

## Unforeseen Issues Arising During Negotiations Risk Assessment

Business Name:		ABN:	
Business Address:			
Contact Person:	Phone:	Email:	

## THIS RISK ASSESSMENT IS APPROVED BY THE PCBU ON THE PROJECT

Under the Work Health and Safety Regulation (WHS Regulation), a person conducting a business or undertaking (PCBU) is required to ensure that a RISK ASSESSMENT is prepared before the proposed work starts.

Full Name:		
Signature:	Title:	Date:

## CLIENT OR PRINCIPAL CONTRACTOR DETAILS

Client:	SCOPE OF WORKS
Project Name:	
Project Address:	
Project Manager:	
Contact Phone:	
Date Risk Assessment supplied to Project Manager:	

RISK MATRIX									
LIKELIHOOD	INSIGNIFICANT	MINOR	MODERATE	MAJOR	CATASTROPHIC	SCORE	ACTION	HIERARCHY OF CONTROLS	
ALMOST CERTAIN	3 HIGH	3 HIGH	4 ACUTE	4 ACUTE	4 ACUTE			<b>Elimination</b> Remove the hazard.	
LIKELY	2 MODERATE	3 HIGH	3 HIGH	4 ACUTE	4 ACUTE	4A ACUTE	DO NOT PROCEED	<b>Substitution</b> Replace the hazard.	
POSSIBLE	1 LOW	2 MODERATE	3 HIGH	4 ACUTE	4 ACUTE	3H HIGH	Review before work starts.	Isolation Isolate People from the hazard	
UNLIKELY	1 LOW	1 LOW	2 MODERATE	3 HIGH	4 ACUTE	2M MODERATE	Ensure control measures in place.	<b>Engineering</b> Isolate the hazard	
RARE	1 LOW	1 LOW	2 MODERATE	3 HIGH	3 HIGH	1L LOW	Monitor and keep records.	<b>Administrative</b> Change	
								<b>PPE</b>	
<b>Risk Rating &amp; Required Action:</b>								<b>Notes on Hierarchy of Controls:</b>	
4A Stop work. The risk is intolerable. Eliminate the hazard or redesign the activity before proceeding. A Safe Work Method Statement (SWMS) or higher-level authorisation is required.								Remember to apply controls in the preferred order shown by the coloured pyramid:	
3H Review and approve additional controls before task starts. Senior supervisor sign-off needed.								1. <b>Eliminate</b>	
2M Ensure all nominated controls are in place and effective. Proceed with caution; monitor conditions.								2. Substitute	
1L Proceed, following standard operating procedures. Monitor and keep records.								3. Isolate	
								4. Engineering	
								5. Administrative	
								6. PPE	
<b>Consequence Scale:</b>								Always document <b>why</b> a lower-order control is accepted if elimination or substitution is not reasonably practicable.	
Consequence	People (injury/illness)		Project / Assets		Compliance / Reputation				
Catastrophic	Fatality or permanent total disability		project shutdown		Significant regulator intervention; criminal prosecution				
Major	Serious injury/illness (hospital > 5 days)		critical delay		Improvement notice; major media coverage				
Moderate	Medical-treatment injury; lost-time > 1 day		moderate delay		Minor breach; adverse client comment				
Minor	First-aid only, no lost time		negligible delay		Isolated non-conformance				
Insignificant	No injury		no schedule impact		Deviation caught and corrected on site				
								<i>aligned with Safe Work Australia's Managing the risk of fatigue at work (2023) and ISO 45001:2018 clauses 6–8.</i>	

JOB STEP	POTENTIAL HAZARDS	IR	CONTROL MEASURES	RR
SPECIFIC WORK STEPS	HAZARDS THAT MAY ARISE	INITIAL RISK	SPECIFIC MEASURES TO BE PUT IN PLACE TO ELIMINATE OR CONTROL THE RISKS	RESIDUAL RISK
1. Preparation	Incomplete information, Lack of stakeholder engagement	3H	<ul style="list-style-type: none"> <li>- Conduct thorough background research on all parties involved</li> <li>- Identify key stakeholders and ensure their participation</li> <li>- Hold preliminary meetings to outline objectives and gather initial information</li> <li>- Develop a checklist of required documents and information</li> <li>- Assign roles and responsibilities among team members</li> <li>- Establish a communication plan with stakeholders</li> <li>- Use a risk register to identify potential gaps</li> <li>- Create a timeline with deadlines for information gathering</li> <li>- Schedule regular team briefings to address any issues promptly</li> <li>- Seek external expert consultations if necessary</li> </ul>	2M
2. Initial Meeting	Miscommunication, Different objectives	3H	<ul style="list-style-type: none"> <li>- Set a clear agenda before the meeting</li> <li>- Appoint a neutral facilitator to guide the discussion</li> <li>- Ensure all parties understand the meeting objectives</li> <li>- Provide multilingual support if necessary</li> <li>- Use visual aids to enhance understanding</li> <li>- Summarise the meeting outcomes and circulate among stakeholders</li> <li>- Ensure each party acknowledges their understanding</li> <li>- Establish a protocol for addressing disagreements</li> <li>- Use active listening techniques</li> <li>- Encourage open dialogue and questions</li> </ul>	2M
3. Negotiation Process	Emotional conflict, Power dynamics	4A	<ul style="list-style-type: none"> <li>- Implement conflict resolution strategies</li> <li>- Establish ground rules for respectful communication</li> <li>- Use a third-party mediator if conflicts arise</li> <li>- Monitor power imbalances and adjust negotiation strategies</li> <li>- Provide negotiation preparation training</li> <li>- Encourage parties to focus on mutual benefits</li> <li>- Document changes and decisions in real-time</li> <li>- Divide complex issues into manageable parts</li> </ul>	3H

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			<ul style="list-style-type: none"> <li>- Use breaks to diffuse tension</li> <li>- Limit the length of negotiation sessions to maintain focus</li> </ul>	
4. Draft Agreement	Ambiguity in terms, Exclusion of key clauses	3H	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>	2M
5. Final Approval	Approval delays, Unaddressed concerns	3H	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>	2M
6. Implementation Planning	Resource allocation errors, Resistance to change	4A	<p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>	3H

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7. Review and Feedback	Incomplete feedback, Ignored concerns	3H		2M
8. Closure and Documentation	Lost documents, Lack of closure	3H		1L
9. Post-negotiation Monitoring	Non-compliance, Unexpected issues	4A		3H

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10. Continuous Improvement	Stagnation, Resistance to change	3H		2M
11. Change Management	Insufficient communication, Change fatigue	4A		3H
12. Stakeholder Engagement	Poor participation, Misaligned expectations	3H		2M

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13. Conflict Resolution	Escalating conflicts, Breach of trust	4A		3H
14. Performance Evaluation	Bias in evaluation, Lack of objectivity	3H		2M
15. Resource Management	Resource allocation issues, Under-utilised resources	3H		2M

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SAMPLE



## EMERGENCY RESPONSE – CALL 000 FOR EMERGENCIES

Ensure to have an Emergency Management Plan in place as well as adequate numbers of trained first aid staff with easy access to fully stocked first aid kits, rescue equipment, material safety data sheets, adequate access to emergency communication equipment and fire-fighting equipment suitable for all classes of fire and ignition sources.

## LEGISLATIVE REFERENCES

RELEVANT LEGISLATION AND CODES OF PRACTICE. DELETE THE LEGISLATIVE REFERENCES IF ANY STATE THAT ARE NOT APPLICABLE

### Queensland & Australian Capital Territory

Work Health and Safety Act 2011

Work Health and Safety Regulations 2011

Legislation QLD: <https://www.worksafe.qld.gov.au/laws-and-compliance/work-health-and-safety-laws>

Codes of Practice QLD: <https://www.worksafe.qld.gov.au/laws-and-compliance/codes-of-practice>

Legislation ACT: <https://www.worksafe.act.gov.au/laws-and-compliance/acts-and-regulations>

Codes of Practice ACT: <https://www.worksafe.act.gov.au/laws-and-compliance/codes-of-practice>

### Victoria

Occupational Health and Safety Act 2004

Occupational Health and Safety Regulations 2017

Legislation VIC: <https://www.worksafe.vic.gov.au/occupational-health-and-safety-act-and-regulations>

Codes of Practice VIC: <https://www.worksafe.vic.gov.au/compliance-codes-and-codes-practice>

### New South Wales

Work Health and Safety Act 2011

Work Health and Safety Regulations 2017

Legislation NSW: <https://www.safework.nsw.gov.au/legal-obligations/legislation>

Codes of Practice NSW: <https://www.safework.nsw.gov.au/resource-library/list-codes-of-practice>

### Western Australia

Work Health and Safety Act 2020

Work Health and Safety Regulations 2022

Legislation Western Australia: <https://www.commerce.wa.gov.au/worksafe/legislation>

Codes of Practice WA: <https://www.commerce.wa.gov.au/worksafe/codes-practice>

### Northern Territory

Work Health and Safety (National Uniform Legislation) Act 2011

Work Health and Safety (National Uniform Legislation) Regulations 2011

Legislation NT: <https://worksafe.nt.gov.au/laws-and-compliance/workplace-safety-laws>

Codes of Practice NT: <https://worksafe.nt.gov.au/laws-and-compliance/codes-of-practice>

### Safe Work Australia Links

Law and Regulation (All States): <https://www.safeworkaustralia.gov.au/law-and-regulation>

Model Codes of Practice: <https://www.safeworkaustralia.gov.au/resources-publications/model-codes-of-practice>

### Model Codes of Practice

- Managing noise and preventing hearing loss at work
- Confined spaces
- Labelling of workplace hazardous chemicals
- Managing risks of hazardous chemicals in the workplace
- Welding processes
- First aid in the workplace
- Managing the risk of falls at workplaces
- Hazardous manual tasks
- Managing the risk of falls in housing construction
- Managing electrical risks in the workplace
- Demolition work
- Excavation work
- Work health and safety consultation, cooperation and coordination
- Managing the work environment and facilities
- How to manage work health and safety risks
- Managing risks of plant in the workplace
- Construction work

### South Australia

Work Health and Safety Act 2012 (SA)

Work Health and Safety Regulations 2012 (SA)

Legislation for SA: <https://www.safework.sa.gov.au/resources/legislation>

Codes of Practice for SA: <https://www.safework.sa.gov.au/workplaces/codes-of-practice#COPs>

### Tasmania

Work Health and Safety Act 2012

Work Health and Safety (Transitional and Consequential Provisions) Act 2012

Work Health and Safety Regulations 2012

Work Health and Safety (Transitional) Regulations 2012

Legislation for TAS: <https://worksafe.tas.gov.au/topics/laws-and-compliance/acts-and-regulations>

Codes of Practice for TAS: <https://worksafe.tas.gov.au/topics/laws-and-compliance/codes-of-practice>

Details of permits, licenses or access required by regulatory bodies (add or delete as required):

- Permits from local council
- Authorisation to commence work
- Any required documents.