Work Health & Safety Policy



Australian Technology & Agricultural College

Work Health and Safety Policy

Purpose:	The purpose of this policy is to outline ATAC 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 school.		
Scope:	ATAC's board, officers, workers and other persons at the school, including students and parents.		
References:	• *Corporations Act 2001* (Cth) • *Education (Accreditation of Non-State Schools) Regulation 2017* (Qld) • *Guide for PCBUs: Managing the risk of sexual harassment and sex or gender-based harassment at work* (Qld), Workplace Health and Safety Queensland • *Managing the risk of Psychosocial Hazards at Work Code of Practice 2022* (Qld) • *Model Code of Practice: Sexual and gender-based harassment* (Cth), Safe Work Australia • *Work Health and Safety Act* 2011 (Qld) • *Work Health and Safety Regulation 2011* (Qld) • ATAC Risk Management Policy • ATAC Incident Reporting Procedure • ATAC Complaints Handling Policy • ATAC Sexual Harassment Policy		
Supersedes:	ATAC work health and safety policy	**Status:**	Approved
Authorised by:	Narendra Nand	**Date of Authorisation:**	24/11/26
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Policy Owner:	Business Services Manager		

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, 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 Commonwealth[2] , public authority[3] or a corporation[4]. 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]is a worker, elected by workers[7], 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 the work group in matters related to health and safety; investigating complaints from workers in their workgroup relating to health and safety; inquiring about risks to workers; requesting and receiving information about the WHS of workers in the HSR's work group; monitoring measures undertaken by the PCBU; accompanying a WHS entry permit holder if they enter the workplace under part 7 of the WHS Act where the reason for entry relates to the HSR's work group; inspecting the workplace including with an inspector; requesting a health and safety committee be established; directing that unsafe work cease; and the issuing of provisional improvement notices (PIN) in certain circumstances; with a workers consent, be present at an interview concerning work health and safety between a worker or a group of workers and the PCBU, or workers and an inspector; and when necessary request assistance from a suitable entity for the HSR[8].

Work Health and Safety Officer (WHSO)[9] 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 officer[10].

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[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*
[8] *Work Health and Safety Act 2011 s.68*
[9] *Work Health and Safety Act 2011 s.103B*
[10] *Work Health and Safety Act 2011 s.103C*

Health and Safety Committee (HSC)[11]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.

Representative of a worker means the health and safety representative for the worker; or a suitable entity for representing the worker that is authorised by the worker to represent the worker[12].

Suitable entity, for representing or assisting a worker or the health and safety representative for a worker, means a relevant union for the worker; or another entity that is authorised by the worker or representative to represent or assist the worker or representative; but is not an excluded entity for representing or assisting the worker or representative[13].

Reasonably practicable[14] means what is reasonably able to be done to ensure the health and safety of workers and other person 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[15]occurs when there is a death, serious injury or illness or a dangerous incident, at the workplace, relating to a worker or other person. Such incidents much be reported to Work Health and Safety Queensland immediately after the school becomes aware of the incident.

Serious Injury or Incident[16]is where a person needs immediate treatment as an in-patient in a hospital or treatment for certain injuries prescribed in the legislation 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 [17]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.

Sexual harassment [18] happens if a person subjects another person to unwelcome sexual behaviour with the intention of offending, humiliating or intimidating the other person, or in circumstances where a reasonable person would have anticipated the possibility that the other person would be offended, humiliated or intimidated by the conduct.

Sex or gender-based harassment [19] is the harassment of a person on the basis of the person's sex or gender, by unwelcome conduct of a demeaning nature, with the intention of offending, humiliating or

[11] *Work Health and Safety Act 2011 s.75*
[12] *Work Health and Safety Act 2011 s45A*
[13] *Work Health and Safety Act 2011 s45A*
[14] *Work Health and Safety Act 2011 s.18*
[15] *Work Health and Safety Act 2011 s.35*
[16] *Work Health and Safety Act 2011 s.36*
[17] *Work Health and Safety Act 2011 s.37*
[18] *Work Health and Safety Regulation 2011 s.55BA(1)*
[19] *Work Health and Safety Regulation 2011, s.55BA(2)*

intimidating the person or in circumstances where a reasonable person would have anticipated the person would be offended, humiliated or intimidated by the conduct.

Workplace [20] is a place where work is carried out for a business or undertaking and includes any place a worker goes, or is likely to be, while at work.

Policy Statement

ATAC 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 is reasonably practicable.

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

This commitment is in line with ATAC's responsibility under the *Education (Accreditation of Non-State Schools) Regulation 2017* Section 15(b) to comply with the requirements of the *Work Health and Safety Act 2011* (Qld).

This policy should be read in conjunction with ATAC's Sexual Harassment Policy which addresses unlawful conduct under the *Sex Discrimination Act 1984* (Cth) (SD Act) that can be defined as sex discrimination, sexual harassment, sex-based harassment, conduct that creates a hostile workplace environment on the ground of sex, and related victimisation. ATAC also has a legal obligation under the SD Act, a positive duty[21], to take reasonable and proportionate measures to eliminate, as far as possible, unlawful conduct that is sexual harassment, sex-based harassment, conduct that creates a hostile workplace environment on the grounds of sex and related victimisation.

Responsibilities

Roles and duties

The WHS Act outlines the duties held by the Person Conducting the Business or Undertaking (PCBU), officers, workers and other persons within the school community. ATAC 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 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.

[20] *Work Health and Safety Act 2011 s.8*
[21] *Sex Discrimination Act 1984 (Cth), s47C*

Person conducting the business or undertaking (PCBU)

The PCBU has the primary duty of care under the WHS 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, ATAC 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 WHS Act. In fulfilling these duties, ATAC 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

The WHS Regulation also imposes specific duties on the PCBU. In fulfilling these duties, ATAC will:

- Identify reasonably foreseeable hazards[22]
- Ensure general workplace facilities, including the maintenance of and accessibility to the facilities meet minimum requirements, so far as is reasonably practicable[23]
- Ensure the provision of and access to first aid equipment, and first aid training meet the minimum requirements[24]
- Ensure an emergency plan is prepared, maintained and implemented, meeting the minimum requirements in the WHS regulation[25]
- Ensure psychosocial risks, including risks of sexual harassment or sex or gender-based harassment, are appropriately managed, in compliance with the *Managing the risk of Psychosocial Hazards at Work Code of Practice 2022* (Qld), or in a way that provides an equivalent or higher standard of work health and safety than the standard required in the code
- Identify where sexual harassment and sex or gender-based harassment is a reasonably foreseeable hazard that could give rise to risks to the health and safety of workers and others

[22] *Work Health and Safety Regulation 2011* s.34 and How to manage work health and safety risks Code of Practice 2021
[23] *Work Health and Safety Regulation 2011* s.40-41 and Managing the work environment and facilities Code of Practice 2021
[24] *Work Health and Safety Regulation 2011* s.42 and First aid in the workplace Code of Practice 2021
[25] *Work Health and Safety Regulation 2011* s.43

- Assess, determine and review control measures in accordance with the *Guide for PCBUs: Managing the risk of sexual harassment and sex or gender-based harassment at work (WHSQ)*
- If sexual harassment or sex or gender-based harassment risks are identified, prepare and implement a Prevention Plan in compliance with the WHS Regulation.[26]

Officers

Officers have a duty under the WHS Act to exercise due diligence, by ensuring the PCBU complies with the duties under the WHS Act. Officers of ATAC 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.

Workers

Workers have duties under the WHS Act. Workers of ATAC 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.

Other persons

All other persons have duties under the WHS Act. All other persons at ATAC 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.

Other roles

ATAC may establish additional roles or committees to assist in managing the school's work health and safety duties under the WHS 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.

[26] Work Health and Safety Regulation 2011 s.55A to s.55H and Managing the Risk of psychosocial hazards at work Code of Practice 2022

- 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 the WHS 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.

Implementation

ATAC is committed to protecting workers and other persons against harm to their health and safety and will implement the following measures in line with the WHS Act and Regulation:

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

Risk Management Framework

1. ATAC's Risk Management Policy provides further guidance on the process and approach to managing risks at the school.

2. Where the approach in the Risk Management Policy does not eliminate the risk to the health and safety of workers and others, the ATAC must minimise risks, so far as is reasonably practicable, by doing one or more of the following[27]:
    a. substituting (wholly or partly) the hazard giving rise to the risk with something that gives rise to a lesser risk.
    b. isolating the hazard from any person exposed to it.
    c. implementing engineering controls.
    d. If a risk then remains the duty holder must minimise the remaining risk, so far as is reasonably practicable, by implementing administrative controls.
    e. If a risk then remains, the duty holder must minimise the remaining risk, so far as is reasonably practicable, by ensuring the provision and use of suitable personal protective equipment.

3. Where the risk relates to sexual harassment or sex or gender-based harassment, the controls considered for implementation by the PCBU must take account of the matters in the WHS Regulation.[28]

Information, training, instruction and supervision

ATAC 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

[27] *Work Health and Safety Regulation 2011* s.36
[28] *Work Health and Safety Regulation 2011 s.55F*

- 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.

ATAC 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.

ATAC's Staff handbook provides further guidance on the information, training, instruction and supervision provided to workers at the school.

Consultation, cooperation and issue resolution

ATAC 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, making decisions about the adequacy of facilities for the welfare of workers, proposing changes that may affect the health or safety of workers, proposed changes to procedures for consulting workers, resolving worker issues, monitoring worker safety or conditions at the workplace and the provision of information and training.

Consultation with workers includes sharing information regarding work, health and safety matters with workers and giving them a 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
- Have their views taken into account by the PCBU; and
- Access information on the outcome of the consultation, in a timely manner.

If the workers are represented by a HSR, consultation will include the HSR. If one or more workers asks the school to consult with their representative, the consultation will include the worker's representative.

ATAC will refer to the School's Complaints Handling Policy for further guidance on resolving work health and safety issues.

Monitoring and Compliance

Incident Reporting

ATAC has implemented Complaints handling procedure 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.

Notifiable Incidents

ATAC is committed to reporting notifiable incidents to Workplace Health and Safety Queensland in accordance with the WHS Act and Regulation. 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 an inspector arrives.

Appointment of a Health and Safety Representative (HSR)

ATAC will facilitate the election of an HSR where a worker asks for an HSR to be elected.

Where the HSR role becomes vacant, as soon as reasonably practicable after the vacancy occurs, the school will notify workers about the powers of the HSR and the HSR election process and invite workers to request the facilitation of an election.

If ATAC does not have an HSR, the school will notify workers about the powers of the HSR and the HSR election process and invite workers to request the facilitation of an election. If the school does not receive a request to elect an HSR, the notification and invitation will be repeated annually[29].

Health and Safety Committee

ATAC will establish and health and safety committee within 28 days if requested to do so by an HSR or 5 or more workers[30].

Training

ATAC 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

ATAC 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 school website.

Complaints Procedure

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

Related Documents

- ATAC Complaints Handling Procedure
- ATAC Workplace Anti-Bullying Policy
- ATAC Staff Code of Conduct
- ATAC Managing Psychosocial Risks Procedure

[29] *Work Health and Safety Act s.50B*
[30] *Work Health and Safety Act s.75*