

BULLETIN

Body Repair Division



Reference No: BRD 07-17

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Motor Vehicle Insurers/Auditors on VACC Member Sites

Dear BRD member,

In respect to motor vehicle insurance company auditors entering body repairer sites, you need to be aware as the owner/manager of the business that there are OHS legal duties that employers must comply with to ensure the health and safety of any person onsite.

If an auditor (other than a WorkSafe Authority Inspector) is going to conduct an audit at a site, the auditor will need to be prepared for that site. The auditor needs to understand the safety requirements of the place if their work will take them through the high hazard areas of business. The auditor must comply with the OHS rules of the site.

The employer/person in control of the site obligations (*as per Section 23, Victorian OHS Act*) for an unauthorised person/auditor to enter the work area is:

- Provide prior notice to the unauthorised person/auditor of the safety requirements of the site. If the safety requirements are not met by the individual/auditor, the employer must not give access to the unauthorised person/auditor. Such requirements can be:
 - Personal Protective Equipment requirements.
 - Be accompanied by an authorised person onsite at all times.
 - Restricted items allowed on site.
 - Alerted to high-risk tasks, works or restricted access areas onsite.

- The employer must consult employees (*as per Part 4, Victorian OHS Act*) regarding the presence of the person and the activities being conducted in the work area. The OHS Act outlines how the employer must consult the employees. A summary of consultation is:
 - Consult employees before a decision being made.
 - Needs to give employees an opportunity to provide feedback.
 - Once the employer considers employee feedback, the employer then alerts the employees of the decision.
 - The employer/person in control of site must provide a form of induction to the site (as per Section 23, Victorian OHS Act).
 - Ensure any person entering and leaving the site is doing so safely (as per section 26, Victorian OHS ACT).
 - The employer/person in control of the site must escort the auditor around the site for health and safety purposes (as per Section 23, Victorian OHS Act).

It would be a concern of the VACC OHSE Unit and that of the WorkSafe Victoria that if the employer is not present at the site and an unauthorised person/auditor is allowed onsite, then it could put the auditor and other employees at risk.

For these reasons; it is reasonable for insurers to give reasonable prior notice before conducting the audit. Should you have any queries, please contact Patrick D'Alessandri, OHSE Manager, VACC Occupational Health Safety and Environment (OHSE) Unit.

Sincerely

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