

# Falls Prevention

## Pesticide Safety Technical Note

Number 11

**OFFICIAL**

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# Occupational Health and Safety Act 2004

The Occupational Health and Safety Act 2004 (the Act) is designed to provide a broad framework for improving standards of workplace health and safety to reduce work-related injury and illness. It aims to protect employees' health, safety, and welfare at work, protect the public from the health and safety risks of business activities and eliminate workplace risks at the source. The design and implementation of health, safety and welfare standards should involve employers, employees, and their organisations.

WorkSafe Victoria is responsible for administering the Occupational Health and Safety legislation in Victoria in order to improve the health and safety of Victoria's workforce. WorkSafe Victoria is able to advise Pest Control Operators (PCO) and their businesses about their legal requirements and ways to improve workplace health, welfare and safety.

# Occupational Health and Safety Regulations 2017

The Occupational Health and Safety Regulations 2017 (Part 3.3 Prevention of Falls) (the Regulations) apply to all employers and employees operating within the pest control industry.

The main purpose of this section of the Regulations is to stop workplace incidents involving falls of more than two metres and to prevent or reduce resulting injuries should a fall occur.

Falls commonly occur from equipment, ladders, vehicles, and roofs.

If a fall occurs from a height of less than two metres, the employer may be liable under the general safety obligations of the Occupational Health and Safety Act 2004. Therefore, the necessary precautions should be taken against this type of workplace accident wherever a fall hazard exists.

## Summary of regulations

### Employers must:

- Identify the falls hazards
- perform a risk assessment to determine the likelihood of a fall
- control the risk and maintain such controls
- provide information, instruction and training to employees have emergency procedures in place
- consult their Occupational Health and Safety (OHS) representative if they have one.

### Employees must:

Participate in the information, instruction and training provided by their employer about working at heights follow the procedures and use any safety measures their employer puts in place.

## Identifying falls hazards

According to the Regulations, a fall hazard is a situation or work practice where there is the potential to fall at least two metres.

Before commencing work, all the current tasks which may present a fall hazard should be identified.

Due to the nature of pest control work, a fall hazard for Pest Control Operators (PCOs) may exist under the following circumstances:

- inspections or treatments done on roofs or near fragile surfaces such as skylights, badly rusted corrugated iron or fibreglass where there is no guarding or fall protection measures used
- mezzanine levels in large storage areas where there are no guards or handrails installed
- elevating work platforms such as cherry pickers or boom lifts with no secure line or safety harness in place connecting the worker to the basket to reduce the risk of a fall from a basket
- treatments on commercial or industrial sites where there is no guarding, railing or signage around holes, pits or shafts
- a person being lifted by a piece of equipment not designed for the job
- ladders set up on slippery or uneven surfaces and not secured to prevent them slipping forwards, backwards or sideways
- using an inappropriate ladder for the task – for example a ladder which is too short or does not have an adequate load rating for the loads being carried on it, or using a straight ladder as a horizontal working platform
- fumigation tarps fitted by climbing across objects such as shipping containers
- employees not provided with adequate training, instruction, and supervision in how to set up, undertake and complete a task safely that involves work at height or to use fall prevention equipment safely
- where ropes, harnesses or lanyards are used for fall protection, the equipment is not checked regularly and before use for signs of decay, cracks, knots, frays or other potential damage or danger.

## Performing a risk assessment

After identifying all the workplace tasks involving a fall hazard, employers should work with their OHS representative to determine the risk of a fall occurring.

When conducting a falls risk assessment, the Regulations require you to consider:

- the nature and duration of the task
- the physical surroundings in which the task is to be performed and the conditions during which the task is to be performed
- the height employees will be required to access or work at
- the training and experience of employees undertaking the work
- weather conditions, lighting, sloping surfaces, or other hazards nearby such as power lines, trees, or sharp objects.

If the risk assessment indicates that the risk of a fall from height is likely, precautions must be taken to eliminate the risk, or if this is not practicable, to reduce the likelihood of a fall and/or injury.

## Fixing the problem – controlling the risk

Where you have identified tasks or situations where a fall from a height is likely, you must implement measures to control the risk as soon as practicable. The Regulations state that you must eliminate the risk of a fall or if this is not practicable, reduce the risk as far as is practicable.

### Defining ‘practicable’

The Act indicates that the following must be considered in determining what is (or was at a particular time) reasonably practicable:

- the likelihood of the hazard or risk concerned eventuating
- the degree of harm that would result if the hazard or risk eventuated

- what the person concerned knows, or ought reasonably to know, about the hazard or risk and any ways of eliminating or reducing the hazard or risk
- the availability and suitability of ways to eliminate or reduce the hazard or risk
- the cost of eliminating or reducing the hazard or risk.

## The hierarchy of control

The fall prevention measures listed in the hierarchy of control must be applied in order. If it is not practicable to use a specified measure a control at the next level may be considered.

- Can the risk be eliminated by completing the task on the ground or on a solid construction? For example, if you are spot treating the eaves of a house, can you use an extension nozzle on your spray unit?
- Can a passive fall prevention device be used to prevent a fall occurring? This includes devices such as scaffolds, guard railing, scissor lifts, cherry pickers, roof safety mesh, step platforms and work boxes.
- Can a work positioning system be used to safely support employees at height? Examples include industrial rope access systems, travel restraint systems and drainer's hoists.
- Can a fall injury prevention system be used to minimise the distance of the fall or reduce the severity of injury? Such systems include safety nets, catch platforms and safety harnesses.
- If none of the above fall prevention measures are reasonably practicable, then a fixed or portable ladder or administrative control must be used.

## Administrative controls

Administrative controls are systems or procedures to help reduce the exposure of employees to fall hazards and includes directing employees not to approach a place where a fall is likely. If administrative controls alone are used to control the risk of a fall, the employer must record a description of the task and the administrative control implemented. The record must be kept by the employer for as long as the task to which the administrative control relates is being undertaken.

## Ladders as risk control measures

Ladders should only be used where better fall prevention control systems are not practicable and working at a height is essential. If a ladder is to be used, then it must be appropriate for the type and duration of the task, in good working condition, and must be set up properly to avoid slipping or becoming unstable.

A system of physical fall protection should be provided under any of the following circumstances:

- where a worker may be exposed to the risk of a fall greater than three metres
- where a two-metre clear zone cannot be established
- where the two-metre clear zone is no longer being maintained
- the pitch of the roof is greater than the critical angle.

Where there is a risk of a fall from a height of two metres or more, implement:

- External fall protection in the form of physical edge protection (e.g., guard railing or perimeter scaffolding).

## Emergency procedures

If the risk of a fall has been identified as likely, and control measures have been implemented to control the risk, employers must also ensure that appropriate emergency procedures are in place. The procedures must enable the safe rescue of an employee in the event of a fall and ensure first aid is provided as soon as possible.

## Maintaining equipment used to prevent falls

Employers must ensure that any equipment which is used to control the risk of the fall such as scaffolding, ropes and harnesses, cherry pickers or ladders are properly maintained, used as prescribed, and that their use does not endanger employees in any way.

## Providing information, instruction, and training

Employers must provide information, instruction and training to any employee who is required to complete a task where a fall hazard has been identified. The information, instruction and training must address the nature of the task, the risk of a fall, and the need for, and proper use of, risk control measures.

## OHS representatives

The Act makes provisions for the appointment of an OHS representative for a group of employees (a work group). The Regulations require that where an OHS representative has been appointed for a work group, the employer must consult with that representative when identifying fall hazards and assessing and controlling the risk where decisions may affect the safety of any employee.

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