

*Insight* aims to provide useful information, links and tips in the areas of Risk Management, Work Health and Safety, Business Continuity Management, and other areas relating to management systems and corporate governance.

## S-xual Harassment Prevention

As of tomorrow – the 1st of March 2025 – Queensland PCBUs are [required to have implemented a Sexual Harassment Prevention Plan](#). This is part of the Qld WHS Regulation's requirements to manage psychosocial risk (as per Division 11 of the WHS Reg.) which includes the risk from sexual harassment or sex- or gender-based harassment.

Sexual harassment or sex- or gender-based harassment means the harassment of a person on the basis of their sex or gender, by unwelcome conduct of a demeaning nature, with the intention of offending or humiliating the person, or in circumstances where a reasonable person would have anticipated the person would be offended, humiliated or intimidated by the conduct. The harassment can be a one-off incident or repeated behaviour, and can be overt or subtle. The most serious acts, such as sexual assault, and may constitute criminal offences.



The new section 55H of the WHS Regulation requires that where a risk of sexual or sex- or gender-based harassment has been identified, and control measures are needed to minimise the risk, a Sexual Harassment Prevention Plan must be developed. While WHSQ provides the example of a sole trader not being exposed to the risk of sexual or sex- or

gender-based harassment, in all likelihood, there would be very few other examples where there is not a potential for this risk to materialise. It would be more prevalent with 'at-risk' workers (e.g. new employees, younger employees or female workers where most of the workforce is male), and there are also challenges in managing this risk within customer and public-facing work environments.

The Sexual Harassment Prevention Plan must be in writing and expressed in a manner that is readily accessible and understandable to workers. It needs to state each of the identified risks and the controls measures to be implemented for these risks. Importantly, it needs to state the harassment related matters considered, the consultation undertaken, and the procedures implemented for dealing with reports of sexual harassment or gender-based harassment at work.

The Plan needs to define the procedure or process for reporting sexual harassment or sex- or gender-based harassment at work, how the report will be investigated, how the person who made the report will be informed of the results of the investigation, and how the matter may be referred to the issue / dispute resolution process. Current incident reporting and investigation processes may need to be strengthened or amended to account for this.

The PCBU must implement the Sexual Harassment Prevention Plan, and take reasonable steps to ensure workers are made aware of its contents. This means a communications process is also required, and the Plan would need to be integrated within employee induction processes so that new starters are also aware.

In the interests of continuous improvement, the legislation also includes that the PCBU must review the Sexual Harassment Prevention Plan after the reporting of a sexual harassment incident, or at a minimum of every 3 yrs (if not before).

Please [contact QRMC](#) for more information.

## Cattle Saleyard Safety

QRMC's consultancy work sometimes takes us to some very interesting workplaces that present WHS challenges that are a little outside the 'norm'. We have undertaken projects in airports, performing arts theatres, local government operations across the country, retail and their supporting large scale distribution centres, water treatment facilities, food processing and the cattle and red meat industry.

When trying to manage WHS in these operations we need to be aware of the workers, the use of contractors, and any interface with the general public. And in the case of the cattle and red meat industry, we also need to be aware of the interface with the cattle and any workers undertaking their operations on horseback (because animals do have a mind of their own).

*Let's consider safety in a Cattle Saleyard in a regional Council.*



These facilities serve as hubs for livestock trade. They inherently involve a variety of risks, including those related to animal handling, equipment use, and interactions between workers, contractors, and members of the purchasing public who are visiting. Developing and implementing a robust safety management system (SMS) is critical to maintaining safety, compliance, and operational efficiency.

The key reasons for an SMS are similar to most workplaces, even though the WHS risk profile is very different:

1. First and foremost, it aims to **Protect Workers and Visitors** – Saleyards are high-traffic areas frequented by workers, contractors, buyers, and livestock transporters. A well-implemented SMS ensures that all individuals are aware of safety protocols, designated safe pedestrian zones, and emergency requirements such as loose animal management processes.
2. The SMS should **mitigate the risks** – including the systematic identification, assessment, and control of hazards, ranging from the use of trucks and heavy machinery, through to the high concentration of human activity, to the more unpredictable animal behaviour.
3. It fosters **Regulatory Compliance** – and for saleyards operated by regional councils, an SMS helps then ensure compliance with these legal obligations, while improving public confidence in the facility.
4. Creates **Operational Efficiency** – and this should promote smooth operations, reduce accidents and disruptions and minimise downtime.

To be effective the SMS needs to have:

- A clear commitment to safety from the responsible Council, communicated to all stakeholders.
- A framework for the identification and evaluation of hazards/risks, with strategies to control or eliminate these risks.
- A clear understanding of who has what safety responsibilities for the operations onsite.
- Ongoing monitoring of the safety processes and controls implemented for the risks.
- Procedures for managing incidents and emergencies.

The challenge lies in designing the SMS to have these characteristics and achieve these requirements whilst also being suitable for the 'market'. The SMS needs to suit the Council, and the staff need to understand the SMS and implement its requirements, including when the Saleyard is receiving its cattle at 4am and when it is full of buyers listening to the auctioneer or agent at 8am.

Please [contact QRMC](#) for more information.