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Work Health & Safety Policy

SILVER LINING FOUNDATION AUSTRALIA ('SLFA')
– CHERBOURG SILVER LINING SCHOOL

Work Health and Safety Policy

Purpose:	The purpose of this policy is for SLFA to eliminate risks to the health and safety of Workers and Other Persons so far as is reasonably practicable; or if this is not possible, to minimise the risks to health and safety so far as is reasonably practicable.	
Scope:	SLFA's Board, all Officers, all Workers and Other Persons at the school, including students and parents.	
Status:	Approved	Supersedes: n/a – this is the first version.
Authorised by:	School's Governing Body	Date of Authorisation: February 2019
References:	<ul style="list-style-type: none"> • <u>Work Health and Safety Act 2011 (Qld)</u> • <u>Work Health and Safety Regulation 2011 (Qld)</u> • <u>Education (Accreditation of Non-State Schools) Act 2017 (Qld)</u> • <u>Education (Accreditation of Non-State Schools) Regulation 2017 (Qld)</u> • Workplace Bullying Policy • Risk Management Framework • Complaints Handling Policy • Incident Reporting Form • <i>Other related policies</i> 	
Review Date:	Annually	Next Review Date: February 2020
Policy Owner:	SLFA School Governing Body (the Board of Directors)	

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Policy Statement

SLFA is committed to protecting *Workers and Other Persons*, such as students and parents, against harm to their health and safety through the elimination or minimisation of risks arising from work. SLFA supports the principle that *Workers and Other Persons* should be given the highest level of protection against harm to their health and safety from hazards and risks arising from work, as far as is reasonably practicable.

In line with the *Work Health and Safety Act 2011 (Qld)* and the *Work Health and Safety Regulation 2011 (Qld)*, this means that SLFA will ensure, so far as is reasonably practicable:

- the health and safety of *Workers* while at work in the school
- that the health and safety of *Other Persons* is not put at risk from work carried out as part of the conduct of the school

This commitment is in line with SLFA's responsibility under the *Education (Accreditation of Non-State Schools) Regulation 2017 (Qld)* to have a written process about the health and safety of staff and students.

Definitions

Definitions relevant to this policy include:

- Person Conducting a Business or Undertaking
- Officer
- Dangerous incident
- Due diligence
- Health and safety representative
- Reasonably practicable
- Serious injury or illness
- Worker

Information on each of these definitions is available on the Work Safe Queensland website:

<https://www.worksafe.qld.gov.au/>

Responsibilities

SLFA acknowledges that a duty under the *Work Health and Safety Act* and the *Regulation* cannot be transferred or delegated to another person.

SLFA also acknowledges that in accordance with the *Work Health and Safety Act* and the *Regulation*:

1. More than one person can concurrently have the same duty
2. Each duty holder must comply with that duty to the standard required by the legislation even if another duty holder has the same duty
3. If more than one person has a duty for the same matter, each person—
 - a. retains responsibility for their duty in relation to the matter; and
 - b. must discharge their duty to the extent to which they have the capacity to influence and control the matter or would have had that capacity but for an agreement or arrangement purporting to limit or remove that capacity; and
 - c. must, so far as is reasonably practicable, consult, cooperate and coordinate activities with all other persons who have a duty in relation to the same matter

The specific roles and responsibilities of a Person Conducting a Business or Undertaking, Officers, Workers and Other Persons are outlined below.

Person Conducting a Business or Undertaking

In its legal role as a *Person Conducting a Business or Undertaking*, SLFA must undertake its role and responsibilities under the *Work Health and Safety Act* and the *Regulation* as follows:

1. SLFA will ensure, so far as is reasonably practicable, the health and safety of:
 - a. Workers engaged, or caused to be engaged by the school; and
 - b. Workers whose activities in carrying out work are influenced or directed by the school; while they are at work in the school.
2. SLFA will ensure, so far as is reasonably practicable, that the health and safety of other persons is not put at risk from work carried out as part of the conduct of the school.
3. SLFA will also ensure, so far as is reasonably practicable—
 - a) the provision and maintenance of a work environment without risks to health and safety; and
 - b) the provision and maintenance of safe plant and structures; and
 - c) the provision and maintenance of safe systems of work; and
 - d) the safe use, handling and storage of plant, structures and substances; and
 - e) the provision of adequate facilities for the welfare at work of workers in carrying out work for the school, including ensuring access to those facilities; and
 - f) the provision of any information, training, instruction or supervision that is necessary to protect all persons from risks to their health and safety arising from work carried out as part of the conduct of the school; and
 - g) that the health of workers and the conditions at the school are monitored for the purpose of preventing illness or injury of workers arising from the conduct of the school.
4. If—
 - a) a worker occupies accommodation that is owned by or under the management or control of SLFA and
 - b) the occupancy is necessary for the purposes of the Worker’s engagement because other accommodation is not reasonably available;SLFA 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.
5. SLFA will ensure, so far as is reasonably practicable, that the school, the means of entering and exiting the school and anything arising from the school are without risks to the health and safety of any person.
6. SLFA will ensure, so far as is reasonably practicable, that the fixtures, fittings and plant are without risks to the health and safety of any person.
7. SLFA will ensure the provision of consultation, cooperation and issue resolution in relation to work health and safety as required under the relevant provisions of the legislation
8. SLFA will ensure compliance when reporting notifiable incidents under the relevant provisions of the legislation

SLFA's governing body must also undertake its role and responsibilities under the *Education (Accreditation of Non-State Schools) Regulation 2017* as follows:

1. Ensure that staff, students and parents are made aware of the health and safety processes
2. Ensure that staff are trained in implementing the processes
3. Ensure that the school is implementing the processes
4. Ensure that the processes are readily accessible by staff, students and parents
5. Ensure that the school has a written complaints procedure to address allegations of non-compliance with the processes; the complaints procedure may form part of any other written procedure of the school for dealing with complaints

Officers

In their legal role as Officers, SLFA's Board Members, Head of Campus and senior staff must undertake their role and responsibilities under the *Work Health and Safety Act* and the *Regulation* as follows:

1. If SLFA has a duty or obligation under the legislation, an Officer will exercise due diligence to ensure that the school complies with that duty or obligation.
2. Due diligence includes taking reasonable steps—
 - a. to acquire and keep up-to-date knowledge of work health and safety matters; and
 - b. to gain an understanding of the nature of the operations of SLFA and generally of the hazards and risks associated with those operations; and
 - c. to ensure that SLFA has available for use, and uses, appropriate resources and processes to eliminate or minimise risks to health and safety from work carried out as part of the conduct of the school; and
 - d. to ensure that SLFA has appropriate processes for receiving and considering information regarding incidents, hazards and risks and responding in a timely way to that information; and
 - e. to ensure that SLFA has, and implements, processes for complying with any duty or obligation of the school under the legislation; and
 - f. to verify the provision and use of the resources and processes mentioned above.

Workers

In their legal role as *Workers*, employees of SLFA, 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, must undertake their role and responsibilities under the *Work Health and Safety Act* and the *Regulation* as follows:

1. take reasonable care for his or her own health and safety; and
2. take reasonable care that his or her acts or omissions do not adversely affect the health and safety of others; and
3. comply, so far as the Worker is reasonably able, with any reasonable instruction that is given by SLFA to allow compliance with the legislation; and
4. co-operate with any reasonable policy or procedure of SLFA relating to health or safety at the school, that has been notified to Workers.

Responsibilities of Others at the School

In their legal role as Other Persons at the school, Board Members, students, parents and visitors, must undertake their role and responsibilities under the *Work Health and Safety Act* and the *Regulation* as follows:

1. take reasonable care for his or her own health and safety; and
2. take reasonable care that his or her acts or omissions do not adversely affect the health and safety of others; and
3. comply, so far as the person is reasonably able, with any reasonable instruction that is given by SLFA.

Implementation

Implementation under the *Work Health and Safety Act 2011* and the *Regulation 2011*

In practice, SLFA's commitment to protecting Workers and Other Persons against harm to their health and safety means that it will implement the following measures in line with the *Work Health and Safety Act* and the *Regulation*:

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

Further details of these measures is provided below.

Risk management process

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

Provide information, training, instruction and supervision

In accordance with the *Work Health and Safety Act* and the *Regulation*, SLFA 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. This 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.

SLFA 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.

SLFA's *Risk Management Framework* provides further guidance on the information, training, instruction and supervision provided to Workers at the school.

Provide for consultation, cooperation and issue resolution

SLFA acknowledges its duty to consult, so far as is reasonably practicable, with workers who carry out work for the business or undertaking, who are or are likely to be, directly affected by a matter relating to work health or safety. Where more than one person has a duty for the same matter, each person, must, so far as is reasonably practicable, consult, cooperate and coordinate activities with all other persons who have a duty in relation to the same matter.

SLFA will consult with Workers in relation to the following health and safety matters in accordance with the *Work Health and Safety Act* and the *Regulation*:

- a) when identifying hazards and assessing risks to health and safety arising from the work carried out or to be carried out by the school;
- b) when making decisions about ways to eliminate or minimise those risks;
- c) when making decisions about the adequacy of facilities for the welfare of Workers;
- d) when proposing changes that may affect the health or safety of Workers;
- e) when making decisions about the procedures for—
 - (i) consulting with Workers; or
 - (ii) resolving work health or safety issues at the workplace; or
 - (iii) monitoring the health of Workers; or
 - (iv) monitoring the conditions at any workplace under the management or control of SLFA;or
 - (v) providing information and training for Workers; or
- f) when carrying out any other activity prescribed under the relevant legislation.

When consulting with Workers, SLFA will ensure:

- a) that relevant information about the matter is shared with Workers; and
- b) that Workers be given a reasonable opportunity—
 - (i) to express their views and to raise work health or safety issues in relation to the matter; and
 - (ii) to contribute to the decision-making process relating to the matter; and
- c) that the views of Workers are taken into account by SLFA;
- d) that the Workers consulted are advised of the outcome of the consultation in a timely way; and
- e) that records of the consultation process and outcome are retained

SLFA's *Complaints Handling Policy (and Procedures)* provide further guidance on resolving work health and safety issues.

Implementation under the *Education (Accreditation of Non-State Schools) Regulation 2017*

In accordance with the *Education (Accreditation of Non-State Schools) Regulation 2017*, SLFA will ensure that:

- Awareness of this Policy is raised
- This Policy is accessible
- This Policy is implemented
- Training on this Policy is provided
- A complaints mechanism is provided

Further details of these measures is provided below.

Awareness

SLFA will inform staff, students and parents of this Policy and any related processes relating to the health, safety and conduct of staff and students in communications to them and it will publish these processes on its website, the *Staff Code of Conduct Policy* and handbooks. Health and safety will be discussed regularly at staff meetings and records of attendance will be kept.

Training

SLFA school 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.

Implementing the Processes

SLFA 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.

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 - <http://www.silverlining.org.au/> and will be available on request from the school administration.

Complaints Procedure

Suggestions of non-compliance with this Policy and any related processes may be submitted as complaints under SLFA's *Complaints Handling Policy*.

Compliance and Monitoring

In line with the *Work Health and Safety Act* and the *Regulation* and its duties SLFA is committed to monitoring the health of workers and the conditions at the school.

SLFA has implemented an *Incident Reporting Form* which requires Workers and Other Persons to report any hazards or incidents resulting in potential or actual harm to health and safety. SLFA will regularly monitor, collate and report on hazards and incidents in accordance with the *Work Health and Safety Act* and the *Regulation*.

SLFA is also committed to reporting notifiable incidents to [Workplace Health and Safety Queensland](#) in accordance with the *Work Health and Safety Act* and the *Regulation*. Notifiable incidents include the death, serious injury or illness of a person or a dangerous incident, arising out of the conduct of the school.