



اوتوري تي كبغسان كسلامتن
كصيحتن. دان عالم سكيتر
Safety, Health and Environment
National Authority

INDUSTRY

GUIDANCE NOTE (IGN)

2022/IGN/02(01)
REQUIREMENTS OF WORKPLACE SAFETY AND
HEALTH OFFICER & WORKPLACE SAFETY
AND HEALTH CO-ORDINATOR



INDUSTRY GUIDANCE NOTE

TOPIC: REQUIREMENTS OF WORKPLACE SAFETY AND HEALTH OFFICER & WORKPLACE SAFETY AND HEALTH CO-ORDINATOR		Reference Number: 2022/IGN/02(01)
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1. INTRODUCTION

The Workplace Safety and Health (**WSH**) Officer and WSH Co-ordinator are positions provided under the Workplace Safety and Health Order (**WSHO**), 2009 and the regulations made thereunder.

An individual must apply to SHENA before he/she can act as a WSH Officer or a WSH Co-ordinator at their workplace. In general terms, a WSH Officer or WSH Co-ordinator is a safety professional who has fundamental knowledge of, and experience in, workplace/occupational safety, health, and environment. The primary role of the WSH Officer and the WSH Co-ordinator is the protection of lives and the prevention of damage and harm to property and the environment respectively.

2. GLOSSARY OF TERMS AND ABBREVIATIONS

BOWEC	Building Operations or Work of Engineering Construction
COMAH	Control of Major Accident Hazards
CPD	Continuing Professional Development
HSE	Health, Safety and Environment
IBTE	Institute of Brunei Technical Education
IGN	Industry Guidance Note
IOSH	Institution of Occupational Safety and Health
NEBOSH	National Examination Board in Occupational Safety and Health
NEBOSH IGC	National Examination Board in Occupational Safety and Health International General Certificate
OSH	Occupational Safety and Health
WSH	Workplace Safety and Health
WSHO, 2009	Workplace Safety and Health Order, 2009 the primary Law on Workplace Safety and Health in Brunei Darussalam, introduced in 2009 that sets the general framework to which all workplaces must comply and has been enforced with effect from 1st August 2013.

3. PURPOSE

This Industry Guidance Note (IGN) serves as a guidance and reference of any matter pertaining to the registration, qualification, and work experience requirements for WSH Officer and WSH Co-ordinator in Brunei Darussalam. It also ensures a consistent approach in ensuring the competency of WSH Officer and WSH Co-ordinator to be appointed in the respective organization to perform his/her legal role under section 28 of the WSHO, 2009.

4. SCOPE

This document provides the requirements for an organization with a workplace described under the WSHO, 2009 to appoint and register safety and health personnel with SHENA. This document also highlights the legal duties and powers of the WSH Officer and WSH Co-ordinator in terms of the work experience as well as the continuing professional development required by WSH Officers and WSH Co-ordinators.

5. APPLICABLE LAWS AND REGULATIONS

Section 28 of the WSHO, 2009 states that every workplace within the prescribed class or description of workplaces shall appoint a WSH Officer or a WSH Co-ordinator. Section 32 further highlights that no person shall act as WSH Officer or WSH Co-ordinator except with the **approval from SHENA**.

Furthermore, the appointment of the WSH Officer is also regulated by the WSH (Workplace Safety and Health Officers) Regulations, 2014. Under these regulations, a **WSH Officer** must be appointed in **shipyards**, factories used for processing **petroleum or petroleum products**, factories in which **Building Operations or Works of Engineering Construction (BOWEC)** of a contract sum of BND10 million or more are carried out, and any **other factories** in which **100 or more persons** are employed, except those which are used for manufacturing garments.

Under the WSH (Construction) Regulations, 2014, a **WSH Co-ordinator** shall be appointed in respect of every worksite where the contract sum of the building construction work is **less than BND10 million** (See Table 1 below).

Note:

- The definition of “factory” under the WSHO, 2009, as amended by the WSH (Amendment) Order, 2013, is any premise within which persons are employed in any of the following processes:
 - Handling, sorting, packing, storing, altering, repairing, construction, processing or **manufacturing of any goods or products**;
 - Handling, sorting, packing, storing, processing, manufacturing, use, disposal of any **hazardous substance (excluding petroleum or petroleum products as above)**;
 - Repair, construction or manufacturing of any **vessel or vehicle**;
 - Any building operation or work of engineering construction; and
 - Operation or maintenance of any facility or system related to the provision of any public utility such as road, telecommunication, water supply, etc.

- BOWEC here refers to any building operations and works of engineering construction undertaken by way of trade or business, or for any industrial or commercial undertaking (i.e., Building construction activities), or by or on behalf of the Government or any statutory authority and to any line or siding which is used in connection therewith and for the purposes thereof.

	WSH REQUIREMENTS	
	WSH Coordinators (As per WSH (Construction) Regulations, 2014)	WSH Officers (As per WSH (WSH Officer) Regulations, 2014)
Contract sum (Applicable to Factories in which building operations or works of engineering construction, where)	< \$10 million	≥ \$10 million
Number of Persons ordinarily at work (All Factory)	Not Applicable	≥ 100 people

Table 1: Breakdown of WSH Officer and WSH Co-ordinator in accordance with the contract sum of building operations or works of engineering construction and total number of persons that work in a factory

6. QUALIFICATIONS

An individual needs to complete a training course to equip his/her appointment as a WSH Officer or a WSH Co-ordinator. The minimum qualifications required to become a WSH Officer, and WSH Co-ordinator are contained in Table 2 below:

	WSH OFFICER	WSH CO-ORDINATOR
MINIMUM QUALIFICATION	<ul style="list-style-type: none"> ▪ National Examination Board in Occupational Safety and Health International General Certificate (NEBOSH IGC) 	<ul style="list-style-type: none"> ▪ Institution of Occupational Safety (IOSH) - Managing Safely ▪ National Examination Board in Occupational Safety and Health (NEBOSH) Award in Health and Safety at work

<p>OTHER EQUIVALENT OR HIGHER QUALIFICATIONS ACCEPTABLE</p>	<ul style="list-style-type: none"> ▪ Diploma and Advanced Diploma (HND), Degree, Master, PhD in Occupational Health and Safety ▪ Master of Science in Safety, Health and Environment Technology ▪ Bachelor of Environmental and Occupational Health and Safety ▪ Bachelor of Science in Human Factors in Safety ▪ Bachelor of Science in Safety, Health and Environmental Management 	<ul style="list-style-type: none"> ▪ HCG03: Health, Safety, Security and Environment (Core-Generic module in Institute of Brunei Technical Education (IBTE)
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Table 2: Acceptable qualification for WSH Officer and WSH Co-Ordinator

7. WSH OFFICER & WSH CO-ORDINATOR LEGAL DUTIES, POWER AND ROLES

The WSH (Workplace Safety and Health Officers) Regulations, 2014 stipulate the duties and powers of the WSH Officer in any workplace, while Regulations 7 and 8 of the WSH (Construction) Regulations, 2014 prescribe the duties and powers of the WSH Co-ordinator in the construction industry.

	WSH OFFICER	WSH CO-ORDINATOR
ROLES	<ul style="list-style-type: none"> ▪ Secretary of the Workplace Safety and Health Committee; and ▪ Create and promote a positive safety and health culture in the workplace. 	

<p style="text-align: center;">DUTIES</p>	<ul style="list-style-type: none"> ▪ Assist the Occupier of the workplace or other person in charge of the workplace to conduct a risk assessment in the workplace. ▪ Make recommendations to the Occupier of the workplace as reasonably practicable to: <ul style="list-style-type: none"> ○ Eliminate and minimise risks; and ○ Implement a safety and health management system accordingly. 	<ul style="list-style-type: none"> • Assist the Occupier of the workplace or other person in charge of the workplace to: <ul style="list-style-type: none"> ○ Identify hazards in the worksite; and ○ Identify any unsafe work practices carried out on the worksite. • Make recommendations to the Occupier of the workplace as reasonably practicable to: <ul style="list-style-type: none"> ○ Resolve the hazards or unsafe work practices.
<p style="text-align: center;">POWER</p>	<ul style="list-style-type: none"> ▪ Enter, inspect and examine the workplace/worksite at any reasonable time; ▪ Inspect and examine any machinery, equipment, plant, installation' or article in the workplace/worksite; ▪ Request for workplace/worksite records, certificates, notices and documents kept or required to be kept under the Order, including any other relevant documents, and inspect and examine any of them; ▪ Make such examination and inquiry of the workplace/worksite and of any person at work at that workplace/worksite as may be necessary to execute his duties; ▪ Assess the level of noise, illumination, heat, harmful or hazardous substances in the workplace/worksite and the exposure levels of persons at work; and ▪ Investigate any accident, dangerous occurrence or occupational disease that occurred within the workplace/worksite. 	

8. WORK EXPERIENCE REQUIRED FOR WSH OFFICER AND WSH CO-ORDINATOR

To be appointed as a WSH Officer or WSH Co-ordinator, an individual will require a relevant Occupational Safety and Health (**OSH**) qualification as prescribed by SHENA and **at least two (2) years** of practical experience relevant to the work to be performed that demonstrates his/her roles and responsibilities in workplace safety and health. The individual is expected to be actively involved with the workplace and with due consideration to the following **scope of work** related to workplace safety and health obligations (however not limited to):

1. Understand the **legal requirements** associated with the work activities carried out at the workplace.
2. Understand and execute the **safety and health management system** implemented in the workplace:
 - a. Review, develop and engage **workplace safety and health policies, plans and manuals**, according to the work activities;
 - b. Develop and implement **safe work practices procedures** required in the work activities, for example, permit-to-work systems, job hazard analysis, etc.;
 - c. Develop and execute **training programmes** for personnel at the worksite as seen relevant to the work activities, for example, safety and health training for specific job activity, safety health training awareness for supervisors and workers, competency training for skilled workers, etc.;
 - d. Participate in **group meetings** to discuss the safety and health of the work activity, for example, workplace safety and health committee meetings, toolbox talk meetings, safety briefings and management meetings, etc.;
 - e. Develop and execute procedures for **incident reporting, dangerous occurrences and investigation processes** in the workplace including incident investigation and root cause analysis;
 - f. Develop **safety and health in-house rules** within the workplace premise, for example, safety signage, observation process and practices to uphold intervention culture, personal protective equipment requirements according to activity, etc.;
 - g. Promote **safety and health culture** at the workplace through sharing sessions such as daily toolbox talks, safety and health inductions, safety campaigns, etc.;
 - h. Conduct **safety and health audits/inspections** in the workplace;
 - i. Develop and execute **maintenance regime** for the workplace such as hand tools, plant, machinery and equipment including emergency preparedness equipment schedule, servicing and maintenance procedures as well as records;
 - j. Develop and implement a reasonable system for **evaluation, selection and control of contractors**;
 - k. Conduct effective **hazard identification and risk management** in the workplace including risk assessment and documentation;
 - l. Establish onsite and offsite **emergency preparedness** of the workplace including identification of different emergency situations, emergency plan, the establishment of emergency response personnel, conduct emergency drills/exercises and first aid programme; and
 - m. Manage the **control of movement and use of hazardous substances** as applicable in the workplace.

3. Socialise SHENA's **Legislation, Approved Code of Practice, Notes to Industry, Industry Guidance Notes and Notices** as well as other relevant publications to the workforce.
4. Implement SHENA **self-assessment checklists**, for example, Construction Self-Assessment Checklist, etc. or in-house checklists to ensure legal compliance on safety and health requirements in the workplace.
5. Participate in the review of **Safety Cases development and verification of its implementation within the COMAH (Control of Major Accident Hazards) facilities** [as applicable for WSH Officer who is working within COMAH facilities].

Consideration:

For applications from individuals who do not meet the minimum requirements above, SHENA will conduct a verification assessment interview to consider the competency of the applicant to act as a registered WSH Officer or WSH Co-Ordinator.

9. CONTINUING PROFESSIONAL DEVELOPMENT (CPD) FOR WSH OFFICERS & WSH CO-ORDINATORS

Continuing Professional Development (**CPD**) is a continuous process of lifelong learning and remains the responsibility of WSH Officers and WSH Co-ordinators to actively gain knowledge and skills to stay abreast of relevant industry OSH practices. **This will become part of the criteria for the renewal of their registration with SHENA at the next renewal cycle.**

Evidence of CPD must be recorded and supported by documents such as certificates and other means of verification.

A supervisor preferably the line manager, head of section or someone from the senior management shall be assigned to each WSH Officer or WSH Co-Ordinator within the organization. The supervisor must have relevant knowledge of workplace safety and health matters. The minimum tasks of the supervisor are as the following:

1. Ensure the WSH Officer or WSH Co-ordinator is actively involved in the work on-site and maintains his work experience as stated under Section 8 of this IGN.
2. Monitor the progress of the WSH Officer or WSH Co-ordinator; and
3. Verify the work done by WSH Officer or WSH Co-ordinator in executing his/her tasks and activities.

The WSH Officer or WSH Co-ordinator is expected to be actively participating in OSH related training courses, lectures, seminars, workshops, symposiums, conferences and working visits. The minimum number of hours that a WSH Officer or WSH Co-ordinator is required to achieve is specified in the table below.

CATEGORY	EXAMPLES OF ACTIVITIES (IF APPLICABLE)	MINIMUM NO. OF HOURS (ANNUALLY)
<p style="text-align: center;">1</p> <p style="text-align: center;">CONTINUING EDUCATION</p>	<ul style="list-style-type: none"> ▪ Enroll in post-graduate, undergraduate or diploma courses on Occupational Safety, Health and Environment recognised by SHENA. ▪ Attend formal training courses that are relevant to workplace safety, health, and environment. ▪ Attend formal learning events on workplace health, safety and environment, such as: <ul style="list-style-type: none"> ○ Lectures; ○ Seminars; ○ Workshops; ○ Symposium; ○ Forums; ○ Congresses or conferences (including tele/video conference (locally or abroad)); ○ In-house training courses performed by individual organizations; and ○ Working visits that are related to workplace safety, health and environmental matters. 	<p>15</p>
<p style="text-align: center;">2</p> <p style="text-align: center;">DELIVERING/ TEACHING</p>	<ul style="list-style-type: none"> ▪ Conduct toolbox talk or internal safety briefing. ▪ Teaching/tutorial of in-house training. ▪ Presentation of topic/paper or media talk show that is related to Safety, Health and Environment. ▪ One to one supervision/mentoring session with the mentee on workplace Safety, Health and Environment. 	<p>15</p>

3 INSPECTION, AUDIT AND REVIEW	<ul style="list-style-type: none"> ▪ Undertake a project related to Workplace Safety, Health and Environmental matters. ▪ Undertake in-house audit/inspection within the organization related to Workplace Safety, Health and Environment. ▪ Undertake external audit/inspection outside the organization related to Workplace Safety, Health and Environment matters (if applicable). ▪ Undertake site surveys and field verification pertaining to Safety Cases development and implementation (as relevant for WSH Officer who is working within a COMAH facility). ▪ Undertake a review of Hazard Identification, hazard register, remedial action plans/legal notices scheduled actions closure, regulatory inspection findings, and incident recommendations closure. ▪ Undertake investigation of incident/accident and unsafe act or unsafe situations/near-miss ▪ Involvement in the coordination and assessment of own emergency desktop and live exercise/drills. 	15
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10. VALIDITY OF REGISTRATION

The certificate of approval for the WSH Officer and WSH Co-Ordinator is valid for **two (2) years** from the date of approval, or such a shorter period as specified by SHENA.

11. DE-REGISTRATION, CANCELLATION OR SUSPENSION

a) DE-REGISTRATION

If the registered WSH Officer has resigned from the existing company or is no longer carrying an active role as a WSH officer or has changed position/role at the existing company, the WSH Officer or the company's focal point, as the case may be, is required to declare and inform SHENA immediately at wshofficer@shena.gov.bn and surrender the Certificate for deactivation by the Authority. There should be a letter of de-registration issued by the employer.

b) CANCELLATION OR SUSPENSION

SHENA may suspend or cancel the approval of the WSH Officer and WSH Co-Ordinator under the following condition:

- Person had obtained or procured his approval by fraud or misrepresentation;
- Person is in breach of any condition subject to which the approval was granted;
- Person is no longer fit and proper to act as a WSH Officer or Co-ordinator; and
- It is in the public interest to do so.

12. PENALTY

Any occupier of a workplace within the prescribed class or description of workplaces specified in the Second Schedule of the WSH (Workplace Safety and Health Officers) Regulations, 2014 who fails to have a WSH Officer appointed is guilty of an offence and liable on conviction to a fine not exceeding \$10,000 and, in the case of a continuing offence, to a further fine not exceeding \$1,000 for every day or part thereof during which the offence continues after conviction.

Similarly, any occupier of a worksite who does not appoint a WSH Co-ordinator as stipulated under the WSH (Construction) Regulations, 2014 is guilty of an offence and liable on conviction to a fine not exceeding \$10,000 and in the case of a continuing offence, to a further fine not exceeding \$1,000 for every day or part thereof during which the offence continues after conviction.

In addition, no person shall act as a WSH Officer or WSH Co-ordinator without the approval of SHENA. Any person found to be acting in such positions without approval from SHENA is liable to a penalty of a fine **not exceeding BND5,000**, imprisonment for a term not exceeding 6 months or both.

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+673 238 2000



www.shena.gov.bn



info@shena.gov.bn



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