

# Raising the Standard – Improving standard distribution in Australia

ACTU Submission to the Standards Australia Distribution and  
Licensing Framework Review.

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## Introduction

The ACTU welcomes the opportunity to provide input into the Standards Australia Distribution and Licensing Policy Framework Discussion Paper. Australian unions have long supported, and contributed to, the development, dissemination and uptake of standards and have for many years believed that the exclusive distribution model both restricts access to standards for those that require them and has significantly reduced standard uptake. The commitment from Standards Australia to increase the accessibility of standards through innovative products and to consider a distribution model that facilitates access to high quality standards is greatly encouraging.

Standards play an important role in providing guidance to employers, workers and their unions about the safe performance of work. Unlike many other users of standards, unions do not receive any commercial benefit through their use of standards. Moreover, the use of standards by unions to enforce and encourage safe work practices drive demand for standards. As such unions are an important partner in ensuring the public good role of Standards Australia and should be considered in any changes to the distribution model.

## Responses to questions arising from the Discussion Paper

### **Do you agree with Standards Australia's broad objectives? Are there other broad objectives that should be considered by SA's Board?**

The ACTU has no specific objections to the broad objectives outlined. However, as we will go into further detail in later questions, it is our belief that Standards Australia should acknowledge the importance of the public-good delivered by standards. While we fully understand the need to ensure that the standards system remains sustainable, we believe it would be appropriate for the broad objectives of the project to include some reference to the maintenance, and indeed primacy, of that public-good role.

### **Do you support a non-exclusive model for the distribution of standards content in Australia?**

As we are sure has been a common experience, Australian unions have found the exclusive model of standards distribution to be too restrictive, expensive, time-consuming and generally difficult to operate under. While it may be more enjoyable to believe that this is due to the particular attitudes of the previous exclusive rights-holder, we are of the opinion that this is likely to be the outcome of any exclusive model. A non-exclusive model then must be considered an improvement and is, on that basis, supported by the ACTU. We must however state that our true preference would be for Standards Australia to be adequately resourced by Government such that standards could be distributed without cost to the end-user. We recognise however that the creation of such a model is beyond the scope of this consultation.

### **How do we encourage new innovators to engage with standards content to deliver new solutions and customer offerings?**

The ACTU believes some of this encouragement will not be needed as there are a number of improvements that can be made to the current service offering that are immediate and obvious. For instance:

- Standards are poorly indexed. There is no way, for example, to see all the standards which relate to the healthcare industry at once because the relevant standards are not indexed to the industry to which they apply. We would expect this to be addressed fairly quickly and as a matter of course.
- The ability to purchase enterprise licences to particular standards, as opposed to the flawed concurrent-users model currently in place, also seems like a logical innovation that should require little encouragement to occur.

### **How do we ensure third party developed innovative products are good quality and fit for purpose?**

While the development of an accreditation model seems the only logical response to the issues raised here, this question is entirely sensible but seems to make an assumption that the ACTU is not entirely clear on. If, as expressed in the Melbourne consultation session, Standards Australia is not considering endorsing third party products (taking some legal responsibility that they actually meet the standard in question), its not clear what incentive a third-party developed product would have to submit itself to Standards Australia's oversight? Is there some current restriction, of which we are not aware, on any organisation developing a checklist or an app which, while containing none of the copywrite material from the standard, purports to conform to the standard? If no such restriction exists now, why would it exist in the future?

### **How do we ensure we strike the right balance between facilitating innovation by third parties and maintaining the financial sustainability of Standards Australia?**

Once again, this question shows a, perhaps understandable, preoccupation with financial viability while ignoring the public-good role played by standards. The ACTU would be deeply concerned if we perceived that the drive for innovation and new service models was occurring at the expense of what we consider to be the primary purpose of Standards Australia – the production of high-quality standards that serve the public good.

### **How can SA ensure that distribution activities do not negatively impact its public benefit role in standards development?**

The ACTU believes that Standards Australia should be more broadly concerned with the impact that distribution may have on its public benefit role. For example, under the current system the

ACTU receives access to standards free of charge. We derive no commercial benefit from this arrangement and the distribution of standards to our members creates safer workplaces and, as workers demand their employers adhere to standards, drives demand for standards within the market. We would be disappointed to see changes made as part of this project which reduced or removed free access to standards for organisations, like unions, who derive no commercial benefit from their use and who actually increase the uptake of standards within industry. Further, we believe that distribution platforms and technology exist that will ensure organisations, like unions, do not abuse this right.

Furthermore, efforts to develop commercial favourable products should not detract from the development of standards that serve the public interest but for which less commercial value can be received.

### **How can Regulated Standards be made more accessible to the end user while maintaining the financial sustainability of the standards ecosystem?**

Regulated standards certainly play an important role and access to them by their end user is an important consideration. However, it must be acknowledged that there are a number of standards that are not regulated but which are nonetheless referred to in OHS regulation or are considered essential for safety purposes in some industries. We believe that Standards Australia should broaden its concern in this area from purely regulated standards to include these non-regulated but still essential standards. Access to these standards, as with regulated standards, should be considered of primal importance – above even the financial sustainability of the market for these particular standards.

### **In summary**

The ACTU believes that the opportunity presented by a new distribution framework can, with careful consideration, provide an opportunity to increase access to standards across the Australian economy and ensure that the uptake of standards continues to improve. The issues raised in our responses to the discussion paper should be taken not as criticism but as an indication of the seriousness with which we approach standards and the ability of our members to access them.

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