?

Mr BENNETT — Yes. I want to go through a brief background of who I am and what I can bring to the committee. My area of interest is the forestry industry, so that is what I have worked on. I am a forester by training and I have had 10 years as an operational forester. In the last three or four years I have moved into systems development and to working with systems. I worked initially with APM Forests, a large plantation owner in Gippsland which has 80 000 hectares of land. In that role I developed its health and safety system, and it was certified to SafetyMAP. Also in the business is Owen Spicer, a plant operator who is also an accredited trainer. He is a very hands-on, practical sort of person. With the two of us in the business, our skills complement each other reasonably well. I have the tertiary training and he has the bush sense.

We have set up our business with the philosophy of it being a knowledge partnership. I am not too certain how familiar you are with the structures within the forestry industry itself. We are talking native forest harvesting at the moment, and the wood from native forest harvesting is allocated to licensees or sawmills. The sawmills arrange themselves in syndicate companies. Basically their purpose is to schedule the wood from native forest coupes to their sawmills in a reasonably equitable way. We have been hired by the harvesting companies or the syndicate organisations to audit the OHS compliance of the harvesting contractors and help them generally with their OHS. Initially we are standard setting and checking compliance with them, then we have processes of improving standards. We have a program of audits. It is a three-year program. We are at the end of the third year now, so we have had two rounds of what we call system audits and four rounds of field audits. I will explain a bit more about what they mean.

Overheads shown.

Mr BENNETT — I was hoping the Committee members had a copy of the audit criteria in front of them, because it is critical to the whole process. We have also had a process of improving standards, what I call system implementation, so that where deficiencies have been identified in audits, we have provided solutions based on the best-practice information identified through the audits. We also have a process of incident analysis where there have been serious incidents. We have been called in as independent experts to do that analysis. We were involved in two incidents up in the fire salvage this last summer. We have also got a process of safety committees, regional OHS committees. There is an historical reluctance within small crews to have any formal consultation processes, so the solution that we have tried to implement is a syndicate-based OHS committee, and those committees have been supported by the safety and development fund.

We have on those committees a syndicate representative, a representative of the Department of Sustainability and Environment, a WorkCover representative and workers and contractor representatives. Our role is as a facilitator and minute taker. I provided the executive officer with copies of example minutes from those meetings so the Committee could become familiar with the sorts of issues that are being discussed.

The theory behind the audits is to set standards. The standards have been taken out of Victorian legislation and built around the framework of Australian standard 4801, which is the Australian standard for safety management systems. It has a close equivalence to SafetyMAP. I have taken some liberties with it in terms of making it appropriate to small businesses rather than involving a lot of upper-level documentation that systems often require. The audits are reported. We report to individuals via an exit meeting, to the contractor, and also to the syndicate.
We have tried to design a very transparent process right from the standard setting through to the reporting side of things. With standard setting, we have tried to do it as a consultative process, so we have put drafts on the table. We have had management committees make decisions about what standards are in and what standards are out. If you get copies of the audit criteria you will see that they have evolved as audits have proceeded.

In 2002-03 we had 55 field audits and 47 system audits. We have covered contractors who harvest probably 95 per cent of the wood out of the state’s native forests. We can benchmark syndicates against each other and look at levels of compliance against these criteria. Obviously the criteria are fairly arbitrary, so it is an 80 per cent versus a 60 per cent; probably 80 is better than 60, but whether 80 is good or bad is something you can only decide by looking at the specific criteria that we are measuring.

There are two parts of the process. The system audits are trying to identify what should be happening and making sure that there are adequate records to demonstrate adequate training and all that sort of stuff. The field audits are measuring what is happening and whether it is complying with what should be happening. We also have a process of looking at trees felled by hand fellers to see whether the stumps and the process complies with the agreed Australian standards. The stump analysis for me is a good indicator of what is happening on a coupe when nobody is supervising it, so it gives some objective feel for whether work practices are happening and whether the crew can arrange itself in a consistent way without any supervision. You can see the range of results.

Over three audits we have observed a great and marked improvement. In the first audit compliance, ranged between 30 and 70 per cent, and with the third audit compliance the range became tighter and moved up to a fairly high end. A 90 per cent score means that there are only two trees out of 20 trees that have a slight defect in the stump, so that is a very, very high level of performance that these hand fellers are working at.

The other thing that we do is, as I said, incident reporting. The incident reporting to me is very, very important in terms of just understanding what is really happening. We have a lot of the flavour-of-the-month-type issues that get a lot of effort, but often we are not really looking at what the actual injuries are. The slide shows the results from APM forests where we had been collecting statistics from the early 1970s. You can see that there have been incredible improvements in safety in the forest industry. Obviously there have been big reductions in plantation-type harvesting, based on the introduction of machines and mechanical harvesting. You can almost put lines on the graph where major technological improvements have been made.

One of the things I would say is that there is an overemphasis on harvesting-type issues in the forest industry. Within the plantation sector there is a significant number of people working in tree planting as well. While we were with APM there were probably, as a frequency, more people injured planting trees than there were cutting them down. That is something that does not often get recognised.

I move to issues and recommendations. Firstly I want to address organisation issues. The structure of the industry is very complicated. You have a landowner or a manager in DSE and then you have the licensees who are managing the money flow, and then the contractors are sort of meat in the sandwich. There are often cases where I think reasons for accidents can be traced back to those confused responsibilities. A recommendation I would like to make would be that responsibility for environmental management should mirror the way responsibility for OHS management is placed. I think licensees should be the ones who are primarily responsible for the environmental management within coupes. If there are transgressions then the licensees should be the ones who wear the flak, rather than the individual operators. Often individual operators are worried about losing points, and if these guys lose points they do not work for a week, so there are significant sanctions. They therefore take risks that they should not take in terms of their OHS. If we could have a system where those things are working more together rather than against each other it would be much better.

Secondly there are conflicts between environmental measures and safe working conditions. We need to make sure as we move forward that environmental measures are outcome based, rather than just an arbitrary 20 metres. We really want to know that there is no dirt in the streams or no significant plant being damaged. Those are the sorts of outcome-based measures I mean, rather than saying, ‘We don’t go within 20 metres of a drainage line’. I think there are some smarter ways of doing those things. I probably have not got time to go through those.

Thirdly there are communication processes. I think that ownership of solutions is a real key thing to getting change, and I think that is what we are trying to do with these grassroots committees. There needs to be a focus on ensuring or insisting on minimum standards for anybody who is new to the industry and also that contractors who
have demonstrated good OHS performance are actually given preferential treatment in the reissue of contracts and things like that.

Then there are also what I call capacity issues. A skills base is a key part of the forest industry. One of the issues is that a lot of these guys do not work for three or four months of the year, so it is hard to keep people in an industry like that where they work flat out for nine months and then they do not work for three or four months. If there are ways we can make the seasons extend or make their work life more regular, more like most people are used to, there are probably going to be benefits to the OHS side of things as well. I think there is also a broader social issue. A lot of these people have skills that are vital skills in fighting fires. If we do not continue to have a forest industry that has people skilful in handling difficult situations in steep bush, then we will not have the skills to fight fires in the future.

There is also what I call a lack of strategic support to develop specific solutions for the industry. It is a very small industry, but it has some unique problems. One example is the big shift towards using harvesting machines in native forest harvesting. Unfortunately, the presentation that did not work had a photo of one of the machines for you to look at. You have retrofitted saws on excavators and excavators are not designed to have a crush-proof canopy. So there are some major design issues that are recognised but are not being addressed. We do not have the infrastructure or the capacity to deal with those issues in a way that is meaningful. There is a new Australian standard for machines in forestry. It is basically a rewrite of a Scandinavian standard, which is designed for trees that are 20-30 centimetres in diameter, rather than 60-100 centimetres and 90 metres tall. I think there are some major issues that need to be addressed at a strategic level.

The final issue is recruitment and training of new workers. I think we need to work towards a better traineeship model, where people are actually trained on the coupes. There is a very, very grave distrust of people who are trained within a TAFE institution that they do not have the skills to then be able to work in the bush. We have crews of three people, and if one of those three people does not work to the required rate then the whole crew suffers. They are very interconnected work groups. We need to make sure that the training models that are used reflect that and that they are designed around maintaining productivity. That is where I wanted to get to.

The CHAIR — David, thanks very much and thanks for the thought and effort you have put into the solutions and recommendations to us, because that is the hard part of our job, obviously.

Mr WALSH — David, the issue of security of access to the resource, is that an impediment to people actually adopting safer work practices — that they do not know where their business will be in 6 months or 12 months?

Mr BENNETT — Most definitely. If someone wants to invest in a new harvesting machine and they have only six months tenure — you are talking about a $500 000 machine — they are just not going to make that investment.

Dr NAPTHINE — Yesterday we had evidence from Tambo Logging Company and some of the material you are talking about in terms of audits I think is included in some of that?

Mr BENNETT — Yes, they are one of our customers.

Dr NAPTHINE — They referred to an incident earlier this year, where they had to have one of their workers or somebody using Helimed 1 to come out. Do you investigate those sorts of incidents? Is that part of your contract with them?

Mr BENNETT — It is not a sort of formal part of the contract, but Tambo have used us for two incidents this year, for us to do investigations, yes.

Dr NAPTHINE — In those two incidents, were they system failures, human error failures, or what were they? What are the causes of incidents now?

Mr BENNETT — I suppose there are things that you can identify that people have done wrong, and if they did it again they probably would not do it the same way. So there is what I suppose can be called human error. But then that is too easy a solution. Why have they made the decisions that they have made is probably what we need to look at. Are they trying to get more wood on the truck or are they worried about not chopping down a tree
because they might cause some environmental damage — what are the reasons that drive people’s decisions? That is always a hard question to answer.

**Dr NAPTHINE** — The other thing that was raised yesterday was the concept of what were described as tool-box meetings. Could you tell us a bit more about what a tool-box meeting is?

**Mr BENNETT** — I suppose it is a concept where people stop and make some time in their day or their week to talk about health and safety issues. We encourage them to record what they talk about. If there is a steep spot up in the back of the coupe we encourage them to sit down and talk about it and to work out what they are going to do to prevent accidents. There are also regional committees that we have implemented in a couple of areas. The minutes from those are given to every crew. The idea is that those minutes form a basis for discussion purposes. It is an awareness-raising process, and it is also a process through which they should be able to feed stuff back up into the committee and get issues addressed at a level which they cannot resolve on a crew basis. There are examples of silvicultural practices that are imposed on contractors by the department, like maintaining seed trees within a coupe. Instead of harvesting seed and spreading it from a helicopter there is a process of leaving the trees behind. There are obvious environmental advantages because the seed from that coupe goes back onto the same coupe, but there are also OHS issues in terms of trying to fall around those trees. You have to do it directionally. As soon as you start trying to put trees where they do not want to go there is a risk that they will go back over the stump or somewhere else.

**Dr NAPTHINE** — We are also looking at things like the commercial fishing industry. In my mind I drew a parallel between a relatively small team working on a commercial trawler or something like that as being very similar in concept to a logging team’s use of tool-box meetings in terms of OHS. What would you call that concept if it was transferred to a fishing trawler?

**Mr MITCHELL** — A tackle-box meeting!

**Dr NAPTHINE** — Do you think the tool-box meeting concept is effective?

**Mr BENNETT** — Without some support structure around it I do not think it is. I do not think you can expect three blokes to sit down and talk about safety and making changes without it almost being imposed on them by a structure like the Tambo Logging Company, an external audit or something else like that. Two questions we ask in our audit are, ‘Have you had a tool-box meeting?’ and ‘Where are the minutes?’ It is forcing them to do it, and I think that needs to happen, otherwise they just say, ‘We talk to each other all the time. We always talk about safety so we can go home alive!’.

**Mr MITCHELL** — What other activities or programs have you found to be most successful in encouraging people to adopt safe OHS practices?

**Mr BENNETT** — I am a big fan of this audit process because it sets some targets and then people want to improve. It is not a big stick. It is quiet encouragement. We do get some phone calls because contractors are upset with a score of 98 per cent — one of the signs was not right, or something like that. There are people who care about these numbers, even though there is nothing tangible about them. It is this pride of doing the right thing and improving, and that drives behaviour. On the other hand, the most recent incident we had involved two blokes who had 10 to 20 years experience. Their contractor was getting continuously good results for audits, and they just made a bad decision. It is probably because they are so experienced and skilful that there was a familiarity issue that led to a problem in this last incident. I do not know how we fix those sorts of problems.

**The CHAIR** — I would like to clarify a couple of recommendations. You talked about OHS and reporting of incidents as being critical in being able to find out what kinds of injuries are happening.

**Mr BENNETT** — Yes.

**The CHAIR** — You also talked about contractors getting preference for actual work if they have a good OHS record. Obviously they cannot be mutually exclusive, so how do you see that working together, particularly if someone wants to have a good OHS record and they do not report some incidents if they occur?

**Mr BENNETT** — I see reporting incidents as good behaviour, something that we should encourage. The way the audits deal with that issue is if we identify non-reporting of incidents as a black mark. You are encouraging
the reporting of incidents and encouraging people to learn, to be open and to report reportable incidents to WorkSafe. To me that is a behaviour we are trying to encourage. I do not see them as mutually exclusive at all. Contractors should not be directly penalised for having accidents. Leave that to their insurance premiums and WorkSafe.

Mr CRUTCHFIELD — Does that include near misses? Do you have systems in place for reporting either hazards or near misses?

Mr BENNETT — Different contractors do it to different levels. We are only asking for evidence that they are reporting once they have to report under the regulations. We are not going beyond that, but contractors do go beyond that on their own volition. Once they start thinking the process through, that is the logical outcome for them.

The CHAIR — Thank you very much, David, and good luck with your exam. You will get a copy of the transcript. You will be able to correct errors of fact and grammar, but not matters of substance.

Committee adjourned.