

OHS IMPROVEMENT NOTICE

To: Teekay Shipping (Australia) Pty Ltd

In conducting an OHS inspection in relation to the Dampier Spirit facility, I, [REDACTED], a NOPSEMA inspector appointed under section 602 of the Act, am satisfied on reasonable grounds that the person named above as the responsible person is contravening clause 9(2)(f) of Schedule 3 to the Act; at the Dampier Spirit facility.

The reasons for my opinion are:

During a planned inspection, inspectors found that Teekay Shipping Australia Pty Ltd had not taken all reasonably practicable steps to provide all members of the workforce with training necessary for them to carry out their activities in a manner that does not adversely affect the health and safety of persons at the facility.

NOPSEMA inspectors noted that a monthly training competency report had not been issued to the FSO Master and Department Head for approximately 18 months, which is contrary to requirements in the facility safety case; which cites the Teekay Training and Competency Matrix Standard for FSO personnel (SP0613, Revision 4) as the procedure to ensure necessary workforce training is delivered and maintained, and is reviewed monthly for validity, currency and effectiveness. Facility management personnel informed NOPSEMA inspectors that they relied on personnel self-reporting to identify required renewal training to maintain valid qualifications. They also informed NOPSEMA inspectors that they relied on the workforce to advise if they were competent to undertake any of the tasks assigned to them.

At the request of NOPSEMA inspectors, a monthly competency report for July 2019 was produced from the human resources database used by Teekay to manage training. A review of this report against the Teekay Training and Competency Matrix Standard for FSO personnel revealed numerous discrepancies between the requirements of various roles and the actual qualifications held by some individuals in those roles. When inspectors also compared this report against the crew list of personnel aboard at the time of the inspection, they found that a number of people did not have the training or qualifications listed in the safety case as preventative or mitigative control measures for a major accident event. Examples of these discrepancies include, but are not limited to, the following:

- Of the seven people aboard at the time of the inspection who were required to have Helicopter Landing Officer (HLO) training based on their role, only one individual had a current, valid HLO qualification. HLO qualifications and training are identified in the facility safety case as a preventative control measure for a major accident involving a helicopter crash.
- Of the seven people aboard who were required to have an Offshore Crane Operator (OCO) qualification based on their role, only one individual had a current, valid OCO qualification. The certification and training of crane operators is listed in the facility safety case as a preventative control measure for a major accident event involving the lifting of personnel.
- Of the four people aboard at the time who were required to have completed a Paramedic Care course based on their role, not one person had a valid, current qualification. Medical

assistance is listed as a mitigative control measure for nearly all of the potential major accident events identified in the facility safety case.

As a result of this contravention I am satisfied that there is, or may be, the following risk to the health or safety of any person:

- The failure of Teekay Shipping (Australia) to take all reasonably practicable steps to train members of the workforce for their functions and activities, as described in the Dampier Spirit facility safety case, could result in injury or death to personnel at the facility.

You are required to take action within **90** days of the date of this notice to prevent or reduce the risk.

The following action must be taken by the responsible person within the period specified above:

1. Revise the Teekay Training and Competency Matrix Standard for FSO personnel (SP0613, Revision 4) to ensure that the overall policy, responsibilities, monitoring, job planning, supervision, records management, auditing, and management review of training and competency requirements are addressed in the procedure in a comprehensive and integrated way; and
2. Implement the revised Teekay Training and Competency Matrix Standard for FSO personnel (SP0613), taking particular care to ensure personnel with identified responsibilities for implementing and managing the requirements of the procedure are aware of, and acknowledge, those responsibilities; and
3. Put systems in place to ensure all members of the Dampier Spirit workforce are provided with the training necessary for them to carry out their activities in a manner that does not adversely affect the health and safety of persons at the facility; and
4. Put systems in place to ensure that internal audits and management reviews of the Training and Competency systems and processes are carried out at appropriate intervals and that any identified deficiencies are addressed in a timely manner; or
5. Implement such other controls as required to reduce risk to a level that is as low as reasonably practicable.

Signed: 

NOPSEMA Inspector

Dated: 25/09/2019

NOTES: (Please see back of notice)

When the required improvement has been completed, return this part of the notice to the following person at the address below:

Name:



Position:

Inspector

Address:

Send in electronic format via email to:
submissions@nopsema.gov.au

Telephone number: +61 8 6188 8700

Specify the action that has been taken to comply with this notice in the space below.

Improvement Notice No. **0768** has been complied with by:

Signed: _____ Date: _____

NOTES:

1. Under clause 78 of Schedule 3 to the Act, a person who fails to ensure that this notice is complied with, to the extent that it relates to a matter over which the person has control, may be liable to a penalty of 300 penalty units or a civil penalty of 400 units.
2. This notice must be displayed in a prominent place at or near each workplace at which work affected by the notice is being performed and, must not be tampered with or removed before the notice has ceased to have effect.
3. If the notice is not issued by being given to the operator's representative at the facility, the responsible person (unless the responsible person is the titleholder) must cause a copy of the notice to be given to the operator's representative.
4. If the responsible person is the operator or an employer (other than the operator) of members of the workforce, the operator's representative at the facility must give a copy of the notice to each health and safety representative for a designated work group having group members performing work that is affected by the notice.
5. If the responsible person is the titleholder, as soon as practicable after issuing the notice, the NOPSEMA inspector will take reasonable steps to give a copy of the notice to the operator and, if the NOPSEMA inspector is at the facility when the notice issued, the operator's representative at the facility.
6. If the responsible person is the titleholder, but the inspector is not at the facility when the notice is issued, the operator must give a copy of the notice to the operator's representative at the facility.
7. As soon as practicable after issuing the notice, the NOPSEMA inspector will take reasonable steps to give a copy of the notice to, where applicable:
 - (a) the employer of an employee who is a member of the workforce if the notice is issued to the employee, and in connection with work performed by the employee, and
 - (b) the owner of any workplace plant, substance or thing that the notice relates to, unless the owner is the responsible person or an employer referred to in (a), and
 - (c) if the responsible person is the owner of any workplace, plant, substance or thing because of which the contravention has occurred, or is likely to occur: the operator of the facility, and if the employer of employees who work in that workplace or who use that plant, substance or thing is a person other than the operator—that employer; and
 - (d) the titleholder, if the responsible person is the operator, and the contravention relates, or is likely to relate to, the titleholders' well related obligations.
8. Under item 8 of subclause 80A(1) of Schedule 3 to the Act, any of the following persons may in writing request the reviewing authority to review the NOPSEMA inspector's decision:
 - the operator of the facility
 - the titleholder, if the notice is issued to a titleholder;
 - any other person to whom the notice has been issued;
 - an employer, if affected by the decision;
 - a relevant health and safety representative;
 - a relevant workforce representative, if requested by a member of the workforce affected by the decision;
 - a person who owns any workplace plant, substance or thing to which the NOPSEMA inspector's decision relates.
9. An improvement notice ceases to have effect when the responsible person takes the action specified in the notice.