



Management of Staff Occupational Health and Safety in Schools



VICTORIA

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Auditor-General

Management of Staff Occupational Health and Safety in Schools

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The Hon. Bruce Atkinson MLC
President
Legislative Council
Parliament House
Melbourne

The Hon. Ken Smith MP
Speaker
Legislative Assembly
Parliament House
Melbourne

Dear Presiding Officers

Under the provisions of section 16AB of the *Audit Act 1994*, I transmit my report on the audit *Management of Staff Occupational Health and Safety in Schools*.

Yours faithfully

A handwritten signature in black ink, appearing to be 'Peter Frost', with a long horizontal stroke extending to the right.

Dr Peter Frost
Acting Auditor-General

29 May 2013

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Audit summary

The Department of Education and Early Childhood Development (DEECD) is Victoria's largest employer, with more than 53 620 staff employed in 1 531 government schools. Under the *Occupational Health and Safety Act 2004* (the Act), DEECD is responsible for the health and safety of these employees.

WorkSafe Victoria is the state regulator of occupational health and safety (OHS) and also plays an important role in educating employers about workplace health and safety. While the Act places the onus on employers to lead OHS improvement efforts in their own workplaces, WorkSafe's engagement with employers helps drive these efforts.

To achieve this WorkSafe has:

- participated in a range of government OHS forums since 2002
- worked with DEECD and its ministers to inform them of trends in school WorkSafe claims from 2008–11.

In 2007, DEECD employed consultants to review its OHS services. They found an absence of a safety culture, and lack of OHS leadership and accountability. Since 2008, WorkSafe has also prosecuted DEECD five times under the Act for school-related OHS incidents.

In response to the OHS review, DEECD developed a new occupational health and safety management system (OHSMS) in 2008 to guide schools to meet their legislative OHS responsibilities and to avoid further prosecution.

The objective of the audit was to examine whether schools have managed health and safety risks to their staff, and whether DEECD has provided schools with sufficient guidance, support and oversight. This audit considered only school-based employees.

Conclusions

Government schools have achieved modest improvements in health and safety, with a reduction in the incidence of new injury claims lodged since 2009. School staff surveyed for this audit said that they felt safe at work and are confident that their school could manage a critical incident if it occurred.

DEECD's new OHS management system, OHSMS, comprehensively addresses legislative requirements. Survey responses show that staff regularly use it and perceive their schools to be compliant. Despite this, DEECD-commissioned audit results show that few schools have achieved full compliance and many need considerable improvement to do so.

DEECD does not hold schools to account for poor OHS performance. However, the government's new schools policy *Towards Victoria as a Learning Community* (TVLC) requires DEECD to intervene and target schools that are underperforming. For this to succeed, clear accountability and commitment from school leadership for OHS management is needed. Otherwise, DEECD will continue to struggle to make sustained improvements to staff safety in schools.

The effectiveness of DEECD's OHS service providers—who are contracted to provide schools with technical OHS support—is also constrained by low awareness of the service and limited use by schools.

DEECD chooses to bear almost the entire cost of schools' WorkSafe premiums on their behalf. This approach is designed to protect schools from excessive financial burdens. However, this means that schools currently pay only 3.4 per cent of DEECD's total WorkSafe premium and therefore do not understand the true financial impact of workplace injury. DEECD could better structure school premium allocation so that it acts as a financial incentive to prevent injury.

In 2008, WorkSafe acted to address poor OHS performance in government schools. It undertook specific workplace projects that targeted OHS in schools, and prosecuted DEECD under the Act for school-related incidents. However, it did not comprehensively evaluate these projects and cannot show their impact.

Since then, WorkSafe has reprioritised efforts towards industries and hazards it has determined as higher risk. This has resulted in fewer inspection projects targeted specifically at schools. WorkSafe also no longer provides DEECD with regular reports on OHS performance.

Findings

Health and safety indicators

The incidence of new WorkSafe claims lodged by government school staff in the past three years has reduced by approximately 8 per cent. This suggests that health and safety in schools is improving. In 2011–12, the estimated total cost of DEECD's standard claims reported to WorkSafe was \$45 million, with an average cost of \$54 237 per claim.

However, non-government schools consistently outperformed government schools on most health and safety indicators each year over the past five years. In 2011–12 non-government schools had a 35 per cent lower rate of claims and 50 per cent lower claim costs.

Notably, non-government schools bear the entire cost of their WorkSafe insurance premiums, which creates a significant financial incentive to improve health and safety performance. DEECD has advised that there may be other reasons for these performance differences, but it has not attempted to examine and fully understand these. This is a missed opportunity to drive greater improvement in OHS performance in government schools.

Costs for claims in government schools have also been increasing since 2008, suggesting that the severity and duration of incidents is increasing. While stress claims represent 40 per cent of the costs for all claims, they make up only 25 per cent of claims.

Return to work rates for injured staff in government schools are slower than rates in non-government schools. Although it is aware of this issue, DEECD believes there is little value in examining the possible reasons for the variances in performance, citing differences in how the different school sectors operate. This represents a lost opportunity to learn from the other school sectors and improve its performance.

DEECD pays a range of additional medical and salary costs associated with injured employees but does not monitor the expenditure, and therefore cannot accurately determine the true cost burden of workplace injury.

Occupational health and safety management system

DEECD's recent internal audit results showed that most schools did not fully comply with OHSMS. Despite this, DEECD did not intervene to compel these schools to improve their OHS performance. DEECD is in the early stages of addressing this in order to comply with the requirements of TVLC.

Without clearly defined accountability for OHS, and with only limited exposure to the real cost of workplace injury through realistic premium distribution, school leaders have limited understanding of the implications of poor OHS practices and have little incentive to improve OHS performance. DEECD has drafted a Health, Safety and WorkSafe Strategy that is aimed at defining OHS accountabilities for school leaders to improve OHS leadership and culture in schools. It is imperative that this strategy be implemented concurrently with TVLC and the associated schools' Compact.

School staff perceive OHSMS to be improving health and safety, but implementing and maintaining systems imposes a significant time burden on staff. Technical support is available to schools but the service is not well understood or accessed.

DEECD's OHS service provider is contracted to intervene in high-risk schools but DEECD cannot provide evidence that this is occurring, and schools are not compelled to engage with the service provider.

WorkSafe

WorkSafe initiatives do not have performance indicators, so their effectiveness cannot be monitored or evaluated. The absence of effectiveness measures makes it difficult to assess whether initiatives in schools have achieved value for money.

WorkSafe does not strategically use data from school visits, such as identifying trends or high-risk schools. Until 2011 WorkSafe provided DEECD with regular briefings that highlighted trends, weaknesses, and comparisons to the non-government school sector.

WorkSafe advised that DEECD cancelled the regular briefing scheduled for May 2012. While WorkSafe has not formally decided to stop briefing DEECD, it has not provided any briefings since then.

The lack of information sharing between WorkSafe and DEECD in recent years is preventing them from more effectively targeting weaknesses in OHS performance in government schools. Unless this is addressed in a systematic and coordinated way, opportunities to improve the safety of school staff will continue to be lost.

Recommendations

Number	Recommendation	Page
	The Department of Education and Early Childhood Development should:	
1.	benchmark its WorkSafe claims performance with other education sectors to better understand the reasons for performance differences and improve its practices	15
2.	investigate models for WorkSafe premium distribution that provide enhanced incentives for schools to improve occupational health and safety performance	15
3.	monitor its expenditure on the additional costs associated with injuries in schools, and use this as an indicator of the success of occupational health and safety projects	15
4.	further analyse its return to work process to identify any specific changes that may be required to be most effective in the government school environment	15
5.	define and reinforce its expectations of principals in regard to good occupational health and safety management in their schools	24
6.	identify thresholds for intervention in schools with poor occupational health and safety performance, and act expediently to address performance issues.	24
	WorkSafe should:	
7.	evaluate all injury reduction tools to understand their impact on claims and workplace behaviour	28
8.	provide regular updates to the Department of Education and Early Childhood Development on school occupational health and safety performance, compliance and claims trends based on workplace visits and other available resources.	28

Recommendations – continued

Number	Recommendation	Page
9.	<p>The Department of Education and Early Childhood Development and WorkSafe should:</p> <p>jointly investigate ways to improve occupational health and safety compliance in government schools.</p>	28

Submissions and comments received

In addition to progressive engagement during the course of the audit, in accordance with section 16(3) of the *Audit Act 1994* a copy of this report, or relevant extracts from the report, was provided to the Department of Education and Early Childhood Development and WorkSafe with a request for submissions or comments.

Agency views have been considered in reaching our audit conclusions and are represented to the extent relevant and warranted in preparing this report. Their full section 16(3) submissions and comments are included in Appendix B.

1 Background

1.1 Introduction

Good occupational health and safety (OHS) practices encourage a safe and healthy work environment. Apart from meeting legislative requirements, there are ethical and financial benefits for employers and employees to exercise sound occupational health and safety practices.

Schools have a range of risks that need to be properly managed to make them safe and healthy workplaces, and to minimise the chance of staff being injured.

1.2 National occupational health and safety strategy and targets

The federal government's OHS agency, SafeWork Australia, introduced the National OHS Strategy in 2002. It aimed to achieve two principal targets across all states and territories by 30 June 2012:

- reduce work-related fatalities by 20 per cent
- reduce work-related injuries by 40 per cent.

The Department of Education and Early Childhood Development (DEECD) has fallen short of the work-related injury target. In 2011–12 DEECD reported 836 claims, compared to 1 024 claims in 2002–03—a reduction of only 18 per cent.

SafeWork Australia has launched a new 10-year strategy for 2012–22. In addition to targets relating to fatalities and injuries, it has a target for reducing the incidence of musculoskeletal disorder claims.

1.3 Policy and legislation

There are a series of OHS-related regulations and policies that Victorian government schools must comply with.

1.3.1 *Occupational Health and Safety Act 2004*

The *Occupational Health and Safety Act 2004* (the Act) is the key legislation covering health and safety in Victorian workplaces. It sets out the duties, rights and responsibilities of all parties and the consequences of breaching or ignoring those duties.

Its objectives are to:

- secure the health, safety and welfare of employees and other persons at work
- eliminate, at the source, risks to the health, safety or welfare of employees and other persons at work
- ensure that the health and safety of members of the public are not placed at risk by the conduct of employees and self-employed persons
- provide for the involvement of employees, employers, and organisations representing those persons in formulating and implementing health, safety and welfare standards.

One of the Act's key mechanisms to improve OHS in Victorian workplaces is the authority for a notice to be issued to an employer when their workplace breaches a provision of the Act. As well as alerting the employer to the specific breach, it sets a time frame for rectification.

1.3.2 Accident compensation legislation

The *Accident Compensation Act 1985* sets out the regulations for workers' compensation and the rehabilitation of injured workers.

The *Accident Compensation (WorkCover Insurance) Act 1993* sets out the requirements for employer insurance and premiums.

WorkSafe insurance

WorkSafe insurance is compulsory insurance for all Victorian employers and is set out in the *Accident Compensation (WorkCover Insurance) Act 1993*. It provides cover for the costs associated with employees becoming injured or ill because of their work. The insurance covers:

- replacement of lost income
- medical and rehabilitation treatment costs
- legal costs
- lump sum compensation in the event of a serious injury.

WorkSafe Victoria administers the insurance and calculates employers' premiums each year based on a range of factors, including the industries' previous claims.

The case management of each claim is administered by one of the five insurance agents WorkSafe has appointed.

1.3.3 The Department of Education and Early Childhood Development's OHS framework

DEECD's 2012 OHS policy outlines schools' OHS commitments and requirements. Implementation of the policy is supported by DEECD's OHS Management System (OHSMS).

OHSMS is a framework for managing health and safety risks in schools. It was developed in 2008 in response to a 2007 review of DEECD's OHS service to schools. In 2009 DEECD began progressively rolling out the framework. This involved DEECD's regional OHS advisers and its service provider visiting government schools to provide practical guidance and support to help them transition to the new system. The OHSMS rollout to schools was completed in June 2012. DEECD engaged additional contractors in mid-2011 to begin auditing each school to test whether they had successfully implemented the OHSMS.

1.4 Roles and responsibilities

The following organisations play a key role in good health and safety practices being adopted in government schools.

1.4.1 Department of Education and Early Childhood Development

DEECD employs more than 53 620 staff across 1 531 government schools. Under the Act DEECD is responsible for their health, safety and welfare. While DEECD sets policies and provides guidance, principals are responsible for managing OHS in their individual schools.

This reflects the devolved model of school governance operating in Victoria, where principals are responsible for making decisions at the local level. DEECD released the Compact—an agreement between Victorian Government schools and DEECD—in March 2013 to articulate the roles and responsibilities of central office and schools. It stipulates that schools must meet all obligations in the Act.

1.4.2 Schools

In addition to the school principal's role in managing OHS at individual schools, staff in schools have responsibilities set out in legislation and policy to contribute to healthy and safe work environments. DEECD's OHS Policy states that staff must:

- report hazards and incidents
- participate in training
- consult and cooperate with DEECD on safety-related matters
- follow safety instructions and observe the wearing of personal protective equipment as required.

1.4.3 WorkSafe

WorkSafe is the state government authority that administers the different legislation relating to health and safety. Its broad responsibilities are to:

- help avoid workplace injuries occurring
- enforce Victoria's OHS laws
- provide reasonably priced workplace injury insurance for employers
- help injured workers back into the workforce
- manage the workers' compensation scheme by ensuring the prompt delivery of appropriate services, and adopting prudent financial practices.

WorkSafe takes the lead role in promoting and enforcing health and safety in Victorian workplaces. It carries out this work through education, financial incentives, workplace inspections, investigations and prosecution of noncompliant employers.

Schools are most likely to interact with WorkSafe through their workplace inspections. These inspections can be in response to claims, a request from the school, or as part of a WorkSafe strategic project targeting a specific hazard.

1.5 Audit objectives and scope

The objective of the audit was to examine whether schools are managing health and safety risks to their staff, and whether DEECD has provided them with sufficient guidance, support and oversight.

Specifically, it assessed whether:

- the combined efforts of schools and DEECD have been effective in making schools safer, and environments healthier for staff
- DEECD supports schools to identify and manage OHS risks to their staff
- schools identify and manage OHS risks to their staff.

This audit examined how effectively schools have managed health and safety. As DEECD is Victoria's largest employer, the audit also examined WorkSafe's involvement and impact on improving OHS performance in schools.

It also assessed the effectiveness of DEECD's OHSMS and the support provided to schools by DEECD to help them to manage and prevent health and safety risks to their staff. It considered all staff working in schools, including contract staff, casual relief teachers, integration aides and administrative staff.

The audit has not examined student safety as this was examined in VAGO's performance audit *Managing Student Safety* which was tabled in May 2011.

1.6 Audit method and cost

The methodology for this audit included:

- interviews with school principals and health and safety representatives at five schools
- meetings with DEECD and WorkSafe
- review and analysis of DEECD and WorkSafe documents and data
- an external survey of school staff designed to better understand their impressions of how OHS is managed in schools.

The audit was performed in accordance with the Australian Auditing and Assurance Standards. Pursuant to section 20(3) of the *Audit Act 1994*, unless otherwise indicated any persons named in this report are not the subject of adverse comment or opinion.

The total cost of the audit was \$345 000.

1.7 Structure of the report

This report is structured as follows:

- Part 2 examines trends in OHS incidents in schools
 - Part 3 assesses school compliance with OHS requirements
 - Part 4 examines WorkSafe's impact on OHS in schools.
-

2 Trends in occupational health and safety incidents in schools

At a glance

Background

WorkSafe Victoria claims data provides up to date information on the health and safety performance of schools. This allows benchmarking with other school sectors and other government agencies to occur.

Conclusion

The incidence of new WorkSafe claims by government schools has reduced since 2009. The non-government school sector, however, consistently outperforms government schools in all claims indicators. While there may be legitimate explanations for these differences, the Department of Education and Early Childhood Development (DEECD) has not examined whether practices in the non-government school sector could be applied in government schools to improve health and safety practices.

Findings

- The incidence of new claims has reduced in the past three years.
- Average claim costs in government schools are consistently higher and the rate at which injured workers return to work is consistently slower than in the non-government school sector.
- DEECD's model for allocating insurance premiums does not act as an incentive for schools to improve their OHS performance.

Recommendations

The Department of Education and Early Childhood Development should:

- benchmark its WorkSafe claims performance with other education sectors to better understand performance differences and improve its practices
- investigate models for WorkSafe premium distribution that provide enhanced incentives for schools to improve occupational health and safety performance
- monitor its expenditure on the additional costs associated with injuries in schools
- analyse its return to work process to identify inefficiencies.

2.1 Introduction

Objective, measurable indicators are needed to monitor progress and evaluate outcomes from government interventions.

There are a range of indicators used to understand the health and safety of school staff. This audit has considered trends in three key indicators of staff health, safety and wellbeing:

- incidence of standard claims reported to WorkSafe Victoria (new claims)
- the cost of the claims
- rate at which claimants return to work.

The same data categories are collected for all WorkSafe claims across Victoria. This means that performance can be meaningfully compared between different industries, sectors and employers.

This Part examines WorkSafe claims data and its implications for everyday management of occupational health and safety (OHS) in schools.

2.2 Conclusion

The reduced incidence of new claims lodged by staff in government schools during the past three years suggests schools are making progress in improving OHS.

Associated indicators such as claim costs and the rate at which claimants return to work are, however, increasing rather than decreasing. Although these results are likely to be affected by other factors in addition to the health and safety of school environments—such as above consumer price index increases and insurance agent's return to work processes—they are an important indication that there is further room to improve OHS at government schools.

Comparison between government school claims with non-government schools show that government schools have consistently performed worse in all three claims indicators. The Department of Education and Early Childhood Development (DEECD) indicated that there may be many reasons for these performance differences, but it has not attempted to understand them.

A likely influencing factor is that non-government schools pay the true WorkSafe premium cost, whereas government schools only contribute a small percentage of the total. This means government schools are unlikely to understand the true financial impact of workplace injury and improve their OHS practices accordingly.

2.3 Trends in occupational health and safety incidents in schools

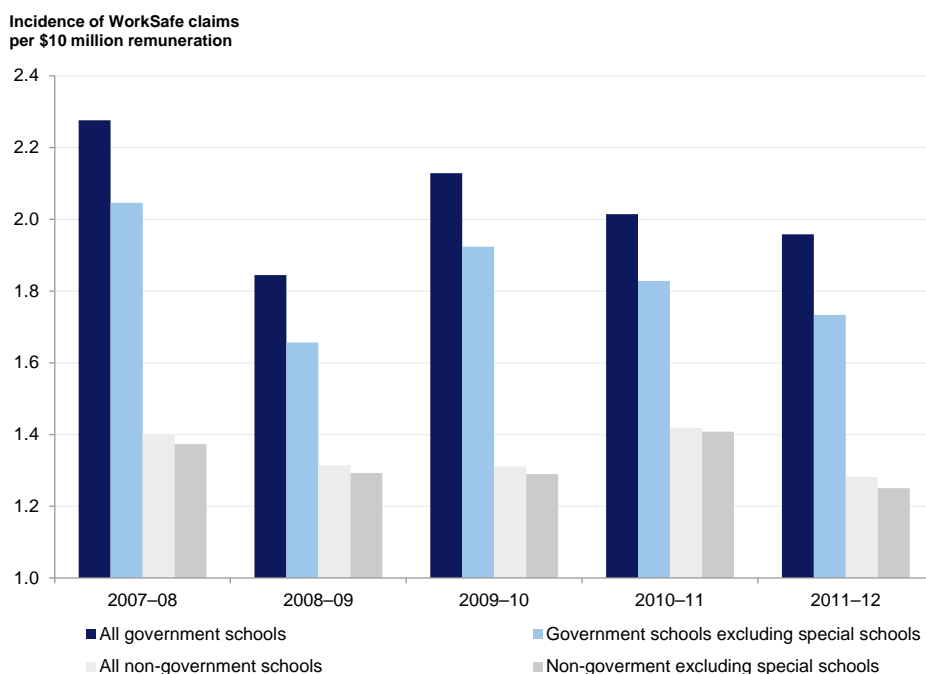
Performance against one of the three key indicators of OHS—the incidence of new claims—has improved over the past three years in the schools examined.

2.3.1 Incidence of new claims

For government schools, the incidence of new claims lodged per \$10 million remuneration has reduced by eight per cent over the past three years. The extent to which this reduction is a result of the effectiveness of action to improve OHS, or other external factors, is unclear.

By comparison, the incidence of new claims lodged by non-government school staff is consistently lower than the government sector. Figure 2A shows the difference in performance between the government and non-government sectors, and also the impact of special schools on the overall performance of government schools.

Figure 2A
New WorkSafe claims in government and non-government schools between 2007–08 and 2011–12, per \$10 million remuneration



Note: WorkSafe uses staff remuneration as a basis to compare the government and non-government school sector claims. This chart compares claim costs per \$10 million remuneration.

Source: Victorian Auditor-General's Office analysis of WorkSafe data.

DEECD has indicated that there may be many reasons for the differences between the sectors, including that:

- children of compulsory school age are entitled to be enrolled at their designated neighbourhood government school. This obligation does not apply to non-government schools.
- there is a greater proportion of students with disabilities or challenging behaviours in mainstream government schools
- the majority of special schools are government schools. They currently account for 16 per cent of DEECD WorkSafe claims. Special schools have hazards unique to the sector.

However, DEECD has not provided evidence to support these claims and has not fully examined the reasons for this difference in performance. It therefore has little insight into its causes or the opportunity to develop better injury prevention strategies.

2.3.2 Injury types

The number of new claims lodged by injury type has been consistent over the past five years. Therefore the reduction in new claims has been spread across all injuries rather than an improvement in any one particular category of injury. This suggests that campaigns targeting particular injury types have not been successful.

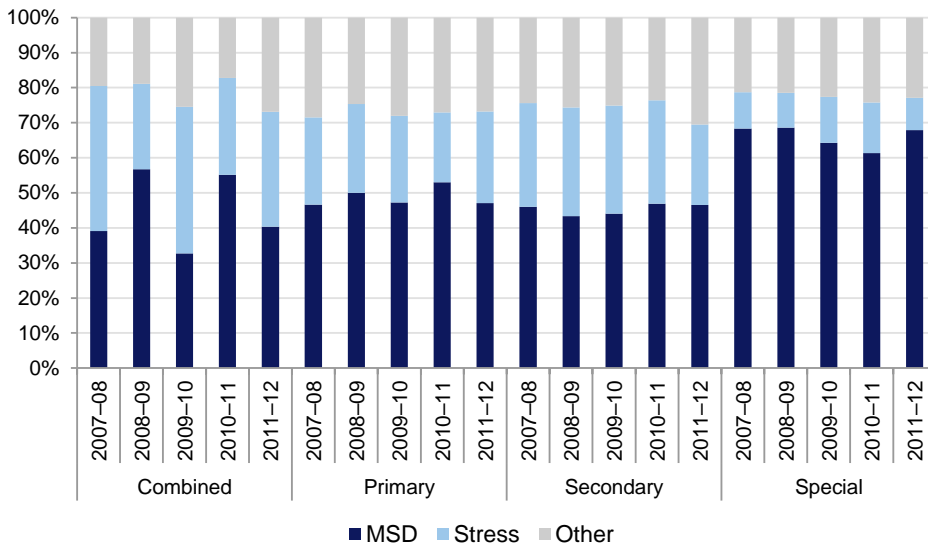
In addition to looking at the incidence of new claims, scrutiny of the types of injury claims lodged could provide insights into the causes of reducing incidence of claims and identify targets for future projects.

WorkSafe categorises claims by three types:

- musculoskeletal disorders (MSD)
- stress
- other—includes a broad range of injuries including burns, heart attacks or inhalation of dangerous fumes.

Figure 2B compares injury categories across different school types for the past five years. It shows that MSD is the dominant claim type, and that the proportion of injury types has been relatively consistent in all school types, except the combined primary and secondary schools (combined schools). However, only five per cent of government schools in Victoria are combined schools so fluctuations in their injury type claims will not influence trends across all government schools.

Figure 2B
Categories of claims made by DEECD school employees, by school type



Note: Combined schools refer to those that offer both primary and secondary schooling.

Source: Victorian Auditor-General's Office analysis of WorkSafe data.

2.4 Cost of claims

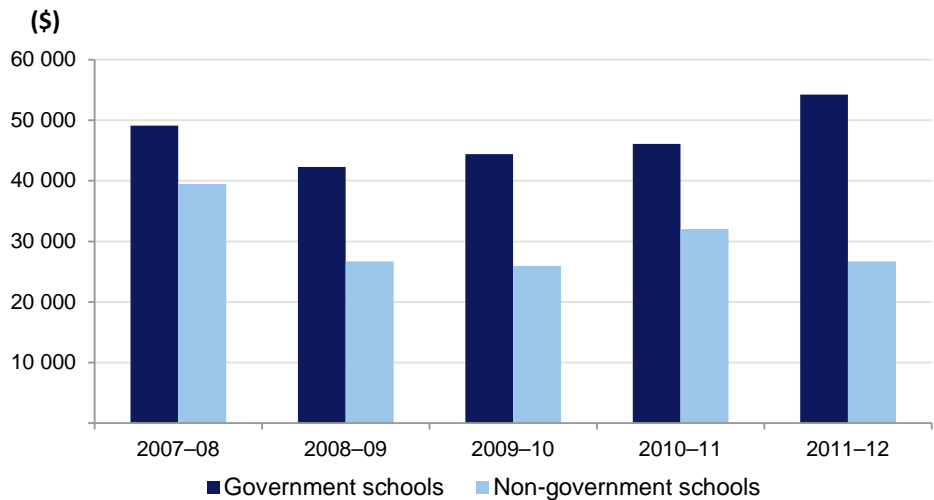
Despite a reduction in the total number of claims in the past three years, both the average cost and the total cost of a government school's staff member's standard WorkSafe claim has increased every year since 2008-09. This is significant, even if taking indexation and other scheme-wide payment increases into account.

If government schools are becoming healthier and safer places to work it is reasonable to expect that the cost of claims would reduce. Lower costs mean fewer and less serious injuries requiring less medical treatment and fewer days leave from work.

Figure 2C shows that while the average cost of a claim has increased in government schools, the average cost of a claim in non-government schools has decreased. Each year the average cost in non-government schools was more than 20 per cent less than the average claim cost in government schools. In 2011-12 the difference increased even more—the average non-government school claim costing 51 per cent less than the average government school claim.

As with the incidence of new claims, DEECD has not done any work to understand the factors contributing to this significant difference.

Figure 2C
Average fully developed cost per claim between 2007–08 and 2011–12



Source: Victorian Auditor-General's Office analysis of WorkSafe data.

Stress claims are of particular concern because claimants take, on average, more than three times as many days to return to work as claimants whose injury was categorised as MSD or Other. Stress claims lodged in 2011–12 are expected to collectively cost the scheme \$17.7 million, or 39 per cent of all costs, despite being only 22 per cent of the total number of all claims.

DEECD notes that stress claims can present unique challenges for the return to work process as claimants may experience difficulties returning to their original workplace due to interpersonal conflict. DEECD advises that the average number of leave days taken for stress claims has been improving since 2009–10.

2.5 DEECD's allocation of WorkSafe premiums

Despite its WorkSafe premium rising significantly in recent years, DEECD's current premium allocation model does not distribute these costs to schools to reflect their OHS performance.

WorkSafe uses premiums as a financial incentive for employers to improve their OHS performance. In the public sector, funding is centrally allocated to departments based on demonstrated need.

For government schools, the incentive is reduced because DEECD subsidises the premiums it levies to individual schools and applies a maximum ceiling of \$10 000 per school. Collectively, schools only contributed 3.4 per cent of the true premium cost in 2012–13.

Since 2004–05, DEECD's WorkSafe premium has increased by approximately 38 per cent. Conversely, the proportion that schools contributed to DEECD's premium during this time has decreased by 21 per cent. As a result DEECD's premium allocation model is not equitable and logical, nor does it act as an incentive for schools to improve their OHS performance.

Representatives from the non-government school sector consulted for this audit said that their schools have individual premiums calculated by the insurer. They believed this had a positive impact on safety practices and the length of claims in the sector.

In February 2013, a DEECD-commissioned review of the management of its insurer's claims was completed. It found that there was currently no incentive for schools to manage workers' compensation. The review recommended that DEECD change the structure of premium allocation and provide premium information split by workplace.

The review indicated that this would provide a greater insight into the actual costs per school. DEECD plans to, but has not yet, addressed this issue.

2.5.1 Understanding the total cost of injured staff

DEECD pays additional costs to injured school staff beyond the claim costs covered by WorkSafe insurance, as agreed under the teachers' Enterprise Bargaining Agreement, but does not monitor or evaluate these costs.

WorkSafe claim costs are covered by WorkSafe insurance, funded by premiums that all Victorian employers are required to pay. The specific costs covered include a proportion of the claimant's pre-injury salary, medical and like expenses from the injury.

WorkSafe insurance pays 95 per cent of the claimant's salary for the first 13 weeks following the claim, and 80 per cent thereafter. Under the Enterprise Bargaining Agreement, DEECD tops up claimant's salaries to 100 per cent of their pre-injury salary for the first 52 weeks of a claim. They also cover medical expenses that are below the WorkSafe threshold.

However, DEECD does not monitor these additional costs and does not know if costs have increased or decreased each year.

The review of the management of its insurer's claims has also identified that DEECD has little or no information about these below-threshold claims. It recommended that DEECD's WorkSafe insurance agent commence collecting this data and provide it to DEECD on an ongoing basis. DEECD has not yet taken action to address this recommendation.

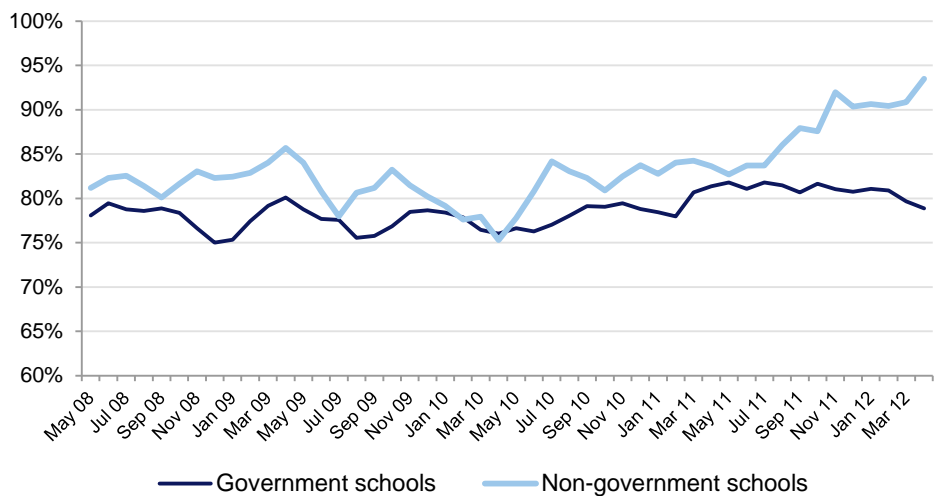
2.6 Return to work rates

One in five (21 per cent) WorkSafe claimants from government schools were not back at work, in either full or partial capacity, six months after their claim was lodged. By comparison, only six per cent of WorkSafe claimants from the non-government school sector fell into this category.

Claimants generally return to work faster when their injuries are less severe and require less time to recover, making return to work rates a useful measure of workplace health and safety. DEECD has employed a consultant to review its claims management processes and support schools to proactively manage claims.

Figure 2D further illustrates that not only is there a significant gap between government schools' and non-government schools' return to work rates, but it has been growing rapidly. Since 2011 it has increased by a factor of 15.

Figure 2D
Proportion of all employees who were back at work
six months after lodging a WorkSafe claim



Note: This graph includes WorkSafe claimants who never ceased working during their claim
Source: Victorian Auditor-General's Office analysis of WorkSafe data.

Despite this information being available, DEECD has not investigated the causes for the significant difference in return to work rates. Further investigation could reveal additional opportunities to better manage the return to work process. This could mean that injured employees return to work earlier, benefitting the claimant, their families, colleagues and DEECD.

2.7 Using data to improve performance

DEECD has access to a range of data about school health and safety including audit compliance results, staff recorded incidents and hazards, and more critical incidents, yet the information is not uniformly quality checked and is underutilised.

DEECD's EduSafe reporting system houses data on the hazards and incidents reported by schools. DEECD uses EduSafe data to report on OHS in its annual report. In its 2011–12 Annual Report there were 8 133 health and safety incidents, up 15 per cent from 7 060 in 2010–11. DEECD attributes this rise in reported incidents to increasing awareness and use of the system, rather than worsening OHS performance.

DEECD believes there is potential for over- and under-reporting on EduSafe but does not quality assure EduSafe data. DEECD needs better assurance that incidents are reported correctly. This information can then underpin a more targeted approach to OHS improvement.

Following the rollout of DEECD's occupational health and safety management system (OHSMS), there has been little use of new data generated from EduSafe and school audit compliance results to target specific areas of weakness. DEECD introduced separate policies before the OHSMS was developed in an attempt to address areas of known risk in schools, such as student challenging behaviour and manual handling. However, these policies have not been revised to reflect continuing and emerging system weaknesses.

A draft 2012–15 OHS Strategy is informed by incident data and is intended to place greater emphasis on injury prevention programs—including for stress—and better return to work management.

Recommendations

The Department of Education and Early Childhood Development should:

1. benchmark its WorkSafe claims performance with other education sectors to better understand the reasons for performance differences and improve its practices
2. investigate models for WorkSafe premium distribution that provide enhanced incentives for schools to improve occupational health and safety performance
3. monitor its expenditure on the additional costs associated with injuries in schools, and use this as an indicator of the success of occupational health and safety projects
4. further analyse its return to work process to identify any specific changes that may be required to be most effective in the government school environment.

3 Compliance with occupational health and safety requirements

At a glance

Background

Schools are required to comply with occupational health and safety (OHS) legislation. The Department of Education and Early Childhood Development (DEECD) provides schools with a framework to manage OHS risks and hazards.

Conclusion

DEECD's Occupational Health and Safety Management System (OHSMS) is robust and assists schools to meet their OHS requirements. However, compliance with the system is low, and DEECD does not enforce compliance.

Findings

- DEECD has provided schools with a comprehensive system to manage OHS and complements this with training and an OHS support service.
- DEECD's OHS audits show low compliance with the OHSMS—schools fully comply with only 31 per cent of audited elements.
- DEECD and its OHS service provider do not effectively engage with poor performing schools.

Recommendations

The Department of Education and Early Childhood Development should:

- define and reinforce its occupational health and safety expectations of principals
- identify thresholds for intervention in schools with poor occupational health and safety performance, and act expediently to address performance issues.

3.1 Introduction

To allow better management of occupational health and safety (OHS) risks to its staff, the Department of Education and Early Childhood Development (DEECD) developed the Occupational Health and Safety Management System (OHSMS)—a package of OHS procedures and guidelines.

An online incident and hazard reporting system is accessible to all staff and an OHS service provider can offer technical assistance through its telephone service and site visits.

The OHSMS is DEECD's response to a 2007 review of its OHS services, and to WorkSafe Victoria pressure to improve safety following a number of prosecutions under the *Occupational Health and Safety Act 2004*.

This Part considers the evolution of DEECD's approach to OHS in schools and the impact of the new OHSMS on compliance in schools. It is informed by the results of a survey of government school staff conducted by VAGO to better understand how staff engage with OHS systems and their perceptions of the health and safety environment in their school.

3.2 Conclusion

OHSMS provides schools with the tools and guidance they need to achieve OHS compliance.

Schools are expected to independently manage OHS risks and hazards, yet school leaders have no performance indicators or incentives to encourage improved OHS performance in their schools. Schools have a service provider available to assist them to improve OHS performance, but are often either unaware of the support or unwilling to engage with them.

The government's new schools policy *Towards Victoria as a Learning Community* (TVLC), released in November 2012, requires DEECD to intervene and target schools that are underperforming. This represents a significant shift in DEECD's current non-interventionist practices. To comply with these policy requirements, DEECD will need to clearly define accountabilities for OHS and establish new mechanisms to hold schools to account for their OHS performance. Work to address the requirements of this new policy is in its infancy.

School staff felt that their schools regularly engaged with OHS procedures, but DEECD's internal compliance audit results indicate that only 31 per cent fully comply with audited elements. DEECD could further assist schools in their understanding of their OHS obligations through continued audit work, training and better promotion of the OHS service provider.

3.3 Review of departmental occupational health and safety services

A review of departmental OHS services was commissioned by DEECD in 2007. It found that DEECD needed a more systematic approach to managing OHS.

Only five per cent of DEECD's workplaces (including schools) were being audited and there was little follow up to make sure corrective actions were completed. Managers and principals were judged as not sufficiently understanding OHS. In addition, less than half of the principals surveyed believed they had an effective and well-resourced OHS management system.

The review also recommended that DEECD revise its OHS framework and outsource key components of service delivery. DEECD adopted the majority of recommendations with the exception of one that was aimed at revising and strengthening schools' accountability for OHS performance.

At the time of the review, DEECD was also under considerable pressure from WorkSafe to improve safety in schools. WorkSafe has prosecuted DEECD five times under the *Occupational Health and Safety Act 2004* since 2008. All of the prosecutions related to technology areas in secondary schools.

In 2009, WorkSafe requested that DEECD enter into a legally binding agreement to avoid further prosecution. It was agreed that this would include a plant equipment audit of schools, and that the OHSMS would be audited following implementation against Australian Standard *AS/NZS 4801:2001 Occupational health and safety management systems*.

The OHSMS was progressively rolled out to government schools and completed in July 2012. Complementing this is EduSafe—an online OHS incident, hazard and risk reporting system for all staff. DEECD provided training and support to schools to use EduSafe and implement the OHSMS through its OHS service provider and regional OHS advisors.

3.4 Current school staff perceptions of health and safety

VAGO surveyed school staff to better understand how they perceive the health and safety environment in their schools.

Close to three-quarters of survey respondents indicated that their work environment was safe or very safe, and 61 per cent of respondents were confident that their school could handle a critical incident if one occurred.

Figure 3A
Safety of current working environment

Safety of current work environment	Number	Per cent
Very unsafe	105	2.3
Unsafe	59	1.3
Some parts safe/some parts unsafe	1 033	22.9
Safe	1 958	43.4
Very safe	1 346	29.9
No answer	7	0.2
Total	4 508	100.0

Source: Victorian Auditor-General's Office.

The survey asked staff to rate their school on monitoring and reporting of risks, informing staff of risks, and planning for emerging risks. Just over 60 per cent of respondents rated their school as managing these areas well or very well, and 17–21 per cent rated their school as variable. However, schools visited as part of the audit demonstrated little evidence of planning for emerging risks.

These results show that most staff believe that their schools are addressing areas of risk. However, there is considerable room for improvement and a more consistent approach.

3.5 Implementing OHSMS—schools' experience

When developing system modifications and training and engagement strategies it is important to know how schools actually experience the OHSMS. It is also useful to consider this alongside compliance audit results.

A large majority (72 per cent) of school staff surveyed by VAGO agree that the OHSMS made their school safer. This is a strong indication that staff recognise the value of the system.

Survey results show that 61 per cent of respondents believe that safety practices in their school have improved over the past three years. Therefore, a majority of respondents said they had seen improvement in health and safety since the introduction of OHSMS. All schools visited as part of this audit remarked on the significant time commitment required to implement the OHSMS.

Some schools wanted DEECD to allocate a dedicated OHS expert to implement the system on their behalf. Those that had achieved high audit compliance scores had already taken the initiative to hire a dedicated staff member to embed the system into daily practice. Decisive action to allocate resources to OHSMS made a clear difference in improving compliance in these schools.

As shown in Figure 3B, VAGO's survey of school staff included questions designed to reveal how schools use the OHSMS.

Figure 3B
Use of occupational health and safety procedures

Procedure	Respondents (per cent)
First aid and infection control	72.2
Chemical register	68.5
Electrical equipment register	66.9
OHS risk register	63.9
Workplace inspection checklist	56.6
OHS induction and training	46.9
Asbestos management plan	42.0
OHS activities calendar	39.5
Contractor management	36.7
Plant and equipment management	33.7
Traffic management	28.5
OHS purchasing	18.1
OHS pre-purchase checklist	16.5
None of the above	4.2

Source: Victorian Auditor-General's Office.

These results show that schools regularly engage with some OHS processes. However some procedures—including those for purchasing, traffic management and plant and equipment management—are ranked very low. Schools visited, including those with high audit compliance scores, complained that purchasing procedures were onerous.

The low result for plant and equipment management is of particular concern considering that this has been the subject of a number of prosecutions, and a specific compliance audit, in recent years.

3.6 DEECD's OHS service provider

DEECD engaged a contractor in 2009 to provide an OHS advisory and support service. However, audited schools were confused about the role of the service provider.

The service provider runs a dedicated telephone OHS advisory service and offers support and advice on hazard management and compliance requirements. The service provider is also responsible for identifying OHS risks and making recommendations to DEECD to update policies and procedures.

Project meeting minutes show regular reporting to DEECD on hazards identified through site visits. The service provider also meets regularly with DEECD to recommend improvements to OHSMS and provide advice on strategic work to address areas of high risk.

DEECD expects that schools will contact the OHS service provider for OHSMS implementation advice and for any support required during WorkSafe inspections. Schools are also recommended to contact the service provider for OHS assistance following compliance audits.

Audited schools did not understand that the implementation support visits, intended to support their efforts to improve compliance, were not in fact compliance audits.

Thirty-four per cent of staff surveyed by VAGO with OHS responsibilities were not even aware that DEECD had contracted an OHS service provider to support them—only 13 per cent had actually contacted the service provider. However, those respondents that had used the service rated it highly, and 68 per cent indicated that the contact resolved their issue.

DEECD regards this service to be a fundamental part of support given to schools, and acknowledges that it needs to increase awareness among schools about the OHS service provider's role. In this context, there is significant scope to raise the profile of this service so that it can be properly used to deliver best value to schools and DEECD.

3.7 School compliance

Since 2011, DEECD has been using a specialist service provider to progressively audit school compliance with the OHSMS, and therefore OHS legislation. Of 325 schools audited at October 2012, on average each school conformed to only 31 per cent of the OHS elements in the compliance audit. Many areas for improvement still remain but DEECD plans no further intervention for these schools.

DEECD's auditors provide schools with their compliance audit results following their visit and schools are then advised to contact DEECD's OHS service provider for assistance. Schools visited as part of the audit felt they were not given enough support to become compliant. However, as noted above, schools have not understood the role of the OHS service provider.

Data from compliance audits, injury rates, incidents, WorkSafe claims and absenteeism provide DEECD with sufficient evidence to identify schools with poor OHS performance.

DEECD's OHS service provider is contracted to support these schools. However, DEECD does not monitor whether these schools have engaged with the service provider, enforce the service provider to complete this requirement, or act to compel schools to improve OHS performance.

DEECD states that schools have been reluctant to accept the external support offered by the service providers. DEECD further claims that neither it nor the service provider has the power to intervene in these high-risk schools under the current devolved management system.

DEECD's historical non-interventionist stance towards non-compliant schools contradicts *Towards Victoria as a Learning Community (TVLC)* — the government's new policy that commits DEECD to monitor school performance and intervene to address underperformance. This approach is counterproductive, because schools can quickly see that poor OHS performance will not result in any mandatory action or intervention from DEECD. This observed behaviour by some poor performing schools means that substantive improvements will be difficult to achieve.

School staff were asked to rate their perception of the level of compliance with OHS requirements in their school. Figure 3C illustrates their responses.

Figure 3C
Occupational health and safety school compliance level

Compliance level	Number	Per cent
Does not comply in nearly all areas	4	0.2
Does not comply in many areas	46	2.6
Complies about 50 per cent of the time	133	7.5
Complies most of the time	938	52.6
Fully compliant	471	26.4
Don't know	188	10.5
No answer	3	0.2
Total	1 783	100.0

Source: Victorian Auditor-General's Office.

Almost 80 per cent stated that their school is fully compliant or compliant most of the time. This contrasts with the compliance audit results which show low compliance in schools—schools fully conformed to only 31 per cent of OHS elements.

Care must be taken when interpreting these results. Many schools are yet to participate in a compliance audit and do not, or rarely, engage with the service provider to check the validity of their actions. There is a risk that schools who perceive that they are compliant are actually failing to conform, or are only partially conforming to these processes.

DEECD released a Compact—an agreement between Victorian government schools and DEECD—in March 2013 that accompanies TVLC. The Compact articulates the roles and responsibilities of DEECD and schools. It stipulates that schools must meet all obligations in the *Occupational Health and Safety Act 2004* and the *Accident Compensation Act 1985*.

However, it does not go into further detail about the accountability mechanisms that will be used by DEECD to make sure that schools comply with these obligations. DEECD has foreshadowed the introduction of key performance indicators and improved accountability for OHS and return to work in its forthcoming Health Safety and WorkSafe Strategy.

Recommendations

The Department of Education and Early Childhood Development should:

5. define and reinforce its expectations of principals in regard to good occupational health and safety management in their schools
 6. identify thresholds for intervention in schools with poor occupational health and safety performance, and act expediently to address performance issues.
-

4 WorkSafe's impact on occupational health and safety in schools

At a glance

Background

WorkSafe Victoria is the state government authority responsible for promoting and enforcing good occupational health and safety (OHS) practices in Victorian workplaces. It conducts employer education campaigns and workplace inspections. WorkSafe has a history of engaging with the Department of Education and Early Childhood Development (DEECD), which is the largest employer in Victoria.

Conclusion

WorkSafe cannot demonstrate the impact it has had on the incidence of workplace injuries in schools, or attribute changes in claims performance to its strategic workplace inspection projects. WorkSafe has not monitored performance indicators set for its school injury reduction projects and did not evaluate these projects after they were completed.

Findings

- WorkSafe does not evaluate its campaigns and programs to determine their impact on workplace injuries.
- WorkSafe does not analyse inspection data to determine the location of high-risk schools or identify systemic trends.
- WorkSafe no longer directly engages with DEECD. It is yet to replace the whole-of-government engagement process that it formerly had in place.

Recommendations

WorkSafe should:

- evaluate all injury reduction tools to understand their impact on claims and workplace behaviour
- provide regular updates to DEECD on school OHS performance, compliance and claims trends based on workplace visits and other available resources.

The DEECD and WorkSafe should:

- jointly investigate ways to improve OHS compliance in government schools.

4.1 Introduction

WorkSafe Victoria is the state government authority that oversees health and safety in all Victorian workplaces. Its responsibilities are to:

- help avoid workplace injuries
- enforce Victoria's occupational health and safety (OHS) laws
- provide reasonably priced workplace injury insurance for employers
- help injured workers back into the workforce
- manage the workers' compensation scheme by ensuring the prompt delivery of appropriate services, and adopting prudent financial practices.

WorkSafe has initiated a range of projects and campaigns to help it meet these responsibilities.

This Part examines WorkSafe's impact on OHS in government schools. The Department of Education and Early Childhood Development (DEECD) is the largest employer in Victoria, which gives WorkSafe significant opportunity to influence OHS practices affecting thousands of Victorians.

4.2 Conclusion

WorkSafe has undertaken a variety of projects targeting OHS in schools. However, it has not comprehensively evaluated these projects and cannot demonstrate achievement against planned objectives or that the money directed towards these projects was well spent.

Without an evaluation or identified project outcomes, WorkSafe cannot identify gaps and deficiencies in its processes, and act on them to improve outcomes and achieve better value for money. This also means it is difficult to attribute improvements in the OHS performance in schools to specific actions that WorkSafe has taken.

4.3 Engagement with DEECD

4.3.1 Direct engagement

In 2008, WorkSafe introduced quarterly reports to assist the four largest—and worst performing—Victorian Government departments to improve their OHS performance. The reports outlined rates of injuries within departments, snapshots of recent trends and opportunities for improvement.

WorkSafe used the reports to engage the Minister of Education and the Secretary of DEECD. This enabled DEECD to understand how their performance compared with the non-government sector, and allowed WorkSafe to learn about DEECD's health and safety, and injury management strategies.

These briefings stopped in October 2011. This did not occur due to a change in engagement strategy, but because DEECD cancelled the May 2012 meeting and WorkSafe did not insist on another. Neither WorkSafe nor DEECD have attempted to schedule subsequent briefings.

4.3.2 Whole-of-government engagement

WorkSafe's key forum for engaging government employers during the past 10 years was the Senior Public Sector OHS Roundtable (the roundtable). The roundtable comprised a selection of government departments and agencies, and major unions. It was designed to facilitate improvement in OHS leadership in the public sector through sharing OHS trends and comparators.

In September 2012, the Roundtable Working Group ceased, citing a lack of significant improvement in OHS performance during the past decade. The alternate OHS forum recommended by the Roundtable Working Group has not yet been endorsed.

With the future of OHS forums for government uncertain, it is not clear how WorkSafe proposes to engage DEECD and other government agencies to influence better OHS and injury management outcomes.

4.4 Workplace inspection projects

WorkSafe conducts workplace inspections, which may be triggered by a claim or complaint. WorkSafe also conducts other workplace inspections based on identified concerns, these are called strategic workplace inspection projects.

Approximately 52 per cent of inspections that took place in Victorian schools between 2007–08 and 2011–12 were part of a strategic workplace inspection project. WorkSafe did not monitor the outcomes of the projects completed during this period, nor did it evaluate their impact.

WorkSafe's lack of monitoring of the outcomes means that it cannot demonstrate the impact these strategic workplace inspection projects have had on incidences of workplace injury in schools, or attribute changes in schools' claims to them.

Currently WorkSafe does not have any school-specific projects, however, it does inspect schools as part of its broader injury reduction projects.

4.5 Data issues

4.5.1 Inadequate use of data

WorkSafe collects significant amounts of data during workplace inspections, which it advises is gathered to fulfil administrative requirements. However, it does not use this data to identify emerging issues and incorporate common themes from workplace inspections to develop targeted projects or identify high-risk workplaces.

This is a significant lost opportunity. Better understanding where these high-risk schools are located, and what issues impact on their OHS performance, could assist both WorkSafe and DEECD to develop targeted risk management strategies.

4.6 Ineffective insurance agent management

WorkSafe funds and administers the contract with DEECD's appointed insurance agent which manages employee claims. This governance structure means that DEECD has limited leverage to drive service improvements from the agent.

In an attempt to improve the service that its insurance agent provides, DEECD commissioned a series of reports. These reports identified problems including:

- breakdown in communication between the claim investigators and DEECD, and between the investigators and the insurers
- passive claims management, which was likely to have negatively impacted on the cost and timeliness of staff returning to work.

Further, in 2011 a report by the Victorian Ombudsman revealed that a WorkSafe agent had misreported compliance with a financial incentive measure about timely payment of invoices.

These findings show a clear need for more concerted pressure from WorkSafe and DEECD to improve services provided. DEECD has advised there has been some improvement in performance following the assessment.

Recommendations

WorkSafe should:

7. evaluate all injury reduction tools to understand their impact on claims and workplace behaviour
8. provide regular updates to the Department of Education and Early Childhood Development on school occupational health and safety performance, compliance and claims trends based on workplace visits and other available resources.

The Department of Education and Early Childhood Development and WorkSafe should:

9. jointly investigate ways to improve occupational health and safety compliance in government schools.
-

Appendix A

Staff survey responses

Staff perceptions of health and safety in schools

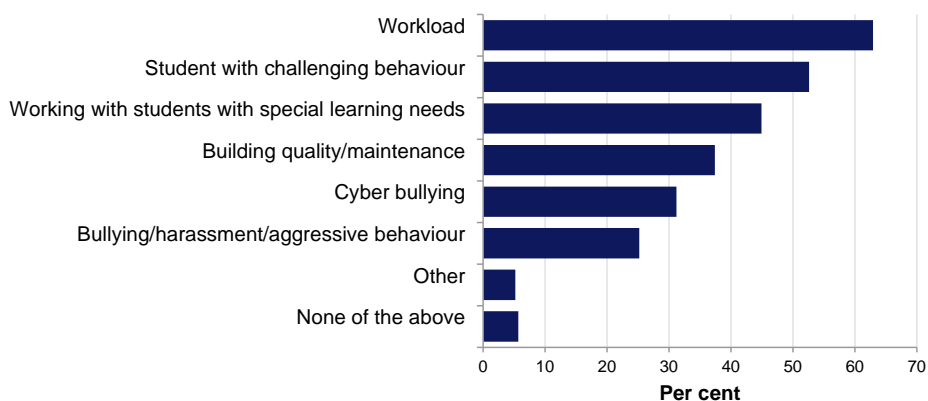
Over 4 500 staff in government schools in Victoria completed a survey about their workplace health and safety as part of the evidence collected for this audit.

This Appendix summarises the key findings from the survey. The number of responses was sufficient to be statistically representative of the school staff population.

Staff areas of concern

Staff were asked to rank both current areas of concern and emerging risks that are considered likely to arise in the next two to five years. Staff had the same three top concerns for both time frames. Figure A1 shows the main emerging risks of concern reported by surveyed staff.

Figure A1
Risks of concern to surveyed staff in the next two to five years



Note: Survey respondents were allowed to select multiple answers.

Source: Victorian Auditor-General's Office.

Stress

The survey asked how staff felt that stress and other psychological issues were managed at their school. As discussed in Part 2, stress claims are costly to the Department of Education and Early Childhood Development (DEECD) and can also impact staff morale.

When asked to describe their school's policies for managing work-related stress, bullying and other psychological issues, most respondents—56 per cent—indicated that the policies were good or extremely good, although 17 per cent did not know of, or had not seen, these policies.

Just under 50 per cent of staff indicated that their school managed work-related stress, bullying and other psychological issues well or very well, while over a quarter of respondents said that this varied. Over half of the survey respondents were happy with how stress was managed in their school.

Figure A2 shows the breakdown of responses about management of employees with work-related stress.

Figure A2
Management of employees with work-related stress

Level of management	Number	Per cent
Very poor	247	5.5
Poor	343	7.6
Varies	1 238	27.5
Well	1 073	23.8
Very well	1 114	24.7
Don't know/unsure/not prepared to say	477	10.6
No answer	16	0.4
Total	4 508	100.0

Source: Victorian Auditor-General's Office.

When respondents indicated that their school managed work-related stress very poorly, they were asked to describe why they thought this was so. Figure A3 shows the top responses.

Figure A3
Reasons for describing management of staff with stress as very poor

Reason	Number	Per cent
Issue caused by leaders or principal failing to take correct action	92	38.3
Issues ignored or not taken seriously	49	20.4
Lack of methods or capacity for dealing with stress	43	17.9
Told or expected to deal with it themselves/lack of support	30	12.5
Other	15	6.3
Depends on the situation	11	4.6
Total	240	100.0

Source: Victorian Auditor-General's Office.

DEECD has a draft occupational health and safety (OHS) strategy intended to focus on stress and a range of known risks. It is clear that schools need better strategies and transparent methods for preventing and managing stress and other psychological issues among staff.

Health and Safety Representatives

The survey focused on two types of respondents, those with and without OHS responsibilities at their school. A sub-set of those with OHS responsibilities are formally designated health and safety representatives (HSR). Each workplace is required to have an elected HSR to act as a conduit between staff and managers on health and safety issues and provide advice on legislative obligations.

HSRs are volunteers and can report OHS issues to WorkSafe Victoria if they feel the school has not satisfactorily resolved the situation. To learn about how HSRs operate in schools, the survey asked them about the level of training and support they had to complete their duties.

The survey showed that:

- less than half of HSRs thought that they were getting enough support from their school
- only 23 per cent believed that they receive enough support from DEECD
- just over 40 per cent said that they had not completed OHS training in the past five years.

Figure A4 shows the type of support HSRs said they needed. Schools need to do more to support HSRs to keep their skills up-to-date and to allow them adequate time to complete their duties.

Figure A4
Support needs of Health and Safety Representatives

Type of support	Number	Per cent
More time	96	44.7
Training/professional development	31	14.4
Better communication and support from DEECD	24	11.2
More frequent contact with OHS representatives/consultants	18	8.4
Other	18	8.4
Funding	17	7.9
Support/assistance from principal or other staff	11	5.1
Total	215	100.0

Source: Victorian Auditor-General's Office.

EduSafe

EduSafe is DEECD's online hazard and reporting system, designed for all staff to log OHS incidents and hazards which concern them. It is an important tool to assist schools and DEECD to understand staff perceptions of safety, in addition to identifying areas for improvement as staff self-initiate reports.

Survey results show that a third of respondents with no OHS responsibility had not heard of the system.

Surveyed staff that had used EduSafe—43 per cent—generally found it to be user friendly, but the table below illustrates that further improvements are required for schools and DEECD to properly realise the potential of the system.

Figure A5
Ease of use of EduSafe

	Number	Per cent
User unfriendly	85	17.3
Parts friendly/parts unfriendly	192	39.2
User friendly	210	42.9
No answer	3	0.6
Total	490	100.0

Source: Victorian Auditor-General's Office.

Appendix B.

Audit Act 1994 section 16— submissions and comments

Introduction

In accordance with section 16(3) of the *Audit Act 1994* a copy of this report was provided to the Department of Education and Early Childhood Development and Worksafe Victoria with a request for submissions or comments.

The submissions and comments provided are not subject to audit nor the evidentiary standards required to reach an audit conclusion. Responsibility for the accuracy, fairness and balance of those comments rests solely with the agency head.

Responses were received as follows:

Department of Education and Early Childhood Development.....	34
WorkSafe Victoria.....	37

RESPONSE provided by the Secretary, Department of Education and Early Childhood Development



**Department of Education and
Early Childhood Development**

Office of the Secretary

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SEC 22027

Dr Peter Frost
Acting Auditor-General
Victorian Auditor-General's Office
Level 24
35 Collins Street
MELBOURNE 3000

Dear Dr Frost

Thank you for the opportunity to comment under Section 16(3) of the *Audit Act 1994* on the proposed report *Management of Staff Occupational Health and Safety in Schools*. The Department of Education and Early Childhood Development has reviewed the report and a response is enclosed. I request that this response is published in full.

Should you wish to discuss the content of this response further, please contact Melissa Dwyer, Director Audit and Risk, on 9651 3650 or by email: dwyer.melissa.1@edumail.vic.gov.au.

Yours sincerely

Richard Bolt
Secretary

19/5/2013

Encl.



RESPONSE provided by the Secretary, Department of Education and Early Childhood Development – continued

VAGO Audit
Management of Staff Occupational Health and Safety in Schools

The Department of Education and Early Childhood Development welcomes the opportunity to comment on the audit report and accepts the recommendations. The specific management response for each recommendation is outlined below.

Number	Recommendations
The Department of Education and Early Childhood Development should:	
1	<p>Benchmark its WorkSafe claims performance with other education sectors to better understand the reasons for performance differences and improve its practices.</p> <p>DEECD Response: Accept</p> <p>Comment: The Department has recommenced the process of obtaining comparative data from WorkSafe and the insurance agent. When the data is available the Department will examine all possible reasons for performance differences.</p>
2	<p>Investigate models for WorkSafe premium distribution that provide enhanced incentives for schools to improve occupational health and safety performance.</p> <p>DEECD Response: Accept</p> <p>Comment: The Department is in the process of examining options relating to providing incentives for schools to improve OHS including distributing premium costs relative to the schools claim performance.</p>
3	<p>Monitor its expenditure on the additional costs associated with injuries in schools and use this as an indicator of the success of occupational health and safety projects.</p> <p>DEECD Response: Accept</p> <p>Comment: The Department accepts that directing resources to the task of 'monitoring costs associated with injuries in schools' can be used as an indicator of the success of OHS projects.</p>
4	<p>Further analyse its return to work process to identify any specific changes that may be required to be most effective in the government school environment.</p> <p>DEECD Response: Accept</p> <p>Comment: Subject to resourcing, the Department will continue to use every opportunity to identify steps to improve return to work processes.</p>
5	<p>Define and reinforce its expectations of principals in regard to good occupational health and safety management in their schools.</p> <p>DEECD Response: Accept</p> <p>Comment: The Department is currently planning the implementation of an OHS Accountability Framework. Titled 'Leading the Way', the framework will clearly outline OHS line management responsibilities for all DEECD employees including principals.</p>

RESPONSE provided by the Secretary, Department of Education and Early Childhood Development – continued

6	<p>Identify thresholds for intervention in schools with poor occupational health and safety performance and act expediently to address performance issues.</p> <p>DEECD Response: Accept</p> <p>Comment: The new Department policy directions will assist the Department to establish a performance threshold which will provide a basis for intervening and supporting schools deemed not to be meeting the required OHS standards.</p>
<p>The Department of Education and Early Childhood Development and WorkSafe should:</p>	
9	<p>Jointly investigate ways to improve occupational health and safety compliance in government schools.</p> <p>DEECD Response: Accept</p> <p>Comment: The Department recognises that a joint investigative approach with WorkSafe will benefit both organisations to improve OHS compliance in government schools.</p>

RESPONSE provided by the Chief Executive, Worksafe Victoria

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Dr Peter Frost
Acting Auditor General
Level 24, 35 Collins Street
Melbourne 3000



23 May 2013

Dear Dr Frost

Audit Act 1994 s 16(3) – Proposed Audit Report – Management of Staff Occupational Health and Safety in Schools

I refer to the proposed report on Management of Staff Occupational Health and Safety in Schools.

I note your comments concerning the difficulty VAGO officers encountered when initially engaging the Victorian WorkCover Authority (VWA), and I apologise for this. I support your request that a single contact person is identified from VWA to continue to work with VAGO officers after the tabling of the report. I am happy to meet with you to discuss this further.

Detailed below is the VWA's response to the Proposed Audit Report.

The Victorian WorkCover Authority Response

The VWA, as Victoria's regulator of workplace health and safety, supports the recommendations in the **Proposed Audit Report – Management of Staff Occupational Health and Safety in Schools**.

The VWA, operating as WorkSafe, takes a modern, constructive approach to improving workplace health and safety in Victoria and this report provides a plan for action by both DEECD and the VWA to drive improved safety in Victorian publicly funded schools.

Victoria is the safest state in which to work in Australia. The VWA is committed to working with employers, workers and other stakeholders to continue to improve workplace health and safety in the state.

LET04/02/01 08

WorkSafe Victoria is a trading name of the Victorian WorkCover Authority



RESPONSE provided by the Chief Executive, Worksafe Victoria – continued

Recommendations concerning WorkSafe

Recommendation 1 – Evaluate all injury reduction tools to understand their impact on claims and workplace behaviour.

The VWA will undertake periodic evaluations to assess the mix of support and enforcement tools that appear to work more often with given employers and given industries including Victorian publically funded schools.

This will build on the VWA's OHS risk prioritisation framework, which provides for periodic evaluations at a program and project level and will utilise VWA's investment in the Institute for Safety, Compensation and Recovery Research (ISCRR) (a collaborative venture involving VWA, the Transport Accident Commission and Monash University) to undertake evidence-based evaluations. ISCRR is currently working with the VWA to define the evaluation scope for assessing the impact of a mix of injury reduction tools to be implemented in 2013/14. The evaluation scope will be completed by December 2013 and work commenced in 2014.

Recommendation 2 – Provide regular updates to DEECD on school performance, compliance and claims trends based on the workplace visits and other available resources

The VWA will provide annually to DEECD reports that show VWA's assessment of individual school compliance with OHS requirements. The VWA will assess the performance of a mix of DEECD schools to enable reporting to be provided that shows relative school performance and OHS compliance.

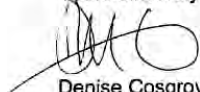
The VWA will also work with DEECD to develop a report format covering inspector assessments of individual school compliance. The VWA will also recommence quarterly reporting to DEECD, reporting at a whole of DEECD level and this will be available from September 2013 covering the June 2012 quarter.

Recommendation: DEECD and WorkSafe should: jointly investigate ways to improve compliance in government schools

The VWA will work constructively with DEECD to identify ways that DEECD can improve its OHS performance. I have met with the Deputy Secretary of DEECD and will oversee the VWA's engagement with DEECD. A working group has already commenced and is identifying ways to improve DEECD's OHS performance.

I thank VAGO for its work on this performance review.

Yours sincerely



Denise Cosgrove
Chief Executive

Auditor-General's reports

Reports tabled during 2012–13

Report title	Date tabled
Carer Support Programs (2012–13:1)	August 2012
Investment Attraction (2012–13:2)	August 2012
Fare Evasion on Public Transport (2012–13:3)	August 2012
Programs for Students with Special Learning Needs (2012–13:4)	August 2012
Energy Efficiency in the Health Sector (2012–13:5)	September 2012
Consumer Participation in the Health System (2012–13:6)	October 2012
Managing Major Projects (2012–13:7)	October 2012
Collections Management in Cultural Agencies (2012–13:8)	October 2012
Effectiveness of Compliance Activities: Departments of Primary Industries and Sustainability and Environment (2012–13:9)	October 2012
Auditor-General's Report on the Annual Financial Report of the State of Victoria, 2011–12 (2012–13:10)	November 2012
Public Hospitals: Results of the 2011–12 Audits (2012–13:11)	November 2012
Water Entities: Results of the 2011–12 Audits (2012–13:12)	November 2012
Port of Melbourne Channel Deepening Project: Achievement of Objectives (2012–13:13)	November 2012
Portfolio Departments and Associated Entities: Results of the 2011–12 Audits (2012–13:14)	November 2012
Local Government: Results of the 2011–12 Audits (2012–13:15)	November 2012
Prison Capacity Planning (2012–13:16)	November 2012
Student Completion Rates (2012–13:17)	November 2012
Management of the Provincial Victoria Growth Fund (2012–13:18)	December 2012
Learning Technologies in Government Schools (2012–13:19)	December 2012
Addressing Homelessness: Partnerships and Plans (2012–13:20)	February 2013
Implementation of School Infrastructure Programs (2012–13:21)	February 2013
Rating Practices in Local Government (2012–13:22)	February 2013
Management of Unplanned Leave in Emergency Services (2012–13:23)	March 2013
Management of Freshwater Fisheries (2012–13:24)	March 2013

Report title	Date tabled
Managing Traffic Congestion (2012–13:25)	April 2013
Consumer Protection (2012–13:26)	April 2013
Public Asset Valuation (2012–13:27)	April 2013
Planning, Delivery and Benefits Realisation of Major Asset Investment: The Gateway Review Process (2012–13:28)	May 2013
Tertiary Education and Other Entities: Results of the 2012 Audits (2012–13:29)	May 2013
The State of Victoria's Children: Performance Reporting (2012–13:30)	May 2013

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