



WORK HEALTH AND SAFETY POLICY

Title	Carmichael College Work Health and Safety Policy
Category	Human Resources
Policy Owner	WHS Officer
Approver	Board of Directors
Related Documents	<ul style="list-style-type: none"> ● <i>Work Health and Safety Act 2011 (Qld)</i> ● <i>Work Health and Safety Regulation 2011 (Qld)</i> ● WHSQ Codes of Practice ● <i>Education (Accreditation of Non-State Schools) Act 2017 (Qld)</i> ● <i>Education (Accreditation of Non-State Schools) Regulation 2017 (Qld)</i> ● <i>Corporations Act 2001 (Cth)</i> ● Carmichael College Risk Management Framework ● Carmichael College Issue Resolution Policy ● Carmichael College Complaints Handling Policy - Parents and Students ● Carmichael College Complaints Handling Policy - Staff
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Revision Record					
Version	Approval Date	Approved By	Effective Date	Review Cycle	Next Review
2020	July 2020	Executive Director	July 2020	Annual	2021
May 2023	May 2023	Board of Directors	May 2023	Annual	2024

1. Purpose and Scope

The purpose of this policy is to outline Carmichael College's compliance framework for work health and safety, including the definition of key terms, roles and duties and the implementation and monitoring of measures to ensure, as far as reasonably practicable, the health and safety of workers and all other persons at the college.

This policy applies to Carmichael College's board, officers, workers, volunteers and other persons at the college, including students and parents.

2. Policy Statement

Carmichael College is committed to providing and maintaining a safe and healthy workplace for all workers (including contractors and volunteers) as well as students, visitors, and members of the public. Hazards and risks to health, and safety will be eliminated or minimised, as far as reasonably practicable.

In doing so, the school will comply with the *Work Health and Safety Act 2011 (Qld)*, (the Act) the *Work Health and Safety Regulation 2011 (Qld)*, (the Regulation) and relevant codes of practice.

This commitment is in line with Carmichael College's responsibility under the *Education (Accreditation of Non-State Schools) Regulation 2017* to comply with the requirements of the *Work Health and Safety Act 2011*.

3. Definitions

- **Person Conducting a Business or Undertaking (PCBU)**¹ includes those operating a business alone or with others; for profit or not-for-profit; and partners in a partnership. A person is not a PCBU if solely a worker or officer in a business or is an elected member of a local government or a volunteer association. Examples of a PCBU include a company, association, a sole trader, or partners in a partnership.
- **Officer** is a person who makes or participates in making decisions that affect the whole or a substantial part of the business or undertaking of the State or Commonwealth², public authority³ or a corporation⁴. In a school this may include members of the school board and senior leadership employees such as the Principal or Business Manager, Chief Financial Officer and/or Chief Operating Officer.
- **Worker**⁵ includes employees, contractors and subcontractors and their employees, employees of a labour hire company who has been assigned to work in the school, outworkers, apprentices, trainees, students gaining work experience and volunteers. A PCBU, for example a sole trader, can also be a worker if they carry out work in the business.
- **Health and Safety Representative (HSR)**⁶ (Sch 5 *Work Health and Safety Act 2011*): is a worker, elected by workers⁷, to represent the health and safety of the work group of which the worker is a member. An HSR's duties include representing workers in work health and safety matters by investigating complaints from workers, inquiring about risks to workers; monitoring measures undertaken by the PCBU; inspecting the workplace including with an inspector; requesting a health and safety committee be established, directing that unsafe work cease and the issuing of

¹ *Work Health and Safety Act 2011 s.5*

² *Work Health and Safety Act 2011 s.247*

³ *Work Health and Safety Act 2011 s.252*

⁴ *Corporations Act 2001 s.9*

⁵ *Work Health and Safety Act 2011 s.7*

⁶ *Work Health and Safety Act 2011 Schedule 5*

⁷ *Work Health and Safety Act 2011 Part 5*

provisional improvement notices in certain circumstances. HSRs may be present at an interview concerning work health and safety between a worker or a group of workers and the PCBU or worker(s) and an inspector.

- **Work Health and Safety Officer (WHSO)**⁸ is a suitably qualified person appointed by the PCBU to assist in fulfilling the PCBU's work health and safety duties. Activities include identifying and reporting on work health and safety matters, hazards, and risks, notifying of or investigating incidents, accompanying, or assisting an inspector during an inspection and establishing training. The PCBU may also act in the role of work health and safety officer⁹.
- **Health and Safety Committee (HSC)**¹⁰ is a body established to facilitate cooperation between the PCBU and the workers and to assist with work health and safety compliance including developing standards, rules, and procedures. Membership of the committee must include the HSR and the work health and safety officer, if these positions have been established at the school and at least half of the committee members must be workers, not nominated by the PCBU.
- **Reasonably practicable**¹¹ means what is reasonably able to be done to ensure the health and safety of workers and other persons at the school. Determining what is reasonable requires a weighing up of relevant matters such as the likelihood or degree of harm from the hazard or risk, availability of ways to eliminate or minimise the risk and associated costs, including whether the cost is grossly disproportionate to the risk.
- **Notifiable incident**¹² occurs when there is a death, serious injury or incident or a dangerous incident, relating to a worker or other person because of the conduct of the school. Such incidents must be reported to Work Health and Safety Queensland immediately after the school becomes aware of the incident.
- **Serious injury or incident**¹³ is where a person needs immediate treatment as an in-patient in a hospital or treatment for certain injuries prescribed in the legislations such as amputation, serious head or an eye injury, a serious burn, separation of skin from tissue, spinal injury, loss of bodily function or serious lacerations. It also includes medical treatment within 48 hours of exposure to a substance.
- **Dangerous incident**¹⁴ is an incident in relation to a workplace, where worker or any other person's health and safety is at risk due to exposure to uncontrolled events for example substance spillage, explosion or fire, or involvement in an accident such as a fall, electric shock, or the collapse of a structure.

4. Roles and Duties

The Act outlines the duties held by the Person Conducting the Business or Undertaking (PCBU), officers, workers, and other persons within the school community. Carmichael College acknowledges the duties held by these roles cannot be transferred or delegated to another person.

More than one person can concurrently have the same duty and each duty holder must comply with that duty to the standard required by the legislation.

If more than one person has a duty for the same matter, each person is required to carry out their duty to the extent they have the capacity to influence and control the matter and must, so far as is reasonably

⁸ *Work Health and Safety Act 2011 s.103B*

⁹ *Work Health and Safety Act 2011 s.103C*

¹⁰ *Work Health and Safety Act 2011 s.75*

¹¹ *Work Health and Safety Act 2011 s.18*

¹² *Work Health and Safety Act 2011 s.35*

¹³ *Work Health and Safety Act 2011 s.36*

¹⁴ *Work Health and Safety Act 2011 s.37*

practicable, consult, cooperate, and coordinate activities with all other persons who have a duty in relation to the same matter.

Duties of specific roles are outlined below.

4.1 Person Conducting the Business or Undertaking (PCBU)

The PCBU has the primary duty of care under the Act, to ensure as far as reasonably practicable, the health and safety of workers and any other person, is not put at risk from work carried out from conducting the business such as a school. In fulfilling this duty, Carmichael College will:

- Provide and maintain a safe work environment.
- Provide and maintain safe plant and structures.
- Provide and maintain safe systems of work.
- Ensure safe use, handling and storage of plant, structures, and substances.
- Provide adequate facilities for workers welfare.
- Provide information, training, instruction, or supervision.
- Monitor the health of workers and the conditions at the school to prevent illness or injury.

In addition to the primary duty of care, the PCBU has duties outlined in other sections of the Act. In fulfilling these duties, Carmichael College will ensure, so far as is reasonably practicable:

- Safe entry and exit to the school.
- Anything arising from the school is free from risk to the health and safety of any person.
- Fixtures, fittings, and the plant are without risks to the health and safety of any person.
- Provision of consultation, cooperation, and issue resolution to workers.
- Reporting of notifiable incidents as soon as the school becomes aware of the incident.
- Compliance with codes of practices or adoption of an equivalent or higher standard.
- If a worker occupies accommodation that is owned by or under the management or control of the school and the occupancy is necessary for the purposes of the Worker's engagement because other accommodation is not reasonably available, the school will, so far as is reasonably practicable, maintain the premises so that the worker occupying the premises is not exposed to risks to health and safety.

4.2 Officers

Officers have a duty under the Act to exercise due diligence, by ensuring the PCBU complies with the duties under the Act. Officers of Carmichael College will exercise due diligence by taking the following reasonable steps:

- acquiring and keeping up-to-date knowledge of work health and safety, and
- understanding the nature of the schools' operations and the associated hazards and risks, and
- ensuring the school has resources and processes to eliminate or minimise risks to health and safety, and
- ensuring the school has processes for receiving, considering, and responding to information about incidents, hazards, and risks, and
- ensuring processes for complying with work health and safety legislation, and
- auditing and reviewing, work health and safety processes and use of the resources.

4.3 Workers

Workers have duties under the Act. Workers of Carmichael College have the following duties and will:

- take reasonable care for their own health and safety, and
- take reasonable care that their conduct does not adversely affect others, and
- comply, so far as the worker is reasonably able, with instruction given by the school, and
- co-operate with any reasonable, notified policy or procedure.

4.4 Other Persons

All other persons have duties under the Act. All other persons at Carmichael College have the following duties and will:

- Take reasonable care for their own safety, and
- Ensure their conduct does not adversely affect others, and
- Comply, so far as the person is reasonably able, with reasonable instructions given by the school.

4.5 Other Roles

Carmichael College may establish additional roles or committees to assist in managing the school's work health and safety duties under the Act, these may include:

- Appointing one or more health and safety representatives (HSRs), by election, to represent the workers. The school must hold an election to appoint a HSR where one or more workers makes such a request.
- Establishing a health and safety committee (HSC), to facilitate cooperation between the PCBU and the workers and to assist with compliance. The school must establish an HSC if a request is made by a HSR, or it is a requirement under regulation.
- Appointing a Work Health and Safety Officer (WHSO), to assist the school fulfil its duties. A person appointed as WHSO must have the minimum qualifications and a certificate of authority issued by Work Health and Safety Queensland.

5. Implementation

Carmichael College is committed to protecting workers and other persons against harm to their health and safety and will implement the following measure in line with the *Work Health and Safety Act 2011* and the *Work Health and Safety Regulations 2011*:

- A risk management framework.
- Provide information, training, instruction, and supervision.
- Provide a process for consultation, cooperation, and issue resolution.

5.1 Risk Management Framework

Carmichael College's Risk Management Framework provides further guidance on the process and approach to managing risks at the school.

5.2 Information, Training, Instruction and Supervision

Carmichael College will ensure that appropriate information, training, instruction, and supervision is provided to workers to enable them to perform their work without risk to their health or safety, as far as

is reasonably practicable. The information, training, instruction, and supervision will be suitable and adequate, having regard to:

- The nature of the work carried out by the worker, and
- The nature of the risks associated with the work at the time the information, training, instruction, or supervision is provided, and
- The control measures implemented.

Carmichael College will ensure, so far as is reasonably practicable, that the information, training, and instruction is provided in a way that is readily understandable by any person to whom it is provided.

Carmichael College's Work Health & Safety Handbook provides further guidance on the information, training, instruction, and supervision provided to workers at the school.

5.3 Consultation, Cooperation and Issue Resolution

Carmichael College acknowledges its duty to consult, so far as is reasonably practicable, with workers who carry out work for the school, who are or are likely to be, directly affected by work health and safety matters. Matters may include identifying, assessing, and eliminating or minimising risks relating to work carried out by the workers at the school, proposed changes to procedures for resolving worker issues or monitoring worker safety and the provision of information and training.

Consultation with workers includes sharing information regarding work, health and safety matters with workers and giving them reasonable opportunity to:

- Express their views and raise work health and safety issues in relation to the matter, and
- Contribute to the decision-making process relating to the matter, and
- Access information on the outcome of consultation, in a timely manner.

Carmichael College will refer to the School's Complaint Handling Policy - Staff for further guidance on resolving work health and safety issues.

6. Compliance and Monitoring

6.1 Incident Reporting

Carmichael College has implemented an Incident Reporting Process which requires workers and other persons to report any hazards or incidents resulting in potential or actual harm to health and safety. The school will regularly monitor, collate, and report on hazards and incidents.

6.2 Notifiable Incidents

Carmichael College is committed to reporting notifiable incidents to Workplace Health and Safety Queensland in accordance with the *Work Health and Safety Act 2011* and the *Work Health and Safety Regulations 2011*. Notifiable incidents include the death, serious injury or illness of a person or a dangerous incident, in relation to the school. The school will notify the regulator, Workplace Health, and Safety Queensland, immediately and by the fastest means possible after becoming aware of a notifiable incident and will preserve the incident site as far as reasonably practicable until the inspector arrives.

6.3 Training

Carmichael College will train its staff on this policy and any related processes relating to the health, safety, and conduct of staff and students on their induction and will refresh training annually.

6.4 Implementing the Processes

Carmichael College will ensure it is implementing this policy and any related processes relating to the health, safety and conduct of staff and students by auditing compliance with this policy and related processes annually.

6.5 Accessibility of Processes

This policy and any related processes relating to the health, safety and conduct of staff and students are accessible on the school website.

6.6 Complaints Procedure

Suggestions on non-compliance with this policy and any related processes may be submitted as complaints under Carmichael College Complaints Handling Policies.

Appendix 1 - Summary of Key Changes

Version	Key Changes
February 2023	Adoption of ISQ Template