

# Wagga Wagga City Council

## Work Health and Safety Policy

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<b>Reference number:</b>	POL 080
<b>Approval date:</b>	17 October 2022
<b>Policy owner:</b>	People and Safety Executive
<b>Next review:</b>	September 2025

### Introduction

Wagga Wagga City Council (Council) recognises its obligations as a Person Conducting a Business or Undertaking (PCBU) under the Work Health and Safety Act 2011 and that it has a primary duty of care to manage Work Health and Safety (WHS) at Council.

Council is committed to providing a workplace that enables all work activities to be carried out safely. We will take all reasonably practicable measures to eliminate hazards and minimise risks to the health, safety and welfare of workers, contractors, visitors, and anyone else who may be affected by our operations. Council will establish, implement and maintain a Health and Safety Management System that enables us to identify and eliminate hazards and reduce risks presented by any of our activities and facilities and the way they are used. This will comprise of policies and procedures aligned with ISO 45001 – Occupational Health and Safety Management System.

### Policy Objectives

Council is committed to ensuring we comply with the Work Health and Safety Act 2011 (the Act). We will also comply with any other relevant legislation, applicable Codes of Practice and Australian Standards as far as reasonably practicable.

We will continually improve our performance by:

- Ensuring that Council complies with its legislative obligations;
- Allocating necessary resources to meet its WHS commitment;
- Committing to a system that allows us to identify hazards, assess risks, and eliminate and/or minimise risk to the health and safety of workers and others;
- Providing adequate systems and resources to effectively manage injury management and return to work process;
- Clearly defining roles and responsibilities for Work Health and Safety;
- Promoting work health and safety as a shared responsibility of all in the workplace;
- Promoting effective consultation on Work Health and Safety matters with all workers and others,

- Communicating through induction, instruction, training, supervision to improve individuals WHS understanding of workplace hazards, including safe work procedures and emergency procedures.
- Establishing measurable objectives and targets to ensure a continued improvement aimed at eliminating work-related injury and illness;
- Implementing, maintaining; reviewing and continually improving our WHS Management System.

## Scope

This Policy applies to all workers and others at Council workplaces and worksites.

## Responsibilities

Council (being the PCBU) must ensure as far as is reasonably practicable that:

- The health and safety of workers and other persons is not put at risk from work carried out as part of the conduct of the business or undertaking;
- The workplace, the means of entering and exiting the workplace and anything arising from the workplace are without risks to the health and safety of any person.

A PCBU must provide as far as is reasonably practicable:

- Adequate facilities and access to the facilities;
- Information, training, instruction or supervision;
- Safe general working environment;
- First aid equipment and personnel;
- Emergency plans;
- Personal protective equipment;
- Effective communication with remote or isolated workers.

## Officer

Persons considered officers at council are the General Manager, Directors, Managers and other person who has significant decision-making abilities and financial control of the business or undertaking.

The overall responsibility and accountability for Work Health and Safety rests with Council's "Officers" and that duty cannot be transferred.

It is an Officer's duty to exercise due diligence to ensure their business or undertaking fulfils its health and safety obligations under the *Work Health and Safety Act 2011*.

Essential elements of due diligence for an Officer are interrelated and cumulative in nature. These elements require an Officer to:

- Acquire and keep up to date knowledge of work health and safety matters;
- Gain an understanding of the operations of the business and the hazards and risks involved
- Ensure appropriate resources and processes are provided as far as is reasonably practicable to enable hazards to be identified and risks to be eliminated or minimised;
- Ensure information regarding incidents, hazards and risks is received and the information is responded to in a timely way;
- Ensure the PCBU has, and implements, processes for complying with any legal duty or obligation; and

- Ensure processes are verified, monitored and reviewed.

## Councillors

Councillors have the following duties under the WHS Act – to:

- a) take reasonable care for your own health and safety
- b) take reasonable care that your acts or omissions do not adversely affect the health and safety of other persons
- c) comply, so far as you are reasonably able, with any reasonable instruction that is given to ensure compliance with the WHS Act and any policies or procedures adopted by the council to ensure workplace health and safety
- d) cooperate with any reasonable policy or procedure of the council relating to workplace health or safety that has been notified to council staff
- e) report accidents, incidents, near misses, to the general manager or such other staff member nominated by the general manager, and take part in any incident investigations
- f) so far as is reasonably practicable, consult, co-operate and coordinate with all others who have a duty under the WHS Act in relation to the same matter.

## Managers

Managers and leaders are responsible for providing a workplace that is, as far as reasonably practicable, safe and healthy workplace for workers and visitors, in particular in the areas of their control.

This includes:

- Modelling health and safety leadership
- Demonstrating a commitment to good health and safety performance, by:
  - talking about safety at regular meetings
  - ensuring safe work procedures are followed
  - reporting incidents, hazards and safety concerns promptly
  - assessing task risk and not allowing an activity to continue until it can be controlled adequately
- Fostering a strong work health and safety culture where worker input is valued
- Promoting and implementing the Work Health and Safety Management System
- Actively support the identification of hazards and risks and the management of these
- Understand and monitor safety performance objectives
- Proactively manage other duty holders (e.g. contractors), when required

Staff in supervisory positions, have additional responsibilities which include:

- Lead safety initiatives in the workplace.
- Consult with their workers on measures to protect their health and safety
- Actively follow agreed safety practices and model positive attitudes towards health and safety matters
- Arrange for their workers to be instructed in healthy and safe systems of work and procedures and supervise the practice of safe working procedures
- Notify managers of all incidents, hazardous situations, dangerous occurrences or immediate risks to health and safety of any workers
- Ensure that all workers are informed of this policy

- Undertake consultation with all managers and workers on change that may affect their health and safety
- Ensure that WHS is a standing agenda item at all staff meetings

### **Workers and others**

Workers and others must, while at work:

- Take reasonable care for their own health and safety;
- Take reasonable care for the health and safety of others;
- Comply with any reasonable instruction by the PCBU;
- Cooperate with any reasonable policies and procedures of the PCBU.

### **Health and Safety Representatives (HSR's)**

HSR's are responsible for:

- Representing the workers in their unit in relation to work safety issues;
- Informing the relevant manager in the area of potential risks and dangerous occurrences at any workplace where workers they represent work and being involved in WHS activities in their workplace;
- Informing the relevant manager in the agency of work safety matters directly affecting the workers they represent; and
- Undertaking training in an approved training course as required;

HSR's are not:

- Responsible for ensuring an area complies with their legal responsibilities.
- Accountable for any actions performed in good faith as part of their HSR role.

### **Health and Safety Workgroups**

The role of the Health and Safety Workgroups is to ensure a coordinated approach to health and safety matters within Council and to make recommendations to the General Manager / Management / Safety Team. Policy Implementation Guidelines

### **Work Health and Safety System (WHSMS)**

In order to implement the general provisions of the Policy a new Work Health and Safety Management System has been developed and will be continually reviewed and monitored in compliance with the Work Health and Safety Act 2011, Work Health and Safety Regulation 2017 and ISO45001:2018.

The WHS System includes WHS Policy, procedures, and programs which work together to manage health and safety at Council.

### **System Elements**

The system relates to all aspects of work health and safety including the following elements:

- Context of the Organisation
- Leadership and Worker Participation
- Planning
- Support
- Operation

- Performance
- Evaluation
- Improvement

## Compliance

### Compliance with Work Health and Safety (WHS) Policy

#### Compliance for Council Management and Staff

All workers are required to comply with this Policy and associated procedures. A failure to comply could be considered a breach and would be dealt with in accordance with Discipline Procedures under the New South Wales Local Government (State) Award.

#### Compliance for Others (PCBUs, including contractors who work with or on behalf of Council)

Others who with or on behalf of Council are required to comply with this Policy and associated procedures. A failure to comply could be considered a breach of contract.

## Legislative Context

- Work Health and Safety Act 2011
- Work Health and Safety Regulation 2017
- Local Government Act 1993
- Local Government (State) Award 2017

## Related Documents

- Work Health and Safety Consultation, Cooperation and Coordination Code of Practice, August 2019
- Wagga Wagga City Council Code of Conduct
- International Standard ISO 45001 Occupational Health and Safety

## Definitions

Term	Definition
Person Conducting a Business or Undertaking (PCBU)	<p>A person conducts a business or undertaking:</p> <ul style="list-style-type: none"> <li>• Whether the person conducts the business or undertaking alone or with others;</li> <li>• Whether or not the business or undertaking is conducted for profit or gain;</li> <li>• An elected member of a local authority does not in that capacity conduct a business or undertaking.</li> </ul>
Officer	<p>An <b>officer</b> is a person who makes decisions, or participates in making decisions that affect the whole or a substantial part of a business or undertaking and has the capacity to significantly affect the financial standing of the business or undertaking.</p>

Term	Definition
Worker	<p>A person is a <b>worker</b> if the person carries out work in any capacity for a person conducting a business or undertaking, including work as:</p> <ul style="list-style-type: none"> <li>• An employee; or</li> <li>• A contractor or subcontractor; or</li> <li>• An employee of a contractor or subcontractor; or</li> <li>• An employee of a labour hire company who has been assigned to work in the person's business or undertaking; or</li> <li>• An apprentice or trainee; or</li> <li>• A student gaining work experience; or</li> </ul> <p>A volunteer</p>
Others	Is taken to mean others at a worksite, including but not limited to visitors, customers, and members of the public.
Health and Safety Representative (HSR)	In relation to a worker, means the health and safety representative elected for the work group of which the worker is a member. A HSR has been elected to represent their work area in relation to work safety
Health and Safety Workgroups	A workgroup is a grouping of workers who share similar WHS concerns and conditions. At Council, work groups are largely aligned to the organisational structure.

## Revision History

Revision number	Council resolution	Council meeting date
1	Res No: 70/03	27 January 2003
2	Res No: 243/04	23 August 2004
3	Res No: 12/306	22 October 2012
4	Res No: 13/224.1	26 August 2013
5	Res No: 15/271	28 September 2015
6	E-Team	18 August 2017
7	Res No: 17/279	28 August 2017
8	Res No: 20/472	14 December 2020
9	General Manager approval under delegated authority	5 October 2021
10	Res No. 22/354	17 October 2022