



## Work Health and Safety Policy

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### NQS

QA2	2.2.1	Supervision - At all times, reasonable precautions and adequate supervision ensure children are protected from harm and hazard.
QA3	3.1.2	Upkeep - Premises, furniture and equipment are safe, clean and well maintained.

### National Regulations

Regs	168	Policies and procedures are required in relation to health and safety
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### Aim

We aim to do everything possible to protect the health, safety and welfare of all educators and other people who may be affected by our operation including our children and their families.

### Implementation

#### Duty of Care

The Approved Provider and Director will ensure she takes all reasonable steps to ensure the health and safety of all educators, staff, volunteers, children, their families and any other people impacted by the service operations. This includes identifying and eliminating or reducing all reasonably foreseeable hazards and providing appropriate training and instruction. Our educators, staff and volunteers will also ensure they take reasonable care for their own health and safety and that their conduct does not adversely affect the health and safety of other people.

#### Consultation, Cooperation and Coordination

Our service will share information about health and safety matters with educators, staff, and volunteers and encourage them to express their views or raise issues. We will involve our Health and Safety Representative in the consultations.

Our service will consult with educators, staff, and volunteers when:

- identifying hazards and assessing risks arising from work
- proposing changes that may affect the health and safety of workers
- carrying out activities prescribed by the Work Health and Safety Regulation.

Our service will also consult with educators, staff, and volunteers when making decisions about:

- ways to eliminate or minimise risks
- the adequacy of their facilities

- consultation procedures
- resolving health and safety issues
- monitoring their health and safety or the safety of workplace conditions
- how to provide health and safety information and training.

Consultation with our educators, staff, volunteers and health and safety representatives means:

- relevant work health and safety information is shared
- they have a reasonable chance to express their views
- they are given a reasonable opportunity to contribute to the decision-making process
- their views are taken into account
- they are advised of the outcome of the consultation in a timely manner.

Our educators, staff, and volunteers are entitled to:

- elect a health and safety representative
- request the formation of a health and safety committee
- cease unsafe work
- have health and safety issues resolved in accordance with an agreed issue resolution procedure
- not be discriminated against for raising health and safety issues.

### **Health and safety representatives**

Our educators and staff can elect Health and Safety Representatives (HSRs). If a request is made for a HSR, our Approved Provider/Nominated Supervisor will:

- commence negotiations with workers about the number of HSRs and any deputy HSRs, and which workers will be represented by the HSRs (in groups called work groups) within 14 days. Workers from multiple services can be part of the same work group.
- give all educators and staff the chance to nominate as a HSR and to vote in an election if there is more than 1 candidate.
- notify workers of the outcome of the negotiations as soon as possible.

The Approved Provider/Nominated Supervisor must keep a current list of all HSRs and deputy HSRs and display a copy at the workplace. The list must also be given to Work Health and Safety Regulator.

A HSR can:

- inspect the workplace of their work group
- accompany a workplace health and safety inspector during an inspection
- be present at an interview with a worker that the HSR represents (with their consent) and the Approved Provider/Nominated Supervisor or an inspector about health and safety issues
- request a health and safety committee be established
- monitor compliance measures by the Approved Provider/Nominated Supervisor
- represent the work group in health and safety matters
- investigate complaints from members of the work group
- inquire into any risk to the health or safety of workers in the work group
- request the assistance of any person, including a union, whenever necessary.

- issue Provisional Improvement Notices in the form and manner prescribed in the legislation (these Notices must be adhered to and displayed)
- direct workers to cease unsafe work where the HSR considers there is a serious health and safety risk if consultations the Approved Provider/Nominated Supervisor do not resolve the issue.

Our service will ensure HSRs:

- is never prevented from carrying out any of their duties
- is able to give people assisting them access to the workplace
- can take paid leave to attend to their health and safety duties
- can take paid leave to attend an initial work health and safety course or annual refresher training approved by the regulator within 3 months of their request to attend. We will pay the course costs and reasonable expenses
- can access any resources, facilities and assistance that they reasonable require to undertake their duties.

HSRs are elected for 3 years unless they leave the work group, are disqualified, resign or the majority of workers they represent agree they should not represent them. They are not personally liable for anything done, or not done, in good faith while carrying out their role.

### **Health and Safety Committees**

A Health and Safety Committee (HSC) can facilitate cooperation between the Approved Provider and educators, staff and volunteers in developing and implementing measures to ensure health and safety at our service.

At least 5 of our educators, staff, and volunteers, or our HSR, can request the establishment of a HSC. We will establish a HSC within 2 months of a request. We can also establish a HSC without a request. At least half the members of a HSC won't have been nominated by the Approved Provider /Nominated Supervisor. A HSR can consent to be a member of the committee.

Our service will ensure:

- a HSC has access to any information related to workplace hazards and the health and safety of workers, except for personal or medical information which would identify individual workers.
- a HSC meets at least once every three months or at any reasonable time at the request of at least half of the committee members
- HSC members are able to take paid leave to comply with their health and safety duties.

### **Notification of Death, Serious Injury or Illness**

The Approved Provider/Nominated Supervisor must notify Work Health and Safety Regulator as soon as they become aware of a death, or a serious injury or illness that results in:

- immediate treatment as an in-patient in a hospital, or
- immediate treatment for:
  - the amputation of any part of the body

- a serious head injury
- a serious eye injury
- a serious burn
- the separation of skin from an underlying tissue (such as degloving or scalping)
- a spinal injury
- the loss of a bodily function
- serious lacerations or
- medical treatment within 48 hours of exposure to a substance.

A serious illness is:

- any infection to which the carrying out of work is a significant contributing factor, including any infection that is reliably attributable to carrying out work:
  - with micro-organisms
  - that involves providing treatment to a person
  - that involves contact with human blood or body substances, or
  - involves handling or contact with animals, animal hides, skins, wool or hair, animal carcasses or animal waste products.

A dangerous incident is also notifiable under the legislation. Dangerous incidents include:

- an uncontrolled escape, spillage or leakage of a substance
- an uncontrolled implosion, explosion or fire
- an uncontrolled escape of gas or steam
- an uncontrolled escape of a pressurised substance
- electric shock
- the fall or release from a height of any plant, substance or thing
- the collapse, overturning, failure or malfunction of, or damage to, any plant that is required to be authorised for use in accordance with the regulations
- the collapse or partial collapse of a structure
- the collapse or failure of an excavation or of any shoring supporting an excavation
- the inrush of water, mud or gas in workings, in an underground excavation or tunnel

The approved provider or nominated supervisor must notify the regulator by telephone or in writing (including by facsimile or email) as soon as possible after the injury, illness or incident. If notified by telephone, the regulator may require a written notice of the incident within 48 hours. Records of the incident must be kept for at least 5 years from the date that the incident is notified. The approved provider/nominated supervisor must ensure the site where the incident occurred is left undisturbed as much as possible until an inspector arrives or as directed by the regulator.

## Source

**Education and Care Services National Regulations 2011**  
**National Quality Standard**  
**Work Health and Safety Act 2012**  
**Work Health and Safety Regulation 2012**

