



Government of Western Australia  
Department of Corrective Services  
Office of the Commissioner

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Dear Mr Marsden

**Model Work Health and Safety Regulations and Model Codes of Practice - Public Consultation**

The Department of Corrective Services (the Department) has considered the Model Work Health and Safety Regulations issues paper and provides this submission in relation to the proposed requirements under the Regulations.

The vast majority of the proposed Regulations will have either no or minimal impact on the Department while others will be a positive change by making our obligations clearer by including them in the Regulations.

However, the Department's business could be uniquely affected by some of the requirements and so our submission focuses on those amendments that will have the most impact on the Department and the work that we do.

Below are the key issues for the Department and a brief explanation of the possible impact.

Noise: Audiometric testing

This requirement would be a significant change for the Department as it would apply to prisoners in prison industries and offenders on community work. This will effectively be a new process for the Department to implement.

Some prisoners/offenders may only be 'working' for a short period of time (e.g. remand prisoners) yet the requirement to provide audiometric testing upon commencement of work will constitute a significant new administrative demand. Furthermore, recidivism will pose further administrative demand with returning offenders having to be retested.

It is not possible at this stage for the department to determine the financial cost of implementing this requirement.

Noise: Managing Risks

This requirement may pose a significant change for the Department as it will become more pertinent in prison industries and community work. The Department will have to ensure that prisoners and offenders wear ear protection at all times and the unpredictable nature of prisoners/offenders may pose compliance issues for the Department.

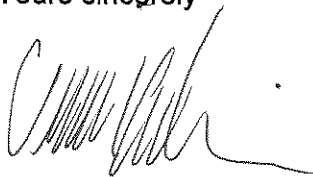
The Department will be pursuing as a priority with other jurisdictions an exemption for prisoners and offenders on community work from the "worker" definition in the model legislation. This would eliminate the audiometric testing issue as well as other issues that present with prisoners/offenders on community work falling under the "worker" definition.

Hazardous Chemicals: risk assessment and record keeping

The removal of this requirement is significantly positive for the Department as many hazardous substance risk assessments have been completed which are very time consuming and provide little safety management benefit. The Department also faces substantial costs in completing hazardous substance risk assessments in regional areas, such as training and/or travel costs.

Thank you for the opportunity to provide comment on the model Work, Health and Safety Regulations.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ian Giles', with a horizontal line extending to the right.

Ian Giles  
**A/COMMISSIONER**

17 October 2012