



16 July 2026

Ms Marie Boland
Chief Executive Officer
Safe Work Australia
GPO BOX 641
Canberra ACT 2601

via email: chemicals@swa.gov.au

Dear Ms Boland,

Consultation on the regulation of welding processes

The Australian Small Business and Family Enterprise Ombudsman (ASBFEO) welcomes the opportunity to make a submission to Safe Work Australia's (SWA) consultation on proposed approaches to improve the regulation of welding processes to better protect workers and others in the workplace from welding-related hazards.

Small businesses play an important role in supporting Australia's manufacturing, construction, infrastructure and maintenance sectors. According to Weld Australia, approximately 94% of businesses operating within the welding and fabrication industry employ fewer than 20 people, so it is essential that workplace health and safety (WHS) obligations are designed and communicated with the administrative capacities and operating realities of small businesses in mind.

Small businesses generally endeavour to comply with their WHS obligations. However, unlike larger organisations, they often lack dedicated WHS, legal or compliance specialists to help them interpret and implement regulatory requirements. Small business owners commonly perform multiple roles within their business, including management, administration, human resources, finance and WHS responsibilities. In contrast, larger organisations typically have dedicated teams and specialist expertise to interpret, monitor and implement regulatory changes and oversee compliance.

Comments on proposed approaches

While WHS obligations apply regardless of business size, the administrative capacity of small business should be taken into account when considering how requirements are designed and communicated, and how businesses can be supported to meet compliance.

We note in the consultation paper that many welding-related hazards are already addressed in existing WHS duties and the model *Code of Practice: Welding Processes*, and that previous SWA consultations have found the problem to be a low level of small business understanding of, and compliance with, these obligations. This includes the prevailing view that the model Code is only a guide, without appreciating its role in demonstrating compliance with the obligations.

Given this context, the ASBFEO considers that the effectiveness of existing obligations, including whether there are any gaps in coverage, should be fully assessed before considering whether new regulations would lead to improved safety outcomes. If this requires updates to the model Code and guidance materials to ensure they are fit-for-purpose, this should be prioritised to minimise regulatory complexity and avoid unnecessary overlap.



To improve small business awareness and understanding of existing WHS obligations, the ASBFEO encourages practical support that includes clear and accessible tools and educational resources.

Practical support and educational resources

Many small business owners build their expertise through hands-on industry experience rather than formal training in WHS, employment law or compliance. For this reason, guidance is likely to be most effective when it goes beyond describing obligations and includes tools and resources that support day-to-day implementation.

ASBFEO recommends that SWA review the model Code and guidance and make any updates that ensure they are clear, concise and actionable, with a strong focus on what small businesses need to do and how they can do it in practice. Additionally, SWA could consider developing a small business support package that includes:

- risk assessment templates
- ventilation assessment guidance
- toolbox talk materials
- worker induction resources
- incident reporting and record-keeping templates
- multilingual training materials and visual safety resources
- maintenance and inspection schedules.

Resources should be developed with clarity and accessibility in mind, including consideration of varying literacy levels, cultural and linguistic diversity, and the practical constraints faced by small businesses.

The ASBFEO also encourages SWA to explain the broader business benefits of effective WHS management. In small businesses, workplace culture often reflects the values and experiences of the owner. Guidance that demonstrates how safe work practices can protect workers, reduce downtime, support staff retention, improve business reputation and contribute to new commercial opportunities may help increase engagement and adoption.

Raising awareness and encouraging uptake

Raising awareness of available resources will be critical to improving safety outcomes in the welding industry. In the ASBFEO's experience, small businesses are more likely to engage with information delivered through trusted networks and industry channels than through regulatory publications alone.

SWA should consider leveraging local chambers of commerce, council-run business networks, multicultural chambers of commerce and trusted advisers (such as accountants, industry associations or business mentors) to improve the reach and uptake of updated guidance and educational resources.

This approach would improve safety outcomes while recognising the capability and resource constraints faced by many small businesses. It would also allow SWA to monitor adoption rates, gather evidence on effectiveness, and evaluate whether additional regulatory intervention may be warranted in the future.



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If you require any further information, please do not hesitate to contact the Policy and Advocacy Team at advocacy@asbfeo.gov.au.

Yours sincerely

Lynda McAlary-Smith

Australian Small Business and Family Enterprise Ombudsman