

Policy Number	2.39.01		
Policy Name	WORK HEALTH AND SAFETY POLICY		
Purpose	The purpose of this policy is to outline the Australian Industry Trade College governance framework for achieving excellence in health and safety and the protection of the environment in which it operates		
Scope	The AITC's board, all officers, all workers and other persons at the AITC, including Young People and parents		
References	<ul style="list-style-type: none"> • Work Health and Safety Act 2011 (Qld) • Work Health and Safety Regulation 2011 (Qld) • Education (Accreditation of Non-State Schools) Act 2017 (Qld) • Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) • AITC Risk Management Policy • AITC Incident Reporting Form • AITC Workplace Bullying Policy • AITC Work Experience and Work Placement Policy • AITC Complaints Handling Policy 		
Status	Approved	Supersedes	3.01.01
Authorised by	Board	Date of Authorisation	26.06.2019
Review Period	1 year	Next Review Date	26.06.2020
Policy Owner	Board		

WORK HEALTH AND SAFETY POLICY

Definitions

Definitions relevant to this policy include:

Person conducting a business or undertaking (PCBU): a business or an undertaking that is either conducted alone or with others, whether or not for profit or gain. In this policy, the PCBU is the Worker: employees, contractors, subcontractors, outworkers, apprentices and trainees, work experience students, volunteers and PCBUs who are individuals if they perform work for the business.

Officer: for a corporation, partnership or unincorporated association is as defined in section 9 of the Corporations Act 2001 (Cth), and includes a person:

- who makes, or participates in making decisions that affect the whole or a substantial part of the business
- has the capacity to significantly affect the corporation's financial standing
- on whose instructions the directors of the corporation are accustomed to act.

Due diligence: emphasises the corporate governance responsibilities of officers. Officers of corporations and unincorporated bodies will need to show that they have taken reasonable steps to:

- acquire and update their knowledge of health and safety matters
- understand the operations being carried out by the person conducting the business or undertaking in which they are employed, and the hazards and risks associated with the operations
- ensure that the person conducting the business or undertaking has, and uses, appropriate resources and processes to eliminate or minimise health and safety risks arising from work carried out
- ensure that the person conducting the business or undertaking has appropriate processes in place to receive and respond promptly to information regarding incidents, hazards and risks
- ensure that the person conducting the business or undertaking has, and uses, processes for complying with duties or obligations under the Work Health and Safety Act 2011 (the WHS Act) and for verifying compliance with those duties.

Reasonably practicable: means that which is, or was at a particular time, reasonably able to be done to ensure health and safety, taking into account and weighing up all relevant matters including:

- the likelihood of the hazard or the risk concerned occurring
- the degree of harm that might result from the hazard or the risk
- what the person concerned knows, or ought reasonably to know, about the hazard or risk, and ways of eliminating or minimising the risk
- the availability and suitability of ways to eliminate or minimise the risk
- after assessing the extent of the risk and the available ways of eliminating or minimising the risk, the cost associated with available ways of eliminating or minimising the risk, including whether the cost is grossly disproportionate to the risk.

Dangerous incident: means an incident in relation to a workplace that exposes a worker or any other person to a serious risk to a person's health or safety emanating from an immediate or imminent exposure to:

- a. an uncontrolled escape, spillage or leakage of a substance; or
 - b. an uncontrolled implosion, explosion or fire; or
 - c. an uncontrolled escape of gas or steam; or
 - d. an uncontrolled escape of a pressurised substance; or
 - e. electric shock; or
 - f. the fall or release from a height of any plant, substance or thing; or
 - g. the collapse, overturning, failure or malfunction of, or damage to, any plant that is required to be authorised for use under a regulation; or
 - h. the collapse or partial collapse of a structure; or
 - i. the collapse or failure of an excavation or of any shoring supporting an excavation; or
 - j. the inrush of water, mud or gas in workings, in an underground excavation or tunnel; or
 - k. the interruption of the main system of ventilation in an underground excavation or tunnel;
- or

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- I. any other event prescribed under a regulation; but does not include an incident of a prescribed kind. Australian Industry Trade College Ltd Board of Directors.

Policy

The Australian Industry Trade College (AITC) 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 line with the *Work Health and Safety Act 2011* (Qld) and the *Work Health and Safety Regulation 2011* (Qld), this means that the AITC will ensure, so far as is reasonably practicable:

- that the AITC complies with all legislation relating to health and safety;
- to eliminate or minimise all workplace hazards and risks as far as is reasonably practicable;
- to provide information, instruction and training to enable all workers to work safely;
- to supervise workers to ensure work activities are performed safely;
- to consult with and involve workers on matters relating to health, safety and wellbeing;
- to provide appropriate safety equipment and personal protective equipment;
- to provide a suitable injury management and return to work program

This commitment is in line with the AITC'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*.

Responsibilities

The AITC acknowledges that a duty under the *Work Health and Safety Act 2011* and the *Work Health and Safety Regulation 2011* cannot be transferred or delegated to another person.

The AITC also acknowledges that in accordance with the *Work Health and Safety Act 2011* and the *Work Health and Safety Regulation 2011*:

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, the AITC must undertake its role and responsibilities under the *Work Health and Safety Act 2011* and the *Work Health and Safety Regulation 2011* as follows:

1. The AITC will ensure, so far as is reasonably practicable, the health and safety of:
 - a. Workers engaged, or caused to be engaged by the AITC; and
 - b. Workers whose activities in carrying out work are influenced or directed by the AITC; while they are at work in the AITC.
2. The AITC 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 AITC.
3. The AITC 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 AITC, 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 AITC; and
 - g. that the health of workers and the conditions at the AITC are monitored for the purpose of preventing illness or injury of workers arising from the conduct of the AITC.
5. The AITC will ensure, so far as is reasonably practicable, that the AITC, the means of entering and exiting the AITC and anything arising from the AITC are without risks to the health and safety of any person.
6. The AITC 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. The AITC 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. The AITC will ensure compliance when reporting notifiable incidents under the relevant provisions of the legislation
9. The AITC governing body must also undertake its role and responsibilities under the *Education (Accreditation of Non-State Schools) Regulation 2017* by complying with the *Work Health and Safety Act 2011*.

Officers

In their legal role as Officers, the AITC's board members, chief executives, all members of the senior executive team including principals, and all members of the senior management team (including Assistant Principals and Managers) must undertake their role and responsibilities under the *Work Health and Safety Act 2011* and the *Work Health and Safety Regulation 2011* as follows:

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1. If the AITC has a duty or obligation under the legislation, an officer will exercise due diligence to ensure that the AITC 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 the AITC and generally of the hazards and risks associated with those operations; and
 - c. to ensure that the AITC 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 AITC; and
 - d. to ensure that the AITC 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 the AITC has, and implements, processes for complying with any duty or obligation of the AITC 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 the AITC, contractors and subcontractors and their employees, employees of a labour hire company who has been assigned to work in the AITC, outworkers, apprentices, trainees, students gaining work experience and volunteers, must undertake their role and responsibilities under *Work Health and Safety Act 2011* and the *Work Health and Safety Regulation 2011* 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 the AITC to allow compliance with the legislation; and
4. co-operate with any reasonable policy or procedure of the AITC relating to health or safety at the AITC, that has been notified to workers.

Responsibilities of Others at the AITC

In their legal role as Other Persons at the AITC, board members, students, parents and visitors, must undertake their role and responsibilities under the *Work Health and Safety Act 2011* and the *Work Health and Safety Regulation 2011* 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 the AITC.

Implementation

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

In practice, the AITC'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 2011* and the *Work Health and Safety Regulation 2011*:

- An appropriately-resourced safety system
- A risk management process
- Provide information, training, instruction and supervision
- Provide a process for consultation, cooperation and issue resolution

Further details of these measures are provided below.

Risk management process

The AITC's Risk Management Policy provides further guidance on the process and approach to managing risks at the AITC.

Provide information, training, instruction and supervision

In accordance with the *Work Health and Safety Act 2011* and the *Work Health and Safety Regulation 2011*, the AITC 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.

The AITC 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.

The AITC's Risk Management Policy provides further guidance on the information, training, instruction and supervision provided to workers at the AITC.

Provide for consultation, cooperation and issue resolution

The AITC 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.

The AITC will consult with workers in relation to the following health and safety matters in accordance with the *Work Health and Safety Act 2011* and the *Work Health and Safety Regulation 2011*:

- a) when identifying hazards and assessing risks to health and safety arising from the work carried out or to be carried out by the AITC;
- 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 the AITC; 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, the AITC 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 the AITC;
- 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

The AITC Complaints Handling Policy and Procedures provide further guidance on resolving work health and safety issues.

Training

The AITC 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 or as needed.

Implementing the Processes

The AITC 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 AITC website and will be available on request from the AITC administration.

Complaints Procedure

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

Compliance and Monitoring

In line with the *Work Health and Safety Act 2011* and the *Work Health and Safety Regulation 2011* and its duties the AITC is committed to monitoring the health of workers and the conditions at the AITC.

The AITC has implemented an Incident Reporting Form and a Hazard Report & Risk Management Form which requires workers and other persons to report any hazards or incidents resulting in potential or actual harm to health and safety. The AITC will regularly monitor, collate and report on hazards and incidents in accordance with *Work Health and Safety Act 2011* and the *Work Health and Safety Regulation 2011*.

The AITC is also 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 Regulation 2011*. Notifiable incidents include the death, serious injury or illness of a person or a dangerous incident, arising out of the conduct of the AITC.