



اوتوري تي كبتسائن كسلامتن
كصپجتن دان عالم سكيتر

Safety, Health and Environment
National Authority

BETTER SAFE THAN SORRY THE SHENA STORY

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SENIOR INSPECTOR, INDUSTRY SECTOR, SHENA

16
MARCH
2021



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National Authority

BACKGROUND

- A statutory body set up under the Safety, Health and Environment National Authority Order, 2018 and enforced April 2017.
- The Authority regulates and enforces all matters relating to workplace safety, health and environment as well as radiation within Brunei.
- A Chief Executive Officer (CEO) heads the Authority and is ultimately accountable for the function and affairs undertaken by the Authority. He is responsible to the Authority and reports to the SHENA Board of Directors who reports to the Minister in Charge namely the Minister of Energy.
- Appointed inspectors have specific legal powers to enforce and regulate workplace safety, health and environment as well as radiation laws on behalf of SHENA.



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FUNCTIONS



INSPECTIONS & MONITORING VISITS



INVESTIGATION



EXAMINATION OF NOTIFICATION



EXAMINATION AND CERTIFICATION OF SAFETY CASE



EXAMINATION OF SAFETY MANAGEMENT SYSTEM



LICENSING AND REGISTRATION

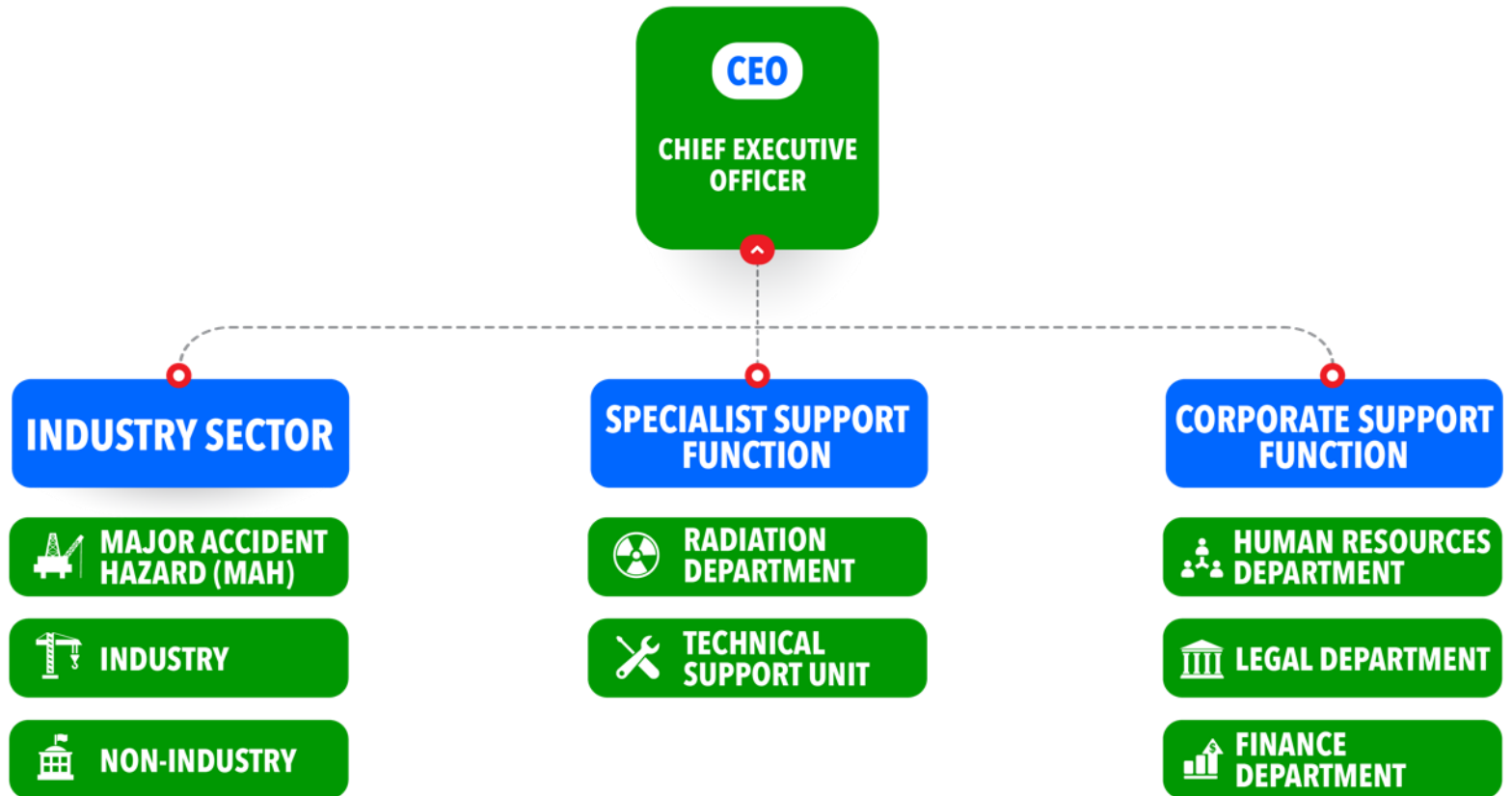


HSE ADVICE AND GUIDANCE TO INDUSTRY



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FUNCTIONAL CHART





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VISION, MISSION & PRINCIPLES

VISION

We are committed to making a difference and ensuring Brunei is a safe place to work and live

IN ALL OUR ACTIVITIES

We will ensure a transparent and open dialogue with all our stakeholders. Compatible with the aspirations of the nation. Our stakeholders include industry, government, and the general public and our key principles apply equally to all.

MISSION

We will maintain a robust fit for purpose national safety, health and environmental regulatory framework and ensure that risks to people, assets and the environment are controlled in compliance with:

- Laws and regulations
- Set by the government
- Implemented by those who create the risk
- Underpinned by continuous improvement

PRINCIPLES

Our operational philosophy is governed by four key principles:

- STRUCTURED:** a structured legal framework with a risk-based approach
- AUDITABLE:** accountable for our actions as a regulator
- FOCUSED:** across all our interactions with all our stakeholders
- ENGAGED:** open, transparent and respectful in all our discussions written or otherwise



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NATIONAL HSE THEME



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NATIONAL HSE THEMES

**62 WORK RELATED FATALITIES
IN THE LAST 8 YEARS**

HOW CAN WE PREVENT THIS?

**Focus areas where Everyone can Make a Difference To make
Brunei A Safe Place to Work and Live**

**Four (4) National HSE themes have been set for Brunei industry,
developed from a risk based review of performance over the last eight years.**



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WORK RELATED FATALITIES

Work Related Fatality is a death that occurs while a person is at work or performing work related tasks



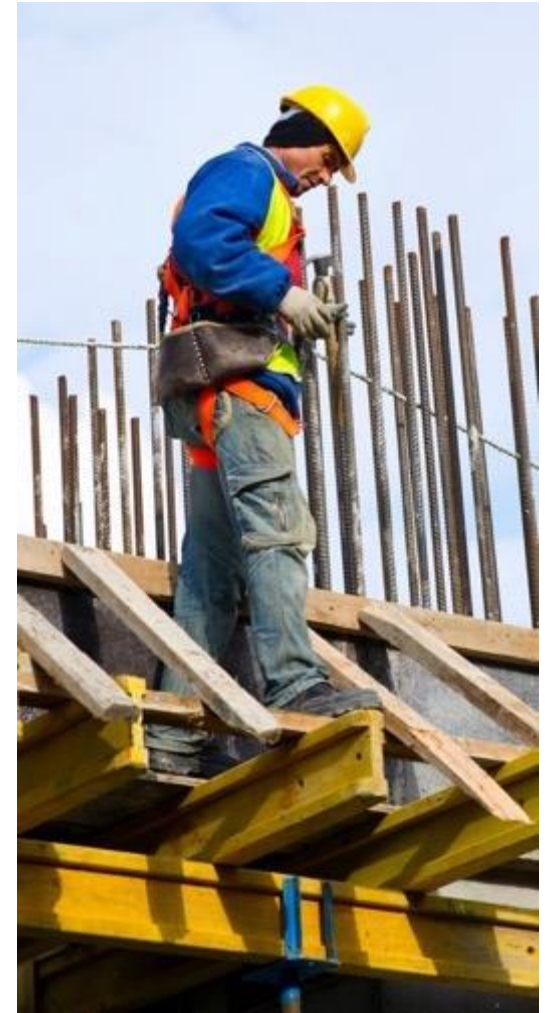
THEME 1: WORKING AT HEIGHT

- Working from a place where a person could be injured by falling from it.
- A review of work related fatality statistics has shown that fall from height is the major cause of fatalities on construction sites.

Key Findings:

Poor management of working at height activities:

- Risk assessment
- Use of fall protection device
- Supervision and Implementation at site
- Rescue at height





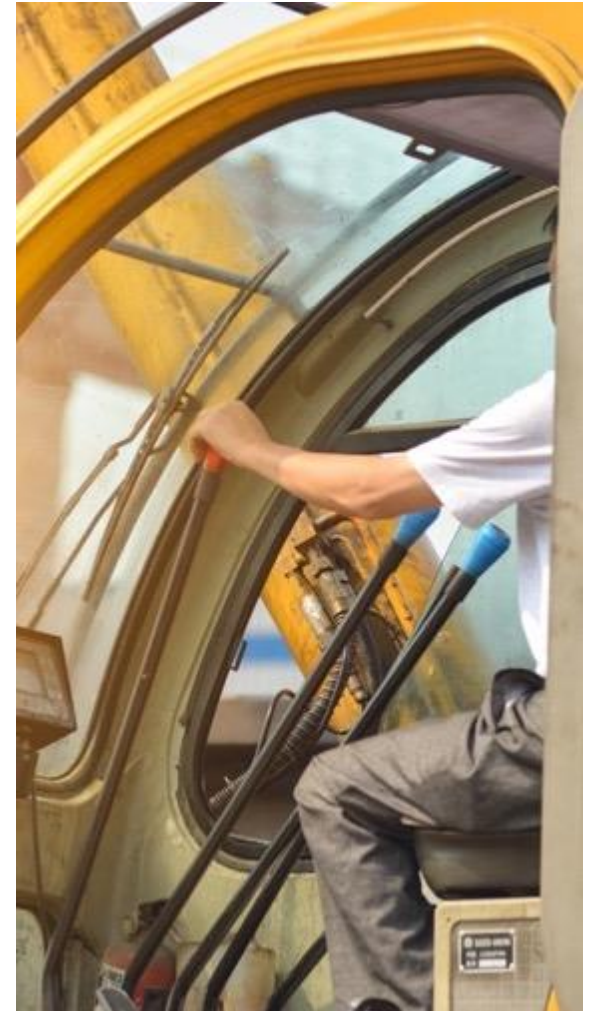
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THEME 2: CRANE MANAGEMENT

- In 2017, 5 Crane significant incidents reported including 1 death.

Key Findings:

1. Inappropriate use of equipment
2. Lack of certification - Crane & Operators not verified
3. Poor or no maintenance of crane
4. Inadequate & lack of compliance to procedures (Lifting Plan)
5. Lack of Supervision, Site Compliance and Enforcement





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THEME 3 : ASSET INTEGRITY

- Since 2013, 4 major accidents in Brunei, including fire at hazardous waste treatment plant , hydrogen leak, loss of well control, tank over flow with huge financial and reputation impact to the Country.



Key Findings:

1. **Ageing equipment, Maintenance,**
2. **Management of Structural Integrity,**
3. **Poor integrity leadership & competence**





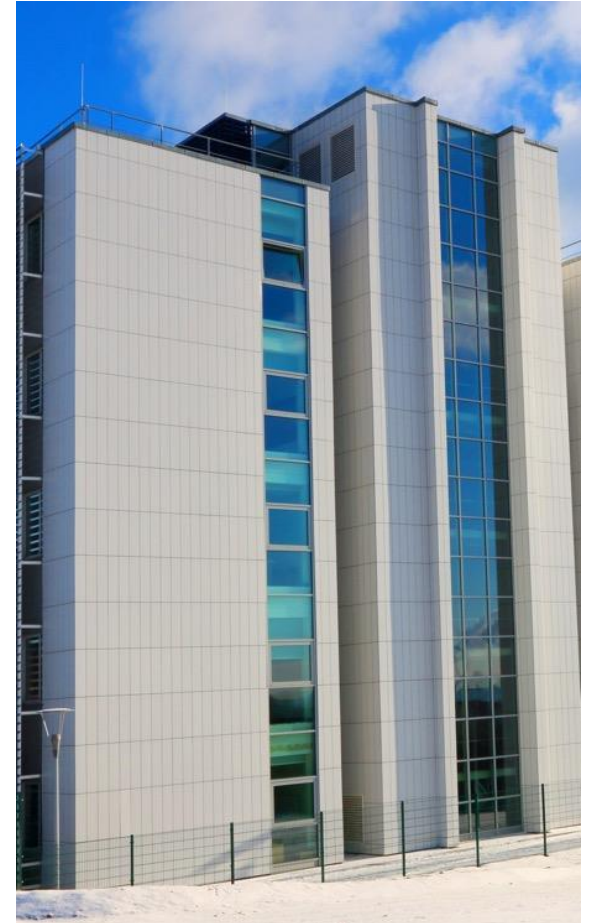
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THEME 4: EDUCATIONAL INSTITUTION, HEALTHCARE INSTITUTION, COMMERCIAL AND GOVERNMENT BUILDINGS

- In 2020, inspections of 20 educational institutions (MOE, MORA & Private School), were conducted by SHENA.

Key Findings:

1. **Lack of training and awareness of managing safety and health in educational institution**
2. **Housekeeping issues (i.e. storage area)**
3. **Management of hazardous substances (i.e. chemical waste)**
4. **Health & Safety compliance during renovation & maintenance activity**





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CONSTRUCTION SELF-ASSESSMENT CHECKLIST

	اور تورتی کبغسان کسلامتن کصیتن دن عالم سکیتز Safety, Health and Environment National Authority	SELF ASSESSMENT CHECKLIST: CONSTRUCTION	DOC NO.: SHENA/IND/3.2 (REV.1) MAY 2020
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This self-assessment checklist is a tool used to aid employers, principals and employees to comply with the Workplace Safety and Health Order, 2009. The objective of this checklist is to make employers, principals etc. aware of factors that have an impact on health and safety. Remember this checklist is only a guide, scoring should not be construed as implying any liability nor should it be taken to encapsulate all the responsibilities and obligations of the company under the law. If you answer 'No', you should take action to learn more about and fix the hazard you identified. You may need to do more than one assessment. You are advised to regularly review and update your assessment to ensure you maintain a safe workplace.


A copy of the checklist and proven evidence shall be kept by the HSE focal point of your company/organization. This checklist will be reviewed by Safety, Health and Environment National Authority (SHENA) during any planned inspections or monitoring visits conducted by SHENA.

Please refer to Workplace Safety and Health (Construction) Regulations in Construction Sites

NAME OF COMPANY & ADDRESS	
PROJECT TITLE (as relevant)	
PROJECT MANAGER (as relevant)	
WORKSITE ADDRESS	
TYPE OF WORK ACTIVITIES	General building and work Refurbishment work Maintenance and repair
TOTAL NO. OF WORKERS AT WORKSITE	
PROJECT/ CONTRACT VALUE	

WORKPLACE SAFETY AND HEALTH (CONSTRUCTION) REGULATIONS

A	SAFETY AND HEALTH MANAGEMENT ARRANGEMENT
1	Do you have and implement a system in your workplace environment? <ul style="list-style-type: none"> Safety and Health Management System (SMS) / Policy Incident reporting Emergency preparedness Safe Work Practices Risk Assessment
2	Is the contract sum of building operation or works of eq carried out in a worksite is \$30 million or more? If yes, a) Do you conduct a review of the safety and health management system of the worksite at least once every 6 months? b) Do you appoint a workplace safety & health audit management system of the worksite at least once every 6 months?
3	Is the contract sum of building operation or works of eq more than \$10 million? If yes, proceed to 3.b) a) Do you appoint a workplace safety and health coordinator during the construction period? b) Do you have a full-time competent workplace safety by SHENA during the construction period?
4	Do you have a workplace Safety and Health Committee (not on site)
5	Do you conduct a monthly Site Co-ordination Meeting

	اور تورتی کبغسان کسلامتن کصیتن دن عالم سکیتز Safety, Health and Environment National Authority	SELF ASSESSMENT CHECKLIST: GENERAL WORKPLACE	DOC NO.: SHENA/IND/3.1 (REV.1) MAY 2020
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NAME OF WORKPLACE ADDRESS	
WORKPLACE ACTIVITY	<input type="checkbox"/> Warehouse <input type="checkbox"/> Construction <input type="checkbox"/> Manufacturing <input type="checkbox"/> Repair and Maintenance <input type="checkbox"/> Printing <input type="checkbox"/> Educational institution <input type="checkbox"/> Healthcare institution <input type="checkbox"/> Survey / Examiner <input type="checkbox"/> Supplier/trader <input type="checkbox"/> Agriculture <input type="checkbox"/> Automotive <input type="checkbox"/> Recreational <input type="checkbox"/> Hospitality <input type="checkbox"/> Food and Eating Establishment <input type="checkbox"/> Commercial/Retail Shop <input type="checkbox"/> Waste Management <input type="checkbox"/> Oil & Gas <input type="checkbox"/> Food processing and packing <input type="checkbox"/> Logistics & Transportation <input type="checkbox"/> IT <input type="checkbox"/> Marine <input type="checkbox"/> Others:
TOTAL NO. OF EMPLOYEES ON SITE	
NAME OF OWNER/OCCUPIER	
CONTACT NO	
EMAIL	

GENERAL REQUIREMENTS OF WORKPLACE HEALTH, SAFETY AND ENVIRONMENT		YES	NO	N/A	REMARKS / JUSTIFICATION / EXPLANATION
1	Do you have a system in your workplace to manage health, safety and environment? <ul style="list-style-type: none"> Safety Management System (SMS) / HSE Policy / HSE Plan Incident reporting Emergency preparedness Safe Work Practices Risk Assessment 				
2	Have you assigned a person to look after health, safety and environmental matters in your workplace and/or supervisors for work activities?				
3	Do you conduct internal HSE inspection in your workplace?				
4	Do you provide personal protective equipment (PPE) to protect your employees?				
5	Do you have a routine HSE meeting at your workplace?				
7	Do you provide HSE training for your employees?				
8	Do you have any hazardous/ toxic or corrosive substances in your workplace and controls?				
9	Do you have a means to communicate HSE matters to your employees?				
10	Do you have a system to stop/ intervene unsafe acts, practices and conditions in your workplace?				
11	Do you have a system to manage waste in your workplace?				
12	Do you have an adequate welfare facilities (eg. toilets, drinking water, washing facilities, eating facilities and resting areas) for your employees?				
Done by: (Signature, Name & Date)		Verified by: (Signature, Name & Date)			

SHENA SEEKS THE SUPPORT OF ALL RELEVANT STAKEHOLDERS TO ENSURE BRUNEI A SAFE PLACE TO WORK AND LIVE
For further inquiries and clarification, please contact us
T: +673 238 2000 E: info@shena.gov.bn W: www.shena.gov.bn IG & FB: @shena.gov.bn

GENERAL WORKPLACE SELF-ASSESSMENT CHECKLIST

CONSTRUCTION SELF-ASSESSMENT CHECKLIST



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LEGAL FRAMEWORK



LEGAL FRAMEWORK

ENFORCEMENT OF WORKPLACE SAFETY AND HEALTH ORDER (WSHO), 2009

This Order describes the general health and safety requirements on all workplaces.

Duties are placed primarily on the Employer, with further duties on employer roles, such as contractor, sub-contractor, designer, manufacturer, etc. There are also duties placed on Principals, Occupiers and Self- Employed Persons.

ENFORCEMENT OF RADIATION PROTECTION ORDER, 2018

This Order controls and regulates the import, export, manufacture, sale, disposal, transport, storage, possession, and use of radioactive materials and controlled apparatus.

This Order also makes provisions in relation to the non-proliferation of nuclear weapons and to establish a system for the imposition and maintenance of nuclear safeguards in accordance with the requirements of the International Atomic Energy Agency (IAEA).

The Laws ensure that those creating the risk reduce those risks to persons (employees and public), assets and the environment, to As Low As is Reasonably Practicable.



LEGAL FRAMEWORK


**The WSHO is the highest level safety and health legislation in Brunei
It is the enabling framework for all other HSE regulations**





REGULATIONS UNDER WSHO 2009

WORKPLACE SAFETY AND HEALTH ORDER, 2009

WSH (COMPOUNDABLE OFFENCES) REGULATIONS, 2009	WSH (INCIDENT REPORTING) REGULATIONS, 2014	WSH (RISK MANAGEMENT) REGULATIONS, 2014	WSH (WORKPLACE SAFETY AND HEALTH COMMITTEES) REGULATIONS, 2014	WSH (WORKPLACE SAFETY AND HEALTH OFFICERS) REGULATIONS, 2014	WSH (GENERAL PROVISIONS) REGULATIONS, 2014	WSH (CONSTRUCTION) REGULATIONS, 2014	WSH (FACILITIES) (CONTROL OF MAJOR ACCIDENT HAZARDS) REGULATIONS, 2013
ANY OFFENCE UNDER THE ORDER AND THE REGULATIONS, EXCEPT SECTIONS 21(7) AND 52	ALL WORKPLACES	ALL WORKPLACES	50 OR MORE PERSONS ARE ORDINARILY AT WORK	<ul style="list-style-type: none"> • SHIPYARD • FACTORY - PETROLEUM • FACTORY - \$10 MILLION ENG. CONSTR. • FACTORY - 100 PERSON OR MORE EMPLOYED 	<ul style="list-style-type: none"> • FACTORY • WORKSITE • FACILITY 	WORKSITE - ANY BUILDING OPERATION OR WORKS OF ENGINEERING CONSTRUCTION	FACILITIES
OTHER WORKPLACES							
 FACTORIES							
 CONSTRUCTION WORKSITES							
 FACILITIES							



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LEGAL DUTIES

Minimum / General HSE Requirements:

1. Appoint a competent person
2. Risk assessment
3. Safety Committee
4. Have the right workplace facilities
5. First aid in work
6. Provide safety training and awareness
7. Reporting the incident



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1: APPOINT HSE PERSON

REGULATION 8 OF WORKPLACE SAFETY AND HEALTH (WORKPLACE SAFETY AND HEALTH OFFICERS), 2014

“8. (1) Every workplace within the prescribed class or description of workplaces specified in the Second Schedule shall have appointed in writing in respect thereof a **workplace safety and health officer.**”

Summary:

As an employer/ occupier you must appoint a competent person to help you meet your health and safety legal duties , e.g. safety coordinator, safety officer, safety auditor.



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2: SAFETY MANAGEMENT SYSTEM

REGULATION 44 OF WORKPLACE SAFETY AND HEALTH (GENERAL PROVISIONS) REGULATIONS, 2014

“44. (1) This regulation shall apply to the following class or description of factories-

(a) factories engaged in the processing or manufacturing of petroleum, petroleum products, petrochemicals or petrochemicals products;

(b) factories engaged in the manufacture of semiconductor wafers; and

(c) factories engaged in the manufacture of fabricated metal products, machinery or equipment and in which 100 or more persons are employed.(1) Every workplace within the prescribed class or description of workplaces specified in the Second Schedule shall have appointed in writing in respect thereof a workplace safety and health officer.”

Summary:

Safety management system consist of Safety policy; Safe work practices; Safety training; Group meetings; Incident investigation and analysis; In-house safety rules and regulations; Safety promotion; System for the evaluation; selection and control of contractors; Safety inspections; Maintenance regime; Risk assessment; Control of movement and use of hazardous chemicals; Occupational health programmes; Emergency preparedness.



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3: WORKPLACE HEALTH AND SAFETY COMMITTEE

REGULATION 3 OF WORKPLACE SAFETY AND HEALTH (SAFETY COMMITTEE) REGULATIONS, 2014

“These Regulations shall apply in relation to every workplace in which 50 or more persons are ordinarily at work, excluding persons who carry out any work which is of a temporary nature and is not ordinarily carried out in the workplace”

Summary:

Consult your workers: employees are often the best people to understand risks in the workplace. Involving them in making decisions shows that you take their health and safety seriously. In a small business, you might choose to consult your workers directly. Larger businesses may consult their WSHO Officer.



4: RISK ASSESSMENT

REGULATION 3 OF WORKPLACE SAFETY HEALTH (RISK MANAGEMENT) REGULATIONS, 2014

“3. (1) In every workplace, the employer, self-employed person and principal shall conduct a risk assessment in relation to the safety and health risks posed to any person who may be affected by his undertaking in the workplace”

Summary:

Under the Risk Management Regulations you must protect your employee or any one who could be affected by your activity e.g. Public / Visitors:

1. identify what could cause injury or illness in your business (hazards)
2. decide how likely it is that someone could be harmed and how seriously (the risk)
3. take action to eliminate the hazard, or if this isn't possible, control the risk (eliminate, reduce, isolate, control, PPE, system)



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5: PROVIDE SAFETY TRAINING AND AWARENESS

REGULATION 12 OF WORKPLACE SAFETY AND HEALTH ORDER, 2009

“ (e) ensuring that the person at work has adequate instruction, information, training and supervision as is necessary for him to perform his work”

Summary:

Everyone who works for you needs to know how to work safely and without risk to their health. This includes contractors and self-employed people .You must give your workers clear instructions and information, as well as adequate training. Make sure you include employees with particular training needs, for example new recruits, people changing jobs or taking on extra responsibilities, young employees and health and safety representatives.



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6: PROVIDE THE RIGHT WORKPLACE FACILITIES

WORKPLACE SAFETY AND HEALTH (GENERAL PROVISIONS) REGULATIONS, 2014

- 1 - General Provisions Relating to Health;
- 2 - General Provisions Related to Safety;
- 3 - Special Provisions Relating to Health, Safety And Welfare.

Summary:

Employers must provide welfare facilities and a working environment that's healthy and safe for everyone in the workplace, including those with disabilities.

- Welfare facilities — the right number of toilets and washbasins, drinking water , having somewhere to rest and eat meals and control of dust and fumes.
- A healthy working environment — a clean workplace with a reasonable working temperature, good ventilation, suitable lighting and the right amount of space and seating
- A safe workplace — well-maintained equipment, with no obstructions in floors and safe access and egress



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7: FIRST AID IN WORK

Summary:

Employers must make sure employees get immediate help if taken ill or injured at work.

You must have:

- A suitably stocked first aid kit
- An appointed person or people to take charge of first aid arrangements
- Information for all employees telling them about first aid arrangements

8: INCIDENT REPORTING

WORKPLACE SAFETY AND HEALTH (INCIDENT REPORTING) REGULATIONS, 2014

FATALITY	INJURY	DANGEROUS OCCURRENCES	OCCUPATIONAL DISEASE	MAJOR ACCIDENT
DEFINITION Employee or self-employed person	DEFINITION Injury to employee who was given 3 days sick leave or admitted 24hrs in hospital Accident to any person who is not at work or self employed person at the workplace which requires him to be taken to hospital for treatment in respect to that injury	DEFINITION Any occurrence specified in the Second Schedule	DEFINITION Any disease specified in the Third Schedule	DEFINITION Uncontrolled loss of containment, fire or explosion leading to serious danger to health, property or environment Major damage to facility structure Death or serious injury to 3 or more persons
1	2	3	4	5



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WSH OFFICERS & CO-ORDINATORS

WSH OFFICERS & CO-ORDINATORS

- 28. (1)
Every workplace within the prescribed class or description of workplaces shall have a Workplace Safety and Health Officer or a Workplace Safety and Health Co-ordinator appointed in respect thereof.





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SAFETY AND HEALTH MANAGEMENT ARRANGEMENTS

Factories in which building operations or works of engineering construction of a contract at the sum of:	Workplace Safety and Health Auditors	Workplace Safety and Health Officers	Workplace Safety and Health Coordinators	Workplace Safety and Health Committees
\$30 million or more	X	X	X	X
\$10 million or more		X	X	X
Less than \$10 million			X	X
50 or more persons are ordinarily at work				X

References:

- Workplace Safety and Health Order, 2009, Section 28
- Workplace Safety and Health (Workplace Safety and Health Officers) Regulations 2014
- Workplace Safety and Health (Workplace Safety and Health Committees) Regulations, 2014
- Workplace Safety and Health (Construction) Regulations, 2014



WORKPLACE SAFETY AND HEALTH OFFICER

WORKPLACES REQUIRING WSH OFFICERS

- (1) Shipyard,
- (2) Factories: process petroleum / petroleum products
- (3) Factories: contract value of \$10 million or more,
- (4) Factories: employed more than 100 persons

MINIMUM REQUIREMENTS

- NEBOSH IGC Cert or equivalent
- 2 years relevant experience

DUTIES OF WSH OFFICER

- Identify the risk
- Recommend measures
- Control and risk elimination
- Recommend/assist to implement safe work procedure

POWER OF WSH OFFICER

- Enter, inspect and examine the workplace
- Inspect and examine documents, records, certificate, notice of workplace
- Investigate accident, dangerous occurrence, occupational disease

CERTIFICATE OF APPROVAL

- Valid for 2 years
- Certificate shall not be transferable
- If lost, destroyed or defaced – apply for replacement
- \$110 (Approval) \$10 (Replacement) \$60 (Renewal)



LEGAL RESPONSIBILITIES

WSH COORDINATORS

REQUIREMENT:

1. Successfully completed relevant training course
 2. Minimum of 2 years relevant experience
-

DUTIES:

1. Assist identifying unsafe condition / work practice
 2. Recommend and implement measures for unsafe condition / work practice
-

POWERS:

1. Enter, inspect and examine the workplace
2. Inspect and examine documents, records, certificate, notice of workplace
3. Investigate accident, dangerous occurrence, occupational disease

WSH COMMITTEES

DUTIES:

1. Inspect the workplace at least once a month – records in report
 2. Promote safe conduct of work in the workplace
 3. Inspection of any accident or dangerous occurrences
 4. Review safety or health in the workplace
-

POWERS:

1. Enter, inspect and examine the workplace
2. Inspect and examine documents, records, certificate, notice of workplace
3. Investigate accident, dangerous occurrence, occupational disease

WSH AUDITORS

DUTIES TO AUDIT:

1. Safety & health management system
 2. Risk assessment
 3. Work process
 4. The workplace
-

The auditor must not be a partner, an officer, an employee or an associate of the occupier of the worksite



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THANK
YOU

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