

Safer Construction Code of Practice

The Australian building and construction industry has, through the CRC for Construction Innovation, developed a voluntary Code of Practice...

The project involved extensive collaboration between representatives of the design profession, including ACEA, and individuals representing contractors and clients. Due to the legal significance of Codes of Practice (including voluntary industry codes) it represents a significant step in the right direction for workplace stakeholders within the Australian Construction industry.

The voluntary code *Safer Construction Practices* contains a number of guidelines for the respective stakeholders within the construction industry. The Code aims to integrate occupational health and safety into strategic decision-making by owners, clients, designers and constructors in order to reduce workplace injuries within the construction industry. This is a proactive exercise which is likely to yield positive results. The construction industry consistently has unacceptably high levels of workplace accidents. Indeed a number of Australian states and territories have identified the construction industry as a target industry for enforcement. However, up until now the strict targeting of the construction industry has yielded only moderate results. Workplace stakeholders have long recognised the limitations of the 'big stick' approach to the enforcement of workplace in the construction industry.

Contractual and operational realities in this industry have made the application of traditional enforcement measures problematic. Non-traditional forms of workplace arrangement have also caused significant confusion among workplace stakeholders within the construction industry in relation to the application of OHS legislation. OHS legislation in all jurisdictions was drafted on the basis of simple employee/employer relationships. OHS legislation is often inadequate to enable stakeholders to understand the nature of their obligations to contractors, sub-contractors and other such parties. This, coupled with the fact that each state and territory has its own way of regulating OHS, has seen uncertainty among construction industry workplace stakeholders increase dramatically. The voluntary code provides an agreed framework which, once implemented, will be likely to reduce confusion and uncertainty regarding the scope and application of legislative obligations.

The framework for the code is based upon six 'best practice' principles that are applied to each of the four stages of the project lifecycle. These principles include: demonstrate safety leadership; promote safety in design; communicate safety information; manage safety risks; continuously improve safety performance; and entrench safety principles. The voluntary code mandates the consideration of these factors throughout the planning, design, construction and post construction phases of the project lifecycle.

In addition, the code represents a proactive positive step by the wider construction industry as it was developed through extensive consultation and collaboration between industry participants. It has long been recognised that meaningful improvements in workplace safety are best achieved through a consultative approach. Through the adoption of such an approach the participants have almost ensured that this code goes a long way to achieving its objectives. However, the question remains: how will this voluntary code be approached by each state and territory jurisdiction? Each state and territory jurisdiction has provision for the recognition of Voluntary Codes of Practice developed by industry. The recognition is vital to the effective operation of this code. Each state and territory has its own OHS legislation and enforcement body, thus non-recognition of the voluntary code effectively reduces its application in that state, representing a real challenge for this code. If recognition is provided, it may significantly reduce uncertainty for all workplace stakeholders in the construction industry which is likely to have a flow-on effect in reducing workplace injuries on Australian construction sites. This result would be in the best interests of all workplace stakeholders and the wider Australian community. ■

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