

NSW MEMBER ADVISORY: INCREASED COMPLIANCE CHECKS BY NSW POLICE



INTRODUCTION

Given the increased emergency related powers granted by NSW Government, the NSW Police have additional powers to attend business premises to make inquiries or investigate potential COVID related breaches and compliance checks. Effectively, this includes the power to direct a person to answer questions in relation to their inquiry about a potential breach or compliance issue. Further, those expanded powers permit the NSW Police to require a workplace be closed if they determine a serious breach has occurred. A failure to comply with a lawful direction is an offence that may attract a fine or a court attendance notice if the obstruction is more serious.

NSW Police have advised they will be focusing on complaints made against businesses or where they notice a potential breach of current public health orders. When Police enter premises under these provisions, they are allowed to remain on the premises **only for as long as is reasonably necessary** in the circumstances.

RECOMMENDED STEPS AND PROTOCOLS

Given most member premises are currently not open to the public, or have reception areas that may be currently empty of staff, members should consider having signage that refers the visitor (in this case a Police Officer) to contact a specific manager to attend to their inquiry. That manager should be briefed on this potential issue and have capacity to answer any such inquiry made.

If your business does receive a visit or contact from NSW Police, we recommend your business be able to evidence the following to satisfy their inquiries:

- > A brief explanation of the business and that it is permitted to be open as an authorised services supply chain provider.
- > Your COVID Safe Plan should be evidenced, and that it is registered and up to date.
- > The mandatory QR code check-in system at the entrances to the premises is displayed and being used.
- > Employees have, and are using, face masks where necessary and or adequate distancing practices are in place.
- > Any employee onsite from one of the eight (8) LGAs specifically is an authorised worker.
- > That the company has a clear communication plan with employees to ensure appropriate safety levels are maintained.
- > Ensure your COVID Safe signage throughout the foyer and remainder of the site is clear and visible.
- > No unnecessary access is available to the site under the current restrictions.

If a Police officer does attend the workplace, we also recommend:

- > Obtaining the officers details and keep notes of any discussions held with an officer.

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- > Ask the officer for a clear explanation, written, if possible, of any alleged breach or their inquiry.
- > If in doubt about any question put to you, advise the officer that you will need to obtain further information and get back to them with an answer. Confirm the response time expectation and have the officer sign this off.
- > You are not required to offer more information than is required, simply answer the questions from an officer.

Should you have any related questions, please contact Charles Watson, GM – IR, Policy and Governance at the Collective on 0428 568 032 or charles@thermc.com.au to discuss.