



9. GOVERNANCE

Policy 9.13

WORK HEALTH SAFETY POLICY

Version 1

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9.13 WORK HEALTH AND SAFETY (WHS) POLICY

OBJECTIVE

Establish a process for development of WHS objectives and develop plans in order to meet these objectives:

- Provide documented evidence of Council's commitment to adopting Work Health and Safety principles as an integral part of operations and decision making in all facets of Council's operations;
- Provide a framework for the prevention of accidents, injuries and illness at Council's place of work for workers, visitors, contractors, sub-contractors, volunteers and work experience people.
- Promote and manage Work Health and Safety
- Provide opportunities for improved performance levels of Work Health and safety throughout the organisation.

POLICY

The Work Health and Safety (WHS) of all people employed at Lithgow City Council and those people visiting the organisation is considered as utmost importance when assessing risks to health and safety.

Resources will be made available to comply with all relevant WHS legislation, including the WHS regulation to ensure the Council workplace is safe and without risk to health.

POLICY STATEMENT

Lithgow City Council, the Person Conducting a Business or Undertaking (PCBU), accepts responsibility for the work health and safety of its workers at all Council workplaces. Council will comply with all statutory requirements with regard to work health and safety and take all reasonably practicable steps to establish and maintain an effective work health and safety programme.

Council will, as far as is reasonably practicable;

- Protect workers against harm to their health, safety and welfare through the elimination, or if not possible, minimisation of risks arising from work, plant or substances
- Provide and maintain workplaces where the work environment is without risk.
- Provide and maintain safe systems of work.
- Provide for the safe use and handling of plant, structures and substances
- Provide adequate facilities for the welfare at work of all workers in carrying out their business for the PCBU

- Provide fair and effective workplace representation, consultation, cooperation and issue resolution in relation to work health and safety.
- Promote the provision of information, instruction, training and supervision necessary to protect persons from risks to health and safety arising from the work.
- Protect the health of workers and the conditions at the workplace by monitoring for the purpose of preventing illness or injury arising from the business.
- Encourage unions and the LGNSW to take a constructive role in promoting improvements in work health and safety practise to achieve a health and safe working environment.

To implement the general provisions of this policy, a program of activities and procedures will be set up, continually monitored and updated effectively. This program will relate to all aspects of WHS including:

- WHS training and education
- Work design, workplace design and standard work methods
- Changes to work methods and practice, including those associated with technological change
- Safety rules; including penalties
- Emergency procedures and drills
- Provision of WHS equipment, services and facilities
- Workplace inspections and evaluations
- Reporting and recording of incidents, accidents, injuries and illnesses; and
- provision of information to employees Contractors and sub-contractors

RESPONSIBILITIES

General Manager: is an officer of the PCBU and must exercise due diligence, ensuring the business or undertaking fulfils its health and safety obligations under the *Work Health and Safety Act 2011*. In particular;

- Ensuring there is an appropriate risk management system in place to meet the statutory obligations of the Council under the WHS Act 2011 and the WHS Regulations 2011;
- Ensuring Policy framework to promote a safe and health workplace is in place, at the Council level, for all Council workers;

Group Managers: are officers of the PCBU and must exercise due diligence, ensuring their area of business or undertaking fulfils its health and safety obligations under the *Work Health and Safety Act 2011*.

Managers at all levels within the scope of their authority are responsible for ensuring:

- Review performance of their operational area of responsibility to ensure compliance with Council's risk management procedures;
- As required provide information on the operations area's contribution to the Council's Work Health and Safety performance;
- Review the performance of managers ensure that performance review criteria are incorporated into the performance appraisal as part of promoting a safer Council;

- Undertake the performance review of managers, supervisors and workers and where necessary draw attention to the need to improve performance with regard to implementing Work Health and Safety Policies and Procedures;
- Necessary guidance is provided and support to managers to assist them to improve the safety performance of their operational areas;
- To work cooperatively with supervisors a manner that allows for systematic identification of all reasonably foreseeable events and hazards.

Managers: are officers of the PCBU and must exercise due diligence, ensuring their area of business or undertaking fulfils its health and safety obligations Work Health and Safety Act 2011.

Managers at all levels within the scope of their authority are responsible for ensuring:

- They are satisfied the operational areas for which they are responsible have the capacity to undertake the tasks in a safe manner;
- All foreseeable hazards have been identified;
- Adoption of determining risks is suitable for producing dependable assessments;
- Resources, technical expertise, skills and training are provided by Council to enable workers to implement the proposed risk measures;
- Undertake the performance review of supervisors and workers and where necessary draw attention to the need to improve performance with regard to implementing Work Health and Safety Policies and Procedures;

Supervisors: are officers of the PCBU and must exercise due diligence, ensuring their area of business or undertaking fulfils its health and safety obligations Work Health and Safety Act 2011.

Supervisors at all levels within the scope of their authority are responsible for ensuring:

- Prior to work commencing, consultation with workers is conducted to identify all foreseeable hazards and a risk assessment is conducted in relation to these identified hazards
- Be satisfied that the adopted risk management procedures create workable solutions for controlling the assessed risks.
- Resources, technical expertise, skills and training are provided by Council to enable workers to implement the proposed risk measures;
- Undertake the performance review of workers and where necessary draw attention to the need to improve performance with regard to implementing Work Health and Safety Policies and Procedures;
- Managers are advised of any identified training requirements.

Workers: Workers are responsible for:

- Carrying out duties in a manner which does not adversely affect their work health and safety or that of others.
- Cooperate in the use of measures introduced in the interest of work health and safety

- Undertake any training provided in relation to WHS
- Immediately report all matters which may affect work health and safety to their supervisor
- Correctly use any information, training, personal protective equipment and safety devices provided.
- Not intentionally misuse or recklessly interfere with anything provided for health and safety reasons
- Undertaking tasks for which they have authorisation and or necessary training, and for which all necessary safety arrangements are in place.

Others

Health and Safety Committee

The workplace health and safety committee has a duty to:

- Facilitate cooperation between the PCBU and workers in instigating, developing and carrying out measures designed to ensure the health and safety of workers
- Assist in the development of standards, rules and procedures relative to health and safety.
- Other functions prescribed by the regulations or agreed between the PCBU and the committee
- Meet every month at a reasonable time or when requested by half of the members of the committee.
- Consult with the workers on matters of WHS.

Health and Safety Representatives (HSR)

HSR's play a positive role in representing the health and safety interests of workers and their work groups by:

- Investigating health and Safety concerns raised by workers of their work group
- Research and analyse any matter that might be a risk to health and safety of the workers in their work group
- Monitor the health and safety action taken by the PCBU
- Assist with resolution of health and safety issues through ongoing consultation and representation.

Contractors and Sub-contractors

All contractors and sub-contractors engaged to perform work at any Council workplace are required to comply with Council's WHS policies and procedures and observe directions with regard to health and safety from designated officers of Council.

DEFINITIONS

WHS Legislation – Work Health and Safety Act 2011 and Work Health and Safety Regulation 2011

Local Authority – means a council or county council under the *Local Government Act 1993*.

Public Authority – means a NSW Government Agency, or **local authority**.

Undertaking or business – Activities carried out by, or under the control of, a person,

- a) Whether alone or with others
- b) Whether or not for profit or gain

Including activities conducted by:

- a) Corporation, partnership,
- b) Unincorporated association
- c) Self employed person
- d) Government agency.

PCBU – business or undertaking conducted by a person including a business or undertaking conducted by a partnership or an unincorporated association.

Officer – the meaning of Section 9 of the Corporations Act 2001. An officer of a Public Authority within the meaning of Section 252 of the Work Health and Safety Act 2011 which states that a person who makes, or participates in making, decisions that effect the whole or a substantial part, of the business or undertaking of a public authority is taken to be an officer of the public authority for the purposes of the Act. Officers at Lithgow City Council are the General Manager, Group Managers, Managers and Supervisors.

Workers - a person who carries out work in any capacity for a person conducting a business or undertaking, including work as:

- An employee
- A contractor or subcontractor; or
- An employee of a contractor or subcontractor; or
- An employee of a labour hire company who has been assigned to work in the person's business or undertaking; or
- An outworker; or
- An apprentice
- A student gaining work experience; or
- A volunteer; or
- A person of a prescribed class

Volunteer – means a person who is acting on a voluntary basis (irrespective of whether the person received out-of-pocket expenses.)

Workplace – a place where work is carried out for a PCBU and includes any place where a worker goes, or is likely to be, while at work.

A place of work includes:

- a vehicle, vessel, aircraft or other mobile structure;
- any waters and any installation on land, on the bed of any waters or floating on any waters.

'Reasonably Practicable' – Section 18 WHS Act – in relation to a duty to ensure health and safety imposed on the PCBU, means that which is or was at a particular time, reasonably able to be done in relation to ensuring health and safety, taking into account and weighing up all relevant matters including

the likelihood of the hazard or risk occurring and the degree of harm that may result. Applying sound risk management principles.

ASSOCIATED LEGISLATION

Work Health and Safety Act 2011 – (WHS Act)

Work Health and Safety Regulation – (WHS Reg)

Corporations Act 2001

Local Government Act 1993.

Maintained by Department:	Organisational Development	Approved by:	Council	Exhibition Date:	
Reference:	Policy Register	Council Policy No:	9.13	Effective Date:	
Min No:	V1 - 14-130	Version No:	01	Reviewed Date:	September 2013
Attachments:					