



B. PRE-PRODUCTION

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1. BASIC RESPONSIBILITIES

Everybody who engages, directs, manages, or controls the work of other people during the making of a production is a PCBU with legally enforceable WHS duties of care to manage health and safety risks.

The PCBUs with duties of care will vary according to the scale of the production. The Producer of the production and the Directors of the Production Company are ultimately responsible under WHS laws if they make or influence the significant financial or operational decisions of the business. They must exercise 'due diligence' to make sure the business meets its duties to protect workers and other persons against harm to health and safety. These duties will be shared and delegated according to the budget and number of personnel, but the producer will always retain overall responsibility for the health and safety of all workers on the production.

On smaller scale productions such as documentaries where there are no Assistant Directors or Safety Supervisors, the Producer will be the PCBU with responsibility for safety of all workers on the film. On larger scale productions responsibility for safety on set or location usually rests with the First Assistant Director (1st AD).

As tasks are delegated other personnel, mostly Heads of Department, will also have a duty of care for the workers they manage. The duty of care is often shared. For example, this means that a Production Manager will have a duty of care to ensure a safe workplace for the Production Co-ordinator, secretaries, runners and any other production staff, the Production Designer will have a duty of care for all of the Art Department staff, and so on. Each Head of Department will have a duty of care and it will be shared with the Producer who is responsible for the entire production.

Production Companies should have their own WHS Safety Policy for the business. This should cover ongoing workers and workplaces including script workshop activities. The policy should be communicated to all staff. A qualified Safety Consultant can advise how to set up a company policy that is compliant with state and federal WHS Laws. Company policies can be modelled to include safety information and procedures for multiple productions. However, each individual production will also need to be assessed for risk using the procedures set out in this manual or procedures set out in the production company's WHS policy.

Safety appraisal essentially falls into two areas – measures covering the risks associated with ordinary reasonably generic operational production workplaces involving production offices, sets, location units and the like; and measures taken to address risks specific to the content that is being filmed in the production at hand.

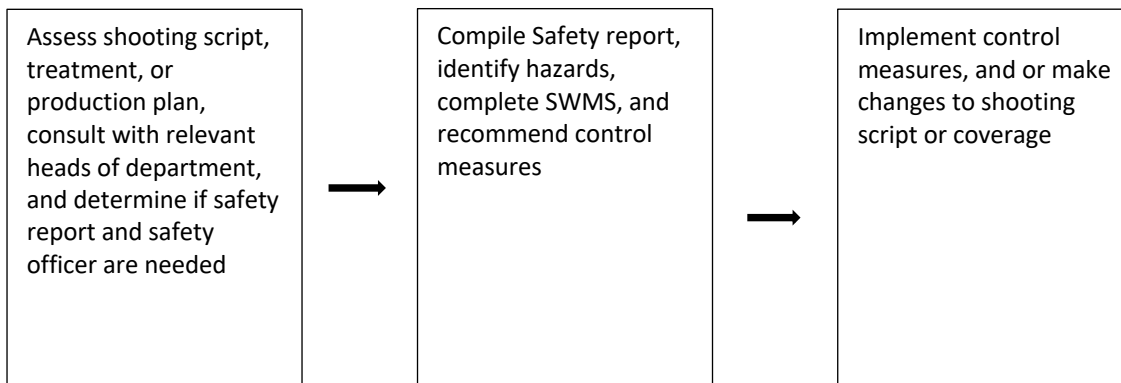
Production Company WHS policies can include procedures for assessing risks in operational production workplaces. Guidance for issues that commonly arise can be found in the sections Production Departments and Work Practices. Producers also need to ensure that each location is assessed for risk. If the production has engaged a Location Manager, they can assess the risks in consultation with relevant Heads of Department. A Location Safety Report template can be found in Section H – Checklists and Forms.

For risks specific to the content that is being filmed, the first task for each responsible person is to do a risk assessment of the work to be undertaken. If it is a scripted production this will begin with an assessment of potential hazards that may arise from the script. If it is a factual or entertainment program this will begin with an assessment of the treatment or production plan. Key considerations are what is to be filmed, where the filming will take place, and how the director or cinematographer intends to cover the material. Consultation is therefore vital, particularly with the Director and Cinematographer on how they would like to film the material. The

Producer, Line Producer, Production Manager, or First Assistant Director need to assess whether a Safety Supervisor / Officer and a Safety Report is required.

If the Safety Report identifies high risk activities, the relevant departments responsible will then need to fill out a safe work method statement (SWMS) that details the risk and recommend what control measures should be applied. If there is no Safety Report the producer needs to ensure that Heads of Department identify any risks. On days involving high risk activities all workers should receive a safety briefing with an explanation of the risks and control measures prior to filming.

3 Step Process for Production Risk Management



2. SCRIPT ASSESSMENT AND SAFETY REPORT

The producer should ensure that a Safety Report is compiled by a suitably qualified Safety Supervisor, Officer or Consultant. The primary focus of this report is to identify hazardous action directly relating to the shooting script, story board, or production plan:

- Attention should be given to scenes and or sequences involving hazardous action including but not limited to: firearms, pyrotechnics, special effects, stunts, vehicles, children, intimacy, nudity, audiences, crowd scenes, animals, maritime filming including boats, swimming, and diving, aerial filming or drones, and construction;
- Potentially hazardous activities should be the subject of detailed risk assessment at the pre-production stage with SWMS to be completed; and
- The person/s preparing the Safety Report should be familiar with federal, state and territory WHS regulations covering the risk assessment process.

A Safety Report should:

- Recommend the sequences for which a specialised person is required;
- Stipulate control measures and procedures to be followed to mitigate safety risks;
- Detail areas that require either a specialist in attendance or specialist personnel (e.g. Safety Supervisor, Armourer, pilot, stunt coordinator, medical personnel, traffic control, police, fire brigade, veterinarian, mechanic, etc.);
- Include relevant details of location surveys, including terrain, buildings, etc.;
- Advise the production company on the safety requirements of known equipment: plant and or machinery, vehicles, props, crew vehicles, etc.;
- Include emergency services contacts if appropriate; and
- List necessary safety equipment.

Ideally consultation should take place between the Safety Supervisor, Officer or Consultant and the First Assistant Director and Production Manager for drama productions and Director, Cinematographer and Producer for documentary productions. On receipt of the Safety Report the Producer and Heads of Department should ensure that control measures are implemented, or necessary adjustments made to the script or shooting plan.

3. PRE-EMPLOYMENT HEALTH DECLARATION

Employers are entitled to request that employees complete a pre-employment health declaration to ensure that the employee is fully able to perform the inherent requirements of the role and that no person is placed in an environment or given tasks that will result in physical or mental harm. State and federal legislation may require employees to disclose to their employer any pre-existing injuries or disease, or existing injuries or disease that could be affected by the nature of the proposed employment. Failure to make a disclosure, or the making of a false or misleading disclosure, may disentitle an employee to compensation. Employers must treat health declaration forms confidentially and keep records in a secure place. A template example of a health declaration form can be found in Section G – Checklists and Forms.

4. EXISTING MEDICAL CONDITIONS

Employees with existing medical conditions that require or may require medication must ensure that their employer is aware of their condition. Employees with existing medical conditions are responsible for bringing their own medication to set, such as EpiPen's, inhalers, or another medical requirement.

Employees with an action plan for asthma/anaphylaxis/allergies or any other medical condition, are responsible for bringing a copy of the plan to set or place of filming. A copy of the action plan should be given to the unit nurse. If there is no unit nurse, then it is recommended that a copy be shared with a trusted crew member by the holder of the certificate.

5. FIRST AID

Safe Work Australia publishes a model Code of Practice on first aid in the workplace, approved under section 274 of the Work Health and Safety Act (the WHS Act). The code can be found here:

<https://www.safeworkaustralia.gov.au/doc/model-code-practice-first-aid-workplace>

First aid requirements will vary from one production to the next, depending on the nature of the production, the types of hazards, the set or location, as well as the number of people at the workplace.

All workers must be able to access a first aid kit. In the event of a serious injury or illness, quick access to the kit is vital. First aid kits should be kept in a prominent, accessible location where they can be retrieved quickly. Recommendations for the contents of the first aid kit can be found in the Safe Work Australia model code of practice.

6. FIRST AID SERVICES

A risk assessment and or consultation with a Safety Supervisor, Officer of Consultant will help determine the extent of First Aid services required. The following should be considered:

- Registered nurse/s, paramedic/s, enrolled nurse/s and other appropriate first aid personnel (for example, surf lifesavers, underwater rescue divers, etc.) should be engaged as appropriate to address the risks identified in the Safety Report for the production.
- Qualified medical personnel (typically a qualified registered nurse) should be on set always when stunts and/or special effects and/or hazardous filming are carried out.
- Other appropriate Medical Personnel may also be required having regard to the risks identified in the Safety Report.
- Where a potentially dangerous stunt or special effect is being performed, an ambulance should, if available, be in attendance on set.
- Where an ambulance is unavailable, a suitable means of transporting injured person(s) to hospital should be provided.
- In all other circumstances, medical and/or first aid personnel shall be engaged having regard to the requirements of the production, consideration being given to matters such as:
 - The numbers of personnel who will be working on the day;
 - Production requirements, e.g., rigs, working with animals;
 - Location considerations, e.g., filming on/in/near water, heights, remote area locations, working outdoors in heat/cold;
- Babies and children: nurses/baby care professionals as relevant shall be engaged in a ratio in accordance with relevant legislation but, where legislation is silent on the issue, the following guidelines are recommended as a minimum: The producer should ensure that no supervisor supervises at any one time more than:
 - Two children, if any of the children are under three years old, and
 - Five children, if any of the children are between three and five years old, and
 - Ten children, if the children are more than five years old, and if the baby is twelve weeks or under, a baby care professional should be engaged for each baby.

7. FIRST AID FACILITIES

A risk assessment and or consultation with a Safety Supervisor, Officer of Consultant will help determine the type of first aid facilities needed. Access to a telephone for contacting emergency services or an emergency call system should be provided as part of first aid facilities. A first aid room should be established at the workplace if a risk assessment indicates it would be difficult to administer first aid unless a first aid room is provided.

Recommendations for the provisions of a first aid room can be found in the model Code of Practice published by Safe Work Australia at: <https://www.safeworkaustralia.gov.au/doc/model-code-practice-first-aid-workplace>

Safe Work Australia recommends a first aid room for:

- low risk workplaces with 200 workers or more, or
- high risk workplaces with 100 workers or more.

8. DRUGS AND ALCOHOL

All workers have a duty to take reasonable care for their own health and safety and ensure they don't adversely affect that of others. This means they must be fit and well enough to do their job, not be under the influence of alcohol or drugs, or use alcohol or illegal drugs while at work. Employers need to develop a drugs and alcohol policy for their workplace. Further advice is available from Safe Work Australia:

<https://www.safeworkaustralia.gov.au/drugs-alcohol>

9. COMPETENCY, TRAINING, AND CERTIFICATION

Producers and Heads of Department need to ensure that workers under their instruction have the necessary knowledge and skills to undertake the tasks they are given. It is the responsibility of the PCBU to make sure workers have the necessary licenses or are given competency-based training to ensure safety. This is particularly the case for cast. For example, actors may require training in the use of tools if they are playing roles in construction, or learn to ride horses, operate equipment and so on. The PCBU should ensure that all trainers are appropriately qualified. The risk assessment process should reveal where competency training is required.

10. INSURANCE

Workers compensation insurance is required by law and is dealt with in Section G. Production companies should also take out Public Liability Insurance to provide cover against claims for physical loss or damage caused to a third-party resulting from the production. Various forms of insurance are often a condition of investment particularly from government agencies. Film production is complex and costly and occurs under time pressure with productions often engaging a mix of employees and contractors in a variety of trades. Under these circumstances appropriate insurances are a prudent measure. There are several insurance brokers who specialise in the screen industry who can advise on appropriate packages.

11. RECORD KEEPING

WHS Laws require appropriate records to be kept. These can include but are not limited to:

- risk assessments and safe work method statements (swms);
- incident reports;
- health monitoring results;
- inspections and modifications to registered plant;
- training and licensing records; and
- PCBU's must make sure they are aware of and comply with the state requirements and that the records are accessible and available when required.

It is recommended that producers keep records of:

- the identified hazards, assessed risks and chosen control measures. This includes any hazard checklists and forms, worksheets, and assessment tools you used;
- hazards, incidents, near misses and injuries that your workers tell you about;
- how and when the control measures were implemented, monitored, and reviewed;
- who you consulted with;
- training records, currency, and refresher requirements;
- any proposed plans for change in your workplace;
- notes from consultation with your workers; and
- information gathered from suppliers or manufacturers.