

Seacare HSR Forum 2009: Management obligations for safety & health

22 October 2009

Introduction

Excalibur

*as Director and Manager of the company, Mr Cittadini **failed to implement any, or any adequate, processes of supervision** or quality control in the construction process; and **this failure** resulted in the supply to Mr Saunders of the defective yacht. It is part of this alternative case that any adequate process of supervision or quality control would have detected the defect in the keel (and that measures would have been taken to prevent the keel being fitted, or to remove it).*



Boat builder jailed for Excalibur tragedy

A boat builder has been sentenced to up to three years' jail for the deaths of four people in a yacht accident off the New South Wales coast seven years ago.

ABC Online 10 July 2009

Outcomes

- Understand own obligations
- Relationship between the safety regulation and legal obligations
- Relationship between the legal obligations and safety behaviour
- 1 tool to influence behaviour

There is a widespread misconception that safety culture can be improved solely through modifying unsafe work behaviours. While human errors contributed to most major incidents including this one, they are rarely the root cause.

Thus when we talk about safety culture, we are talking first and foremost about how managerial decisions are made, about the incentives and disincentives within an organisation for promoting safety.

Carolyn Merritt
Chairman and CEO
US Chemical Safety Hazard Investigation Board
10 November 2005

The duty to provide a risk-free environment is a duty owed not only to the careful and observant employee but also the hasty, careless, inadvertent, inattentive, unreasonable or disobedient employee in respect of conduct that is reasonably foreseeable

Obligations and aspirations

System

Characteristics

Blockers

1. Know obligations & risks.
2. Have a process that brings systems failures to your attention.
3. Respond personally and in a timely manner to systems failures.
4. Independently verify from time to time.

Behaviour

Minimum expectations

Evidence was given that OIMS was a world-class system and complied with world's best practice. Whilst this may be true of the expectations and guidelines upon which the system was based, the same cannot be said of the operation of the system in practice. Even the best management system is defective if it is not effectively implemented. The system must be capable of being understood by those expected to implement it.

Esso's OIMS, together with all the supporting manuals, comprised a complex management system. It was repetitive, circular, and contained unnecessary cross referencing. Much of its language was impenetrable. These characteristics make the system difficult to comprehend both by management and by operations personnel.

While each initiative has been well intentioned, collectively they have overloaded refinery management and staff. BP's corporate organisation has provided the refineries little guidance on how to prioritise these many initiatives, and the refineries do not receive additional funding to implement each initiative. As a result, senior refinery managers used phrases such as "initiative overload", "incoming", and "unfunded mandates " to describe what they perceived as an avalanche of programs and endeavours that compete for funding and attention.

They also reported that the repeated launch of each successive initiative made it increasingly difficult for the workforce to take any of these initiatives seriously; many interviewees described this as the "flavour of the month" phenomenon.

The report of the BP US Refineries
Independent Safety Review Panel

January 2007

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