### What is ‘reasonably practicable’?

Workplace health and safety is everybody's business, and we all have a role to play in keeping our workplaces healthy and safe.

A key principle of the Work Health and Safety Act is the management of risks.

A person conducting a business or undertaking, known as a PCBU, must do what is 'reasonably practicable' to ensure health and safety in the workplace. As such, there is a duty to eliminate health and safety risks, so far as is reasonably practicable.

If they can't do that, then they need to minimise the risks, so far as is reasonably practicable.

The standard of 'reasonably practicable' in health and safety duties only applies to a PCBU.

So what does this mean for PCBUs?

What does, so far as is ‘reasonably practicable’ mean?

What is ‘reasonably practicable’ is an objective test, meaning that the duty holder must meet the standard of behaviour expected of a reasonable person in the duty holder's position, and who is required to comply with the same duty.

If something did go wrong in the workplace, then questions might be asked about:

What would a person be reasonably expected to know in the circumstances?

What would be reasonably foreseeable in the circumstances?

Let's explore this concept further.

There are two elements to what is ‘reasonably practicable’.

Firstly, what can be done?

After assessing the risks, a duty holder must consider what is possible in the circumstances to ensure health and safety.

Then, they must consider, whether it would be reasonable in the circumstances, to do everything that is possible.

What needs to be considered when assessing these?

When determining if something is ‘reasonably practicable’ to ensure health and safety, you need to take into account and weigh up all relevant matters, including, the likelihood of a hazard or risk occurring, the degree of harm that might result if the hazard or risk occurred, what the person concerned knows, or ought to reasonably know, about the hazard or risk, and ways of eliminating it or minimising it, the availability and suitability of ways to eliminate or minimise the risk, the cost of eliminating or minimising the risk, and the way in which workers interact with equipment and processes, to ensure that tasks are performed as designed.

Costs may only be considered after assessing the extent of the hazard or risk, and the available ways of eliminating or minimising the risk.

The costs of implementing a particular control may include the cost of purchase, installation, maintenance and operation of the control measure and any impact on productivity as a result of the introduction of the control measure.

A calculation of the costs of implementing a control measure should also take into account any savings made from fewer incidents, injuries and illnesses, and potentially improved productivity and staff turnover.

Cost will not ordinarily be the key factor in determining what is reasonably practicable, unless it can be shown that the cost of eliminating the risk is grossly disproportionate to the risk.

If the degree of harm is severe, in other words if the risk could result in serious injury or death, it is unlikely that the cost of implementing available and suitable measures would outweigh the benefits of doing so.

In some circumstances, it may be more reasonable to eliminate the risk by ceasing the work all together.

In summary, for something to be considered reasonably practicable, first, you will need to determine what can be done to eliminate or minimise the risk. Then, you can, consider what is reasonable, by assessing the likelihood of the risk, the degree of harm the risk might cause, what is known or ought to be known about the hazard or risk and the ways of eliminating or minimising the risk, the availability and suitability of ways to eliminate or minimise the risk and finally, the cost of doing so.

Remember, although cost is a relevant factor, there is a clear presumption in favour of safety ahead of cost, and cost is only considered after all other factors.

If the risk of harm to health is that there could be a serious injury or death, costs are unlikely to be taken into account when determining whether a measure is reasonably practicable.

For more information on work health and safety, visit the DMIRS website, at [www.dmirs.wa.gov.au/whs](http://www.dmirs.wa.gov.au/whs). You can also find us by searching for WorkSafeWA on Twitter, Facebook and LinkedIn.

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