

WORK HEALTH AND SAFETY POLICY

	Fairholme College (Toowoomba) Pty Ltd ABN 78 096 814 130 CRICOS Provider Code 00651J		
Purpose	The purpose of this policy is for Fairholme College to work towards mitigating and eliminating 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 reasonable practicable		
Scope	Fairholme College's Board, all Officers, all Workers and Other Persons at the College, including students and parents.		
References	<p><i>Safety in Recreational Water Activities Act 2011 (Qld)</i> <i>Work Health and Safety Act 2011 (Qld)</i> <i>Work Health and Safety Regulations 2011 (Qld)</i> Community Code of Conduct Fairholme College Risk Management Policy and Strategy Fairholme College online Incident Reporting Form Fairholme College Workplace Bullying Policy Fairholme College Complaints and Dispute Resolution Policy Staff Code of Conduct Student Code of Conduct Work Health and Safety Statement</p>		
Policy Type	Public		
Policy Location	College Website		
Version	1.0		
Supersedes	New Policy		
Policy Owner	Business Manager		
Review Date	1 October 2016	Next Review Date	1 October 2017
Authorised By	Leadership Team	Date of Authorisation	Digitally signed by Catrina Sharp DN: cn=Catrina Sharp, o, ou, email=catrina.sharp@fairholme.qld.edu.au, c=AU Date: 2016.10.20 17:30:56 +10'00'

RATIONALE

It is the policy of Fairholme College to conduct its activities in such a manner that will provide a work environment, which so far as is practicable:

- Places the safety of the staff and the public ahead of the protection of the College equipment and services; and
- Actively encourages safe working practice both at the College and at home.

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. A PCBU can be:

- a sole trader (for example a self-employed person)
- a partnership
- a company
- an unincorporated association
- a government department
- a public authority (including a municipal council).

An elected member of a municipal council acting in that capacity is not a PCBU.

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* (Qld) (the 'WHS Act') and for verifying compliance with those duties.

Health and Safety Representative (HSR): a worker who has been elected by a work group to represent them on health and safety issues.

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: A dangerous incident is 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:

- an uncontrolled escape, spillage or leakage of a substance
- an uncontrolled implosion, explosion or fire
- an uncontrolled escape of gas or steam
- an uncontrolled escape of a pressurised substance
- electric shock
- the fall or release from a height of any plant, substance or thing
- the collapse, overturning, failure or malfunction of, or damage to, any plant that is required to be authorised for use in accordance with the regulations
- the collapse or partial collapse of a structure
- the collapse or failure of an excavation or of any shoring supporting an excavation
- the inrush of water, mud or gas in workings, in an underground excavation or tunnel
- the interruption of the main system of ventilation in an underground excavation or tunnel
- any other event prescribed under a regulation; but does not include an incident of a prescribed kind.

Serious Injury or Illness: The Work Health and Safety Act 2011 (Qld) and the Safety in Recreational Water Activities Act 2011 (Qld) set out that a serious injury or illness of a person is:

- an injury or illness requiring the person to have
 - immediate treatment as an in-patient in a hospital
 - immediate treatment for
 - the amputation of any part of his or her body
 - a serious head injury
 - a serious eye injury
 - a serious burn
 - the separation of his or her skin from an underlying tissue (such as degloving or scalping)
 - a spinal injury
 - the loss of a bodily function
 - serious lacerations
 - medical treatment (treatment by a doctor) within 48 hours of exposure to a substance
- any infection to which the carrying out of work is a significant contributing factor, including any infection that is reliably attributable to carrying out work
 - with micro-organisms
 - that involves providing treatment or care to a person
 - that involves contact with human blood or body substances
 - that involves handling or contact with animals, animal hides, skins, wool or hair, animal carcasses or animal waste products

RESPONSIBILITIES

Fairholme acknowledges that a duty under the legislation cannot be transferred or delegated to another person.

Fairholme College also acknowledges that in accordance with the legislation:

- More than one person can concurrently have the same duty
- Each duty holder must comply with that duty to the standard required by the legislation even if another duty holder has the same duty
- If more than one person has a duty for the same matter, each person—
 - retains responsibility for their duty in relation to the matter; and
 - 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
 - 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 responsibility 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*, Fairholme College must undertake its role and responsibilities under the legislation as follows:

- Fairholme College will ensure, so far as is reasonably practicable, the health and safety of:
 - Workers engaged, or caused to be engaged by the College; and
 - Workers whose activities in carrying out work are influenced or directed by the College; while they are at work in the College.
- Fairholme College 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 College.
- Fairholme College will also ensure, so far as is reasonably practicable—
 - the provision and maintenance of a work environment without risks to health and safety; and
 - the provision and maintenance of safe plant and structures; and
 - the provision and maintenance of safe systems of work; and the safe use, handling and storage of plant, structures and substances; and
 - the provision of adequate facilities for the welfare at work of workers in carrying out work for the College, including ensuring access to those facilities; and
 - 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 College; and
 - that the health of workers and the conditions at the College are monitored for the purpose of preventing illness or injury of workers arising from the conduct of the College.
- If—
 - a worker occupies accommodation that is owned by or under the management or control of Fairholme and
 - the occupancy is necessary for the purposes of the Worker's engagement because other accommodation is not reasonably available;
 - Fairholme College 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.
 - Fairholme College will ensure, so far as is reasonably practicable, that the College, the means of entering and exiting the College and anything arising from the College are without risks to the health and safety of any person.
 - Fairholme College 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.
 - Fairholme College 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
 - Fairholme College will work towards ensuring compliance when reporting notifiable incidents under the relevant provisions of the legislation

Officers

In their legal role as Officers, Fairholme College Board Members, Principal and Leadership Team must undertake their role and responsibilities under the legislation as follows:

- If Fairholme College has a duty or obligation under the legislation, an Officer will exercise due diligence to ensure that the College complies with that duty or obligation.
- Due diligence includes taking reasonable steps—
 - to acquire and keep up-to-date knowledge of work health and safety matters; and
 - to gain an understanding of the nature of the operations of Fairholme College and generally of the hazards and risks associated with those operations; and
 - to ensure that Fairholme College 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 College; and
 - to ensure that Fairholme College has appropriate processes for receiving and considering information regarding incidents, hazards and risks and responding in a timely way to that information; and
 - to ensure that Fairholme College has, and implements, processes for complying with any duty or obligation of the College under the legislation; and
 - to verify the provision and use of the resources and processes mentioned above.

Workers

In their legal role as Workers, employees of Fairholme College, contractors and subcontractors and their employees, employees of a labour hire company who has been assigned to work in the College, outworkers, apprentices, trainees, students gaining work experience and volunteers, must undertake their role and responsibilities under the legislation as follows:

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

Responsibilities of Others at the College

In their legal role as Other Persons at the College, Board Members, students, parents and visitors, must undertake their role and responsibilities under the legislation as follows:

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

IMPLEMENTATION

In practice, Fairholme College's commitment to protecting Workers and Other Persons against harm to their health and safety means that it will implement the following measures:

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

Risk Management Process

Fairholme College Risk Management Policy provides further guidance on the process and approach to managing risks at the College.

Provide Information, Training, Instruction and Supervision

In accordance with the legislation, Fairholme 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. 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.

Fairholme 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.

Fairholme College's Risk Management Policy provides further guidance on the information, training, instruction and supervision provided to Workers at the College.

Structures to further support these aims are contained in the work undertaken by the committees acknowledged in the Compliance and Monitoring section overleaf.

Provide for Consultation, Co-operation and Issue Resolution

Fairholme College 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

Fairholme College will consult with Workers in relation to the following health and safety matters in accordance with the legislation:

- when identifying hazards and assessing risks to health and safety arising from the work carried out or to be carried out by the College;
- when making decisions about ways to eliminate or minimise those risks;
- when making decisions about the adequacy of facilities for the welfare of Workers;
- when proposing changes that may affect the health or safety of Workers;
- when making decisions about the procedures for—
 - consulting with Workers; or

- resolving work health or safety issues at the workplace; or
- monitoring the health of Workers; or
- monitoring the conditions at any workplace under the management or control of Fairholme College; or
- providing information and training for Workers; or
- when carrying out any other activity prescribed under the relevant legislation.

When consulting with Workers, Fairholme College will ensure that:

- that relevant information about the matter is shared with Workers; and
- that Workers be given a reasonable opportunity—
 - to express their views and to raise work health or safety issues in relation to the matter; and
 - to contribute to the decision-making process relating to the matter; and
- that the views of Workers are taken into account by Fairholme College;
- that the Workers consulted are advised of the outcome of the consultation in a timely way; and
- that records of the consultation process and outcome are kept

Fairholme College Dispute Resolution Policy and Procedures provide further guidance on resolving work health and safety issues.

COMPLIANCE AND MONITORING

In line with the legislation and its duties, Fairholme College is committed to monitoring the health of workers and the conditions at the College.

Fairholme College has implemented an online 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. Fairholme College will regularly monitor, collate and report on hazards and incidents in accordance with the legislation. Groups in the College who are key in monitoring for compliance include the Work Health and Safety Committee, Internal Risk Committee and the following Board Committees – Compliance and Risk Management Committee and the Project and Finance Committee.

Fairholme College is committed to reporting notifiable incidents to Workplace Health and Safety Queensland in accordance with the legislation. Notifiable incidents include the death, serious injury or illness of a person or a dangerous incident, arising out of the conduct of the College.