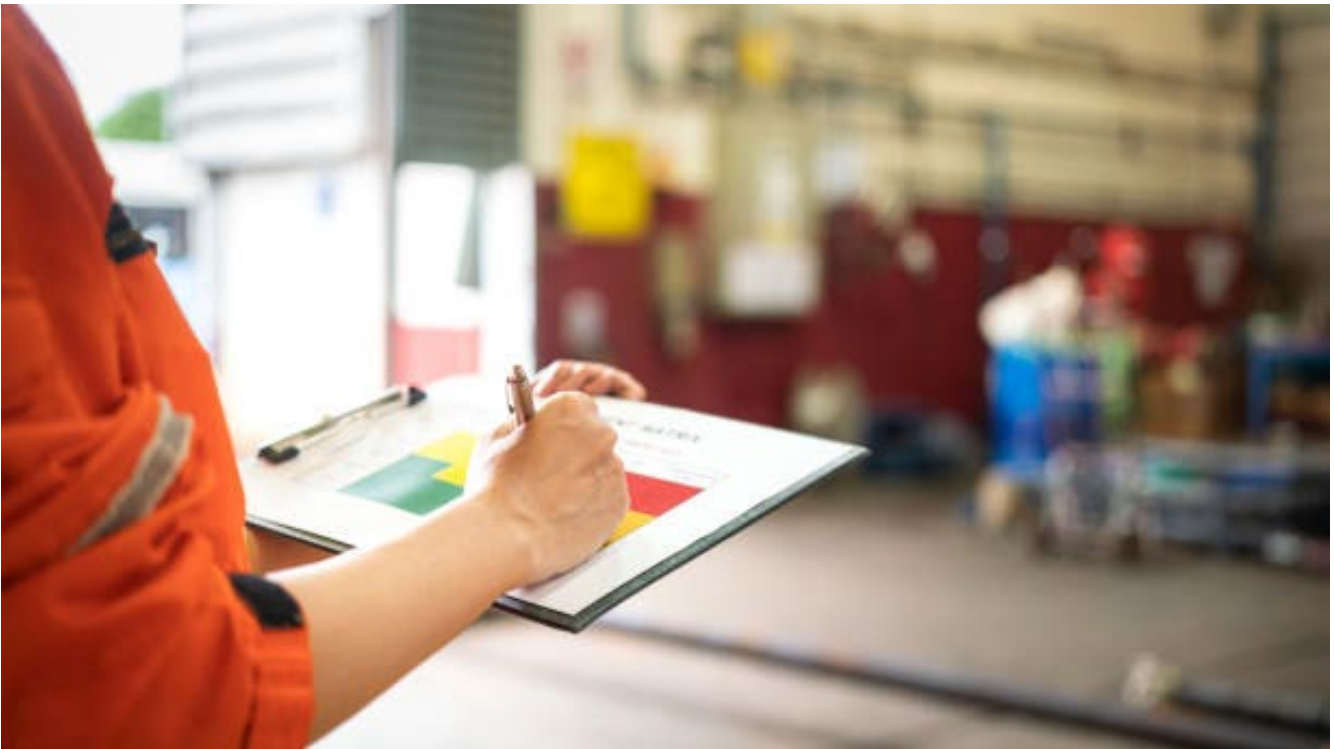


Compliance priority report

Hazard reporting of safety-related issues – small mines

January 2023 to 30 April 2023



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Executive summary

A crucial part of the NSW Resources Regulator’s Incident prevention strategy involves compliance priority programs for mines and petroleum sites. This involves proactively assessing a topic which is an emerging risk across the industry, predominantly determined from incident data or other evolving industry trends. Although these topics may also be contained within the Resources Regulator planned inspection programs, the aim of compliance priority programs is to gather further information and knowledge about how the industry is managing and controlling an issue which may not be related to a specific principal hazard.

This particular program was initiated in response to a survey undertaken on behalf of the Mine Safety Advisory Council (MSAC) on safety reporting. Worker responses to this survey indicated that while knowledge of incident and hazard reporting systems was high across both permanent and non-permanent worker groups, there was some feedback that safety concerns at their workplace were not always appropriately addressed; that it was not always easy to report a safety concern or that there was no feedback regarding the issue being addressed.

The intent of this program was to verify the survey feedback regarding worker knowledge of incident and hazard reporting systems, and whether these systems effectively facilitated feedback to people who raised safety concerns.

This report summarises the assessment findings from the compliance priority program which targeted reporting of safety related issues and covered 50 small mines between January 2023 and 30 April 2023.

Legislative requirements and published guidance relating to reporting of safety related issues are listed in Appendix A.

Assessment criteria

Several key elements (referred to as criteria) were assessed as part of this program and included five questions listed in Table 1:

Table 1. Compliance priority program criteria hazard reporting safety related issues at small mines

Criteria number	Criteria
1	Does the mine have a system to report safety hazards and suggested safety improvements?
2	Are workers encouraged to use the system?
3	How are actions arising from reported issues recorded and monitored through to completion?
4	Is feedback given to the person who made the report?
5	Have workers used the system?

Findings

Overall, the assessment findings were:

- There were 50 site assessments reviewed for this report (from January 2023 to 30 April 2023).
- There were 250 individual assessment findings.

- There were 24 notices issued specific to the program to 22 mines, other notices were issued for other matters.

All mines assessed during the program had systems implemented to report and record hazards and incidents the assessment identified workers in general were aware of these systems,

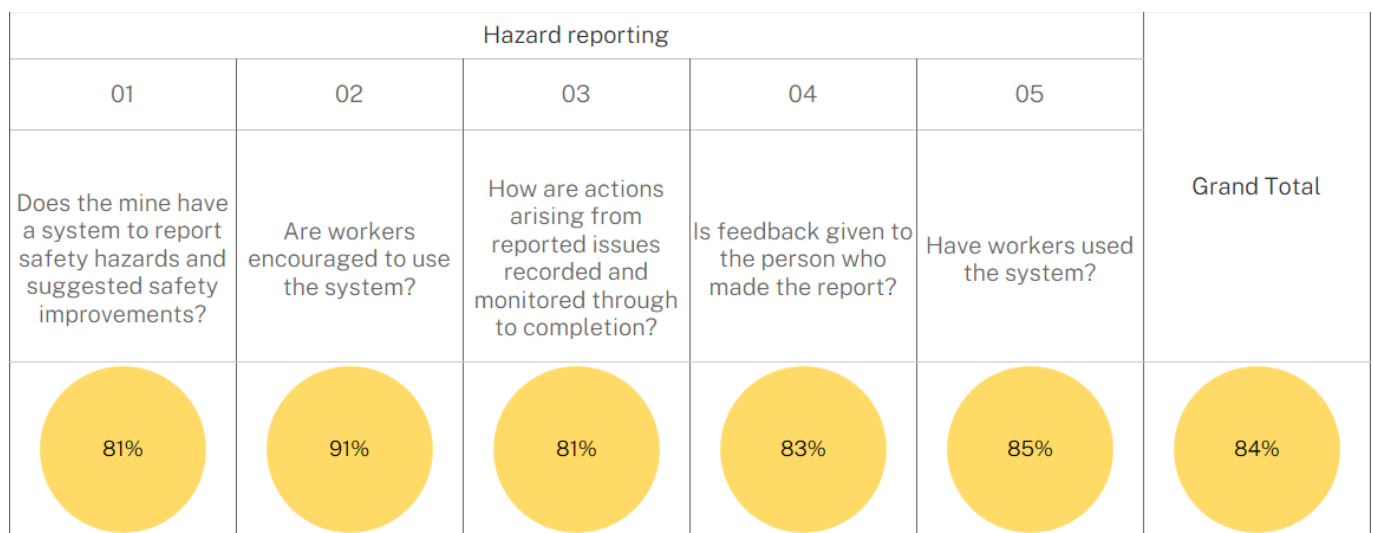
The overall summary of assessment for combined criteria findings was 84%

The overall summary of assessment criteria findings ranking from lowest rank to highest rank was:

- Criteria 01 - Does the mine have a system to report safety hazards and suggested safety improvements ranked equal lowest at 81%
- Criteria 03 – How are actions arising from reported issues recorded and monitored through to completion ranked equal lowest at 81%
- Criteria 02 – Are workers encouraged to use the system ranked highest at 91%.

The assessment compliance % rating for each assessed criteria is summarised in Figure 1:

Figure 1. Summary assessment findings overall results by criteria group



- Green (=100%)
- Yellow (>= 80% and <100%)
- Orange (>= 65% and <80%)
- Red (<65%)

In summary the assessment findings for each of the five assessed criteria questions were:

Assessed criteria number 1: Systems to report safety hazards and suggest safety improvements.

Most of the quarries assessed had a hazard reporting program included in the safety management system that contain different system to be used by the employees to report hazards, such as:

- hazard reports forms
- prestart documentation for mobile and fixed plant
- personal take 5 assessments
- personal hazard report booklets
- monthly safety meetings to discuss hazard report register
- verbal discussions at daily pre-start toolbox meetings
- some mine operators were using a phone app.

At a significant number of the quarries assessed the employees report hazards verbally.

It was noted that some quarries did not keep records of the hazards reported.

Assessed criteria number 2: Level of encouragement for workers to use the system.

All quarries assessed notified employees during induction training of the requirement to report hazards using the hazard and incident reporting systems.

Toolbox or pre-start meetings were commonly used to encourage the reporting of hazards and incidents, however, not all mines record incidents or hazards raised during these meetings and rely upon job task or work orders for corrective actions.

At a significant number of quarries, the employees were reporting the hazards verbally and management would input them into the quarry's computer system.

Specific training for supervisors on how to encourage workers to report incidents or hazards was generally not being provided.

Assessed criteria number 3: How actions arising from reported issues are recorded and monitored through to completion.

Most quarries were using a systematic approach, typically using a database application, to record and track incidents and hazards.

Some quarries did not have a formal system to record and monitor the actions arising from reported issues.

Assessed criteria number 4: Feedback processes to people who initially raise hazards or improvements.

Most of the quarries provided feedback during tool box meetings and recorded it in the meeting minutes.

Some of the quarries provided formal feedback to the reporting employees with a signature required from the original reporter on the reporting hazards form to acknowledge the hazard was addressed.

Some quarries provided feedback to workers verbally with no records kept.

Assessed criteria number 5: Knowledge and use of these systems by workers

Feedback from workers through interviews, review of report books and incident databases indicated general awareness, and active use of the systems.

At the 50 quarries assessed, there was no evidence of any reprisals if employees reported hazards. The employees were encouraged to report hazards and incidents.

One common issue identified was reporting a hazard by workers to supervisors who rectify them immediately without recording them in the hazard reporting system.

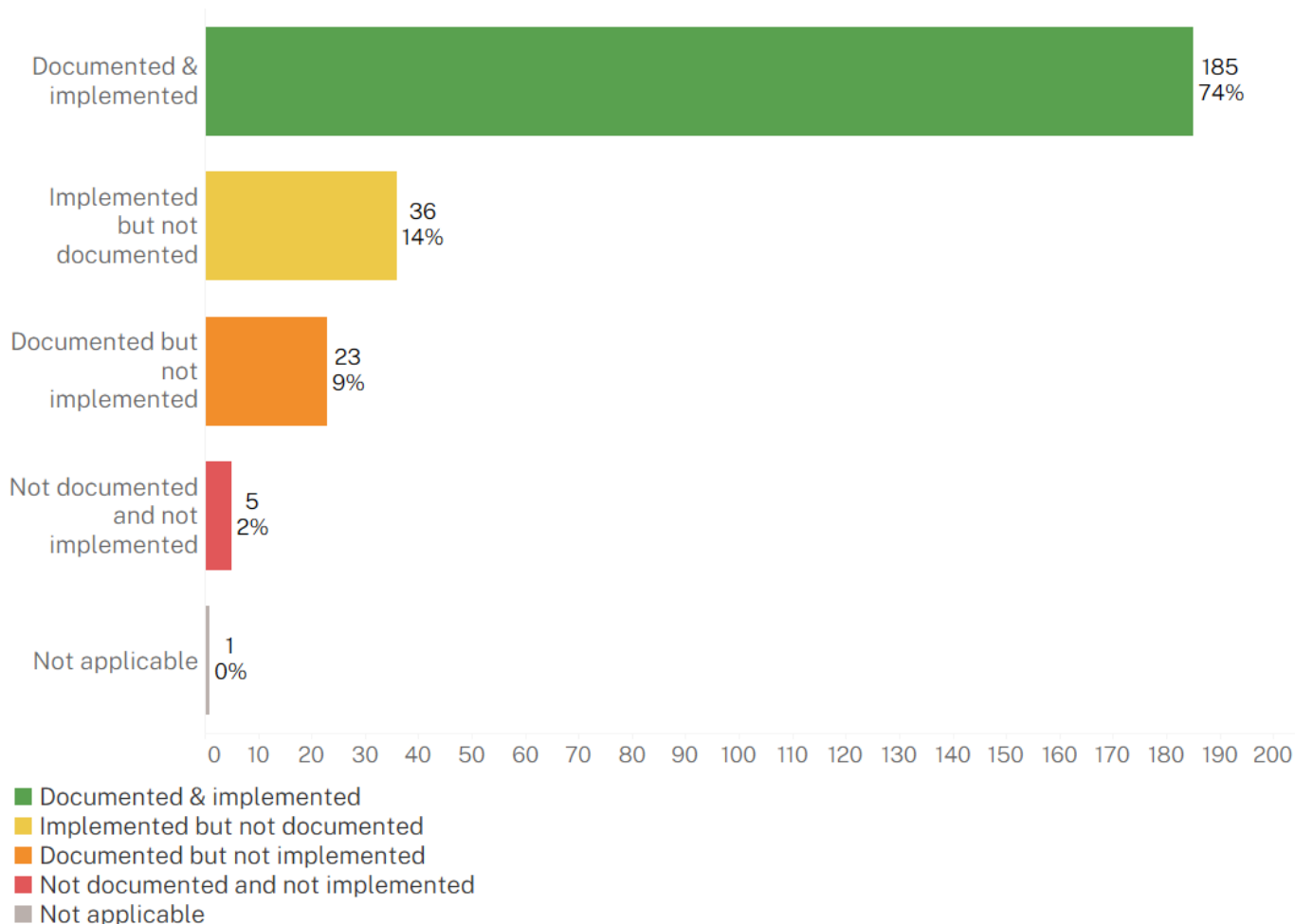
At some quarries, employees identified that the system did not always adequately address the hazards being rectified in a timely manner. The delay in rectifying reported hazards caused workers to become frustrated. On occasions, if the reported hazard was not addressed in a timely manner, it resulted in workers being reluctant to report other hazards.

In review of the overall 250 individual assessment findings identified:

- 185 (74%) of all assessments were assessed to be documented and implemented
- 36 (14%) of all assessments were assessed to be implemented but not documented
- 23 (9%) of all assessments were assessed to be documented but not implemented
- 5 (2%) of all assessments were assessed to be not documented and not implemented

The overall assessment findings ratings are summarised in figure 2:

Figure 2. Overall assessment findings ratings



Notices issued

Of the 50 sites assessed under the inspection program, 22 small mines were issued 24 notices relating to hazard reporting of safety related issues, while some mines were given notices in relation to other matters.

For the purposes of this report, contraventions related to other matters were removed from the analysis. The relevant notices issued for this program plan were examined in detail and Table 2 below lists the notices issued by type and numbers issued.

Table 2: Notices issued for the compliance priority program – hazard reporting of safety related issues – tier 1 quarries and metalliferous mines

NOTICE TYPE	TOTAL ISSUED	NUMBER OF MINES
s.195 prohibition notice	-	-
s.191 improvement notice	5	5
s.23 notice of concerns	19	19
Total	24	22*

**Note.* 2 small mines were issued two notices.

Recommendations

Based on the findings outlined, mine operators should consider the following recommendations:

- Mine operators must have a system in place for hazard reporting, provide feedback and monitor actions recorded to correct the hazard or incident reported by workers.
- The mine hazard reporting system should also consider the provision of feedback directly to the person who raised the incident or hazard report.
- Mine operators should review training and information activities related to the development of supervisor skills and knowledge with a focus on organisational behaviours and culture.
- Mine operators should ensure that workers and supervisors understand the importance of recording hazards, regardless of whether they are immediately rectified, to allow for proper analysis of the prevalence and nature of hazards. The mine safety management systems must systematically manage hazards, rather than continuously taking remedial action to address the same hazard.
- Mine operators must ensure the hazard reporting system creates records of reported hazards, assigns actions to responsible persons, allocates resources to enable timely rectification and tracks progress until rectification is completed and hazard closed out as completed.

Further information

For more information on safety assessment programs, the findings outlined in this report, or other mine safety information, please contact the NSW Resources Regulator:

Contact type	Contact details
Email	cau@regional.nsw.gov.au
Incident reporting	To report an incident or injury call 1300 814 609 or log in to the Regulator Portal
Website	www.resourcesregulator.nsw.gov.au/
Address	NSW Resources Regulator 516 High Street Maitland NSW 2320

Appendix A – Assessment criteria rating

Each assessed criteria is rated from 1 through 4 based on evidence supporting the expected control supports identified at the mine site:

Evidence supporting expected control supports

Expected control supports	Rating	Evidence supporting rating / comments				
	<table border="1"> <tr> <td>4</td> <td>3</td> </tr> <tr> <td>2</td> <td>1</td> </tr> </table>	4	3	2	1	
4	3					
2	1					

Assessment findings results are calculated based on the total points allocated to the assessed ratings as a percentage of the maximum possible points for each criteria group, and any findings rated as ‘Not applicable’ were excluded from the calculation.

Criteria assessed ratings and points

Assessed as	Rating	Points
Documented & implemented	4	4
Implemented but not documented	3	2
Documented but not implemented	2	1
Not documented and not implemented	1	0
Not applicable		

Findings results (points) with colours assigned as follows:

- Green (=100%)
- Yellow (>= 80% and <100%)
- Orange (>= 65% and <80%)
- Red (<65%)

Appendix B. Legislative requirements and published guidance relating to reporting of safety-related issues

The following is a list of certain legislative requirements for the reporting of safety related issues referred to in this report, as provided by the Work Health and Safety (Mines and Petroleum Sites) Regulation 2022 and Work Health and Safety Regulation 2017.

- Review December 2019 of all fatal accidents in Queensland mines and quarries from 2000 to 2019 <https://documents.parliament.qld.gov.au/tableOffice/TabledPapers/2020/5620T197.pdf>
- Work Health and Safety (Mines and Petroleum Sites) Regulation 2022 [NSW] Section124 Duty to notify regulator of certain incidents