

POLICY:	STAFF – WORK HEALTH SAFETY
DATE ADOPTED:	Director Corporate Services & Finance's' Report #1 Policy 5 December 2012 Council 6 February 2013 Minute Book No. 11477
ORIGINAL ADOPTION:	Director Corporate Services' Report #2 Policy 1 December 2004 Council 8 December 2004 Minute Book No. 9416
FILE REFERENCE:	11.00032
OBJECTIVE:	To set guidelines to ensure the safety of staff members.

POLICY STATEMENT

Bathurst Regional Council is committed to reducing or eliminating risks to the health and safety of Officers, workers and others in the workplace.

This commitment will be demonstrated by Council, as the Person Conducting a Business or Undertaking (PCBU), through due diligence to the following;

1. so far as reasonably practicable ensure the health and safety of other persons are not put at risk from work being carried out by Council or on councils behalf,
2. so far as reasonably practicable ensure the provision and maintenance of a work environment without risks to health and safety,
3. so far as reasonably practicable ensure the provision and maintenance of safe plant and structures
4. so far as reasonably practicable provide safe systems of work
5. so far as reasonably practicable ensure the safe use, handling and storage of plant, structures and substances,
6. so far as reasonably practicable ensure the provision of adequate facilities for the welfare at work of workers involved in carrying out work for Council including ensuring access to those facilities,
7. so far as reasonably practicable ensure the provision of any training instruction or supervision that is necessary to protect all persons from risk to their health and safety arising from work carried out as part of the conduct of the business or undertaking,
8. ensuring that the health of workers and the conditions at the workplace are monitored for the purpose of preventing illness or injury of workers arising from the conduct of Council business.
9. so far as reasonably practicable allow for consultation, representation and participation as described in the Workplace Health and Safety Act 2011 (WHS Act)

1. GENERAL

The health and safety of all staff members, contractors, and members of the public should be considered a matter of primary concern to all levels of Council, and as such, it is essential

that every worker involved with Bathurst Regional Council be aware of their responsibilities as a worker, supervisor, manager, officer, or as a representative of Council as a PCBU.

2. SCOPE

This policy applies to all Bathurst Regional Council staff, workers, contractors, sub-contractors, and volunteers, users of Council facilities and assets and members of the public and committees as appropriate.

3. DEFINITIONS

Term	Definition	Explanation
PCBU	Person conducting a business or undertaking	Council as a corporate identity
Officer	Someone who makes, or participates in making decisions that affect the whole, or substantial part of the corporation	General Manager Directors
Worker	A person who carries out work in any capacity for a person conducting a business or undertaking	Employees, contractor or subcontractor, an employee of a contractor or subcontractor, an employee of a labour hire company working for Council, an apprentice or trainee, a work experience student, a volunteer
Others	Customers and visitors	Any customers clients and visitors to Council sites or participating in Council programs who are not considered volunteers
HSRs	Health and Safety Representatives	Members of the Health and Safety Committee
HSC	Health and Safety Committee	Primary method of consultation on health and safety issues within Council
Workplace	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	All Council sites and venues
Reasonably practicable	See WHS Act Part 2, Para 18, Page 14	
Primary duty of care	See WHS Act, part 2, Para 19, Page 15	
Due diligence	See WHS Act Part 2 Para 27, part 5, page 29	

4. RESPONSIBILITIES

4.1 General Manager

The General Manager must exercise due diligence to ensure that Council fulfils its health and safety obligations as a PCBU under the Work Health and Safety Act 2011. The General Manager is also an Officer under the WHS Act.

4.2 Directors

Directors are considered Officers of the PCBU under the WHS Act 2011, and as such must exercise due diligence to ensure that Council complies with its WHS duties which include;

- General duties relating to health, safety, and welfare at work,
- Consultation,
- Notifying workplace incidents
- Other provisions as described in the WHS Regulations

Officers under the WHS Act shall effectively exercise due diligence on behalf of Council and must ensure that they gain, maintain or ensure;

- Up to date knowledge of WHS matters,
- An understanding of Council operations including its hazards and risks,
- Ensure that Council has available and uses appropriate resources and processes to minimise risks,
- Council has, and implements, processes for receiving, considering and responding to information regarding incidents, hazards and risks, and
- Ensure that Council complies with any duty or responsibility under the WHS Act 2011 or associated codes of practice and regulations.

Directors may also be considered workers under the WHS Act.

4.3 Managers and Supervisors

The responsibilities of Managers and Supervisors of Bathurst Regional Council, contractors of Council, or other affiliated groups of Council, include, but are not limited to;

- Implement and monitor WHS policy and procedures within their work group,
- Ensure that accidents or incidents are reported within prescribed guidelines,
- Ensure that documents related to WHS are completed in full and accurately,
- Investigate all incidents within prescribed time lines,
- Actively consult on WHS matters within their workgroup,
- Identify and control workplace hazards and risks.

Managers and supervisors are also considered Workers under the WHS Act.

4.4 Workers

A worker of Bathurst Regional Council as defined in the WHS Act 2011 (see para 3) duties include, but are not limited to;

- Taking reasonable care for his or her own health and safety,

- Taking reasonable care that his or her acts or omissions do not adversely affect the health and safety of other persons,
- Complying so far as reasonably able with any reasonable instruction that is given by Council to allow Council to comply with the WHS Act,
- Cooperating with any reasonable policy or procedure of Council relating to health or safety at the workplace,
- Being involved in the WHS consultation process, and
- Reporting accident incidents or near misses promptly within Councils prescribed guidelines.

4.5 Others

Persons deemed to be other persons at a workplace must;

- Take reasonable care for his or her own safety,
- Take reasonable care that his or her acts or omissions do not adversely affect the health and safety of other persons, and
- Comply as far as the person is reasonably able, with any reasonable instruction that is given by Council to allow Council to comply with the WHS Act.

A person at a workplace must abide by the duties mentioned in this paragraph whether they have other duties under the Act or not.

5 Annexes

The following policies and procedures should be read in conjunction with this policy where appropriate;

- a. Working at heights
- b. Working in confined spaces
- c. Risk management/assessment
- d. Incident investigations
- e. WHS Consultation
- f. Working alone or in isolation
- g. Working with asbestos
- h. Operation of moving plant
- i. First aid
- j. Induction
- k. Incident reporting
- l. Contractor management
- m. Noise
- n. Dangerous goods and hazardous substances in the workplace
- o. Protective equipment
- p. Hot work
- q. Issue resolution
- r. WHS Warning notice
- s. WHS Training
- t. Elevated work platform
- u. Alcohol and other drugs policy
- v. Workers compensation and rehabilitation policy

ASSOCIATED LEGISLATION

This policy complements other legislation and where it is silent on matters referred to in the following legislation such matters must be followed in accordance with the legislation.

- Local Government (State) Award 2010
- Work Health Safety Act 2011

D J Sherley
GENERAL MANAGER

Date

TABLE OF AMENDMENTS

Date	Officer	Amendments
5.12.11	SO	New policy