3.2.5 Workplace Health and Safety Inspections (2002 Annual Report, Part 2.20)

Introduction

In 2002, we reviewed the workplace health and safety inspection program at the Workplace Health and Safety Inspection Division of the then Department of Labour. The objectives of our review were to determine whether there was an adequate process in place at the Division to determine if employers are complying with the *Occupational Health and Safety Act* and *Regulations*; whether the Division had a process in place to monitor its administration of the program; and whether there was adequate and appropriate reporting of workplace health and safety inspection activity to the House of Assembly.

Our review indicated that activities at the Workplace Health and Safety Inspection Division required improvement to meet the Department's responsibilities for monitoring and improving conditions in the workplace. In particular:

- Information on employer workplaces in the Province maintained by the Division was neither complete nor current.

- The required inspection activity identified by the Division as a priority was not performed. As well, regular inspections were not based on any comprehensive risk analysis which would provide a rational basis for the entire Division in determining which employer workplaces were to be inspected and the frequency and timing of planned inspections.

- The Division could not demonstrate whether employers were complying with the *Act* and *Regulations* as inspection reports were not always fully completed by the occupational health and safety officers. Furthermore, the inspection report, as designed by the Division, did not provide a listing of the main areas for inspection under the *Act* and *Regulations* to ensure these areas have been covered during the inspection.

- Instances were found where no evidence was provided to indicate whether directives issued by occupational health and safety officers were complied with by employers. Other instances were found where there was inadequate documentation provided by officers relating to their investigation of accidents and complaints.

- Significant delays were identified in issuing inspection reports to employers after inspections were performed, forwarding completed inspection reports for review, conducting planned follow-up inspections, and completing accident investigation reports.

- Inspection reports and reports from the Central Information System (CIS) were not always being reviewed. In addition, information in the CIS was neither accurate nor updated on a current basis.

- The Division was not providing adequate and appropriate information to the Department on workplace health and safety inspection activity and there were no reports on Division activities provided to the House of Assembly.

Subsequent to our 2002 review, responsibility for the workplace health and safety inspection program was transferred to the Department of Government Services.

Update

In October 2004, we contacted the Department of Government Services requesting an update as to the progress on the comments and recommendations included in our 2002 report. The information provided by the Department in response to our request is outlined below.

2002 Recommendation

The Department should maintain complete and current information on employer workplaces in the Province.

Action Taken

The Department indicated that the Workplace Health, Safety and Compensation Commission remains the primary source of employer information for the Division and that efforts are underway to improve and expand on the efficiency and accuracy of this information.

2002 Recommendation

The Department should complete inspection activity identified as a priority, and base regular inspections on a comprehensive risk analysis which would provide a rational basis in determining which employer workplaces are to be inspected and the frequency and timing of planned inspections.

Action Taken

The Department indicated that the Division does not utilize a comprehensive risk analysis system to plan inspections. However, several procedural and organizational adjustments have been made in order to better focus inspection activity. These include: upgrades to the Division's CIS; amalgamation of the Occupational Health and Safety (OHS) officer databases with the CIS to allow more thorough analysis of client generated work; decentralization of access to the amalgamated database; a review and assessment of occupational health and safety and risk in municipalities; officer training in risk assessment to enhance risk analysis skills; and coordination of sector-specific initiatives in the areas of construction (residential), manufacturing (fiberglass boatbuilding), and forestry (logging). The Department also indicated that a Provincial Accident Prevention Strategy was launched on 20 June 2003.

2002 Recommendation

The Department should ensure inspection reports are fully completed and that the reports provide a listing of the main areas for inspection under the Act *and* Regulations *to ensure these areas have been covered during the inspection.*

Action Taken

The Department acknowledged the positive aspects with respect to the use of checklists in inspection reports. However, the Department noted that there are associated dangers when using them to guide inspection activity on site and that care must be taken to avoid any blinkered effect resulting from the confines of such lists. The Department indicated that an inspection checklist was developed in house and that this checklist was to be used by officers in their duties during the introduction of sector-specific initiatives. The Department also indicated that ongoing training is provided to staff to provide them with specialized knowledge to enable them to better fulfill their inspection responsibilities through hazard recognition and control.

2002 Recommendation

The Department should ensure there is sufficient documentation to determine compliance with all areas of the Act *and* Regulations *and ensure that inspection activity is conducted and reported in a timely manner.*

Action Taken

The Department indicated that it established a new Compliance and Regulatory Affairs Section within the Division that is responsible for addressing the Division's compliance related activities such as documentation review, policy/procedure development, and prosecutions.

In addition, the Department indicated that senior officer positions were created in an effort to concentrate activities along the sector-specific lines identified in the Task Force on Workers' Compensation. Senior officers have been hired to represent the fields of construction, retail and manufacturing, forestry, and mining. Officers to represent the fields of health care, fishing and petroleum have yet to be hired.

2002 Recommendation

The Department should ensure that management monitors all aspects of inspection activity and that information used for monitoring is accurate and maintained on a current basis.

Action Taken

The Department indicated that the addition of two new management positions has resulted in a more timely review of officer activity. With respect to accident investigation reports, the Department indicated that a new format is currently being developed that will facilitate the compilation of the written reports. The intent is not only to decrease times between the event and the report, but to help the officers reach correct conclusions with respect to accident causation, and to do so in a manner that will be useful to Department of Justice officials in the event of prosecution. Once finalized and implemented, realistic time frames derived from the new accident investigation report format will be reflected in the Policy Manual.

2002 Recommendation

The Department should provide information on its workplace health and safety inspections program to the House of Assembly.

Action Taken

The Department indicated that monthly statistical flash sheets are posted on the Department's website and distributed to the Minister and Executive. The Department also indicated that its 2002-03 annual report was tabled in the House of Assembly and that its 2003-04 annual report was expected to be tabled in Fall 2004. The report will outline activities within the OHS inspections program, including Stop Work Orders, directives, prosecutions, and inspections.

Department of Health and Community Services

3.2.6 Direct Program Costs-Child Welfare Program (2001 Annual Report, Part 3.20)

Introduction

Effective 1 April 1998, Government transferred responsibility for the Child Welfare Program from the Department of Human Resources and Employment to the Department of Health and Community Services. Government directed that the direct client service portion of the program be integrated and delivered by the Province's four health and community services boards and as separate components of the Grenfell Regional Health Services Board and the Health Labrador Corporation.

The Child Welfare Program delivered by Health and Community Services St. John's Region is responsible for the provision of protection and support services to children, youth and their families in the greater St. John's region from seven locations encompassing Conception Bay South in the North to Ferryland in the South and including Bell Island. The direct program costs related to the Child Welfare Program increased from $6.9 million in 1999 to $9.7 million in 2001 or 41%.

In 2001, we performed a review of the Child Welfare Program at Health and Community Services - St. John's Region (the Board). The objective of our review was to determine whether client files contained sufficient documentation to ensure that all payments are in accordance with Board policy and are properly approved, adequately supported and accurately recorded in the Board's financial records. Our review concluded that payments made by the Board were not always approved and supported. Specifically:

- Client files were often poorly organized, incomplete and not consistent regarding the documentation included therein. For example, most of the files examined did not contain adequately supported needs assessments or the required case plans and family financial assessments.