



**Work Health & Safety
Due Diligence and
Corporate Governance
Services**

AON



Every organisation faces workplace health and safety related strategic, operational and risk management challenges.

The ongoing expansion of industrial manslaughter legislation throughout Australia, including rising due diligence obligations for officers and senior managers, is driving organisations to prioritise WHS system and process improvements.

The expansion of Industrial manslaughter laws drives home the need for officers and senior managers to more actively and inquisitively oversee all aspects of workplace health and safety across the organisation. Failing to do so now exposes both the officer as an individual and the organisation to substantial penalties and legal risks, including prosecution.

So, it's essential for board members, executives, senior managers, and other business officers to understand due diligence obligations and how to effectively discharge them.

Aon's expert WHS Solutions team can help to uncover actionable WHS insights, build officer knowledge, build resilience, and enhance internal capability and systems, so you can confidently manage WHS risk as your organisation evolves. We focus on innovation to drive outcomes, not just compliance.

How Aon can help

Many organisations require external support to help them meet their corporate responsibility to mitigate risk.

Aon offers a clear and informed perspective that can help organisations establish more robust internal controls, make better use of data, streamline regulatory compliance reporting and management activities, and improve performance.

Aon's due diligence and corporate governance services include*:

- WHS corporate governance and due diligence reviews, including a company led evaluation using our due diligence diagnostic methodology and a report that draws on anonymous employee feedback, explains outcomes and recommends improvement priorities
- Governance systems design and development
- Internal and external audit programs
- Executive education and workshops
- Insurance solutions

* Please note Aon does not provide legal advice

Aon's Approach

Using an evidence-based framework, Aon will review, assess and leverage your governance practices to determine whether officers are well positioned to fulfil their due diligence obligations.

Aon can also evaluate your organisation's due diligence maturity by analysing:

- Corporate WHS strategy and planning
- Officer knowledge
- Statutory obligations
- WHS performance management
- Monitoring and verification

WHS corporate governance and due diligence reviews

Demonstrating due diligence involves more than good executive and board reporting. Officers' due diligence obligations require business owners, boards and executives to ensure they make the right decisions managing workplace health and safety. To do this, they must have the knowledge to make informed decisions, ensure appropriate systems and processes are in place, understand how the business operates and the relevant risks or hazards.

Internal and external WHS audit programs



We provide an independent review of your safety processes and performance, taking into consideration both international standards and local expectations, which align to self-insurance and regulator requirements.

Services include:

- Health and safety systems design and integration
- Gap analysis, audits, diagnostics and evaluation
- Self-insurance assessments and preparedness
- ISO 45001 and National Audit Tool (NAT)
- Certification preparation

Governance systems design and development



Our approach takes into account the technical nature of processes and how best to engage with the business when implementing.

Services include:

- Comprehensive corporate governance system diagnostics, recommendations and implementation
- Risk management system and process improvements, including setting risk appetite, identifying and assessing risks and elaborating risk management measures
- Code development for WHS corporate governance and other internal documents,
- Improvement of processes at subsidiaries
- Help meeting regulatory requirements at Australian and foreign stock exchanges
- Comprehensive advisory services on information disclosure issues

Insurance Solutions – WHS, Statutory Liability, and Environment Incident Response Coverage



Working closely with insurer Liberty Specialty Markets (Australia), Aon combines Workplace Health & Safety, Statutory Liability, and Environment Incident Response insurance cover into a single WHS insurance policy.

The WHS policy arranged by Aon does not require a formal notice of investigation from a regulatory authority before the policy will respond and begin paying costs. Instead, the policy is triggered as soon as a serious workplace injury, fatality, or a threatened or actual action occurs.

The WHS policy gives policyholders immediate access to legal costs for the investigation or defence of any notifiable incident, workplace fatality or other action taken by a regulator. The policy recognises the importance of engaging a WHS lawyer as soon as possible to ensure legal advice is available without delay.

Key features:

- The Insured has direct access to a WHS qualified lawyer with discounted rates pre-negotiated by the Insurer;
- The policy covers all parties that need protection, including the company itself, employees, directors and officers, volunteers, secondees, persons on work experience, and contractors (all “workers”);
- The defence and settlement provisions have been carefully crafted by Aon with the Insured’s reputation in mind. The policy allows the Insured to defend an action even where the Insurer disagrees with that course of action, though in the event of an unsuccessful defence the Insurer’s liability will be capped at the amount for which the claim could have been settled; and
- The WHS section provides cover for all legal and related costs with respect to an incident for both the individuals involved and the company. The costs of investigation and defence can make up more than 80% of the total cost of a claim.

Environmental Incident Response Extension



In collaboration with Liberty Specialty Markets, Aon’s enhanced Workplace Health & Safety product offers policyholders an optional Environmental Incident Response Extension.

Coverage for†:

- Costs to investigate and clean up unexpected pollution;
- A potentially broader response to pollution than General Liability or Property insurance policies - coverage is not limited to sudden pollution occurring at a single place and time, and insurable civil penalties are indemnified;
- The Insured’s costs of defence;
- Compensation to third parties who have been injured from the pollution event, including their legal costs;
- Indemnity for the costs of engaging a public relations or crisis management firm to manage adverse media attention relating to a pollution incident.

†Subject to policy terms, conditions and limits

Executive education and workshops



Much of the success in a well-executed WHS plan lies in the abilities of leaders, managers and employees. Aon offers a variety of WHS training and bespoke courses to provide your people with the appropriate tools and knowledge.

Course material covers:

- The purpose and application of WHS legislation and its contents
- Due diligence requirements of WHS legislation
- Industrial Manslaughter and WHS harmonisation legislation
- How to discharge Officer due diligence obligations

Why Aon

At Aon, our national team of Work Health and Safety practitioners are dedicated to helping reduce risks of injury in your work environment, to create a more efficient workforce through increased productivity, business results and strengthened reputation.

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