

<b>Title</b>	<b>Work Health and Safety Policy</b>
<b>Policy Category</b>	Childrens Programs
<b>Policy Type</b>	Best Practice
<b>NQF Standard</b>	NQS: Quality Area 2, 3 and 7
<b>Related Legislation</b>	See legislation map

### Background and Context

This policy will provide guidelines and procedures to ensure that:

- all people who attend the premises of Glen Education, including employees, children, parents/guardians, students, volunteers, contractors and visitors, are provided with a safe and healthy environment
- all reasonable steps are taken by Glen Education, as the employer of staff, to ensure the health, safety and wellbeing of employees at the service.

Glen Education has a moral and legal responsibility to provide a safe and healthy environment for employees, children, parents/guardians, students, volunteers, contractors and visitors. This policy reflects the importance Glen Education places on the wellbeing of employees, children, parents/guardians, students, volunteers, contractors and visitors, by endeavouring to protect their health, safety and welfare, and integrating this commitment into all activities.

Glen Education is committed to ensuring that:

- the management group, staff and volunteers are aware of their health and safety responsibilities as employers, employees and volunteers
- systematic identification, assessment and control of hazards is undertaken at the service
- effective communication and consultation form a fundamental part of the management process to encourage innovative ways of reducing risk in the service environment
- training is provided to assist staff to identify work, health and safety (WHS) hazards which, when addressed, will lead to safer work practices at the service
- it fulfils its obligations under current and future laws (in particular, the Occupational Health and Safety Act 2004), and that all relevant codes of practice are adopted and accepted as a minimum standard.

Everyone involved in an early childhood education and care service has a role to play in ensuring the service's operations are safe and without risk to the health and safety of all parties. In Victoria, health and safety in the workplace is governed by a system of laws, regulations and compliance codes that set out the responsibilities of employers and employees to ensure safety is maintained at work.

The *Occupational Health and Safety Act 2004* (OHS Act) sets out the key principles, duties and rights in relation to workplace health and safety. The *Occupational Health and Safety Regulations 2017* specifies the ways duties imposed by the OHS Act must be undertaken and prescribes procedural/administrative matters to support the OHS Act, such as requiring licenses for specific activities, or the need to keep records or notify authorities on certain matters.

The legal duties of an **employer** under the OHS Act are:

- to provide and maintain a workplace that is safe and without risk to the health of employees. This responsibility extends to contractors for routine tasks over which the employer has management. For contractors completing non-routine tasks, the employer must ensure that the service's daily operations and layout do not pose unreasonable risks
- to ensure other individuals, such as families and visitors, are not exposed to work, health and safety risks arising from the organisation's activities
- to consult with employees about WHS matters that will, or will likely, affect employees directly, including identifying hazards and assessing risks, and making decisions about risk control measures.

The OHS Act places the responsibility on **employees** for:

- taking care of their own safety and the safety of others who may be affected by their actions
- co-operating with reasonable WHS actions taken by the employer, including following guidelines, attending OHS and WHS-related training, reporting incidents, co-operating with WHS investigations, encouraging good WHS practice with fellow employees and others at the service, and assisting the employer with conducting WHS inspections during operating hours
- not interfering with safety equipment provided at the service, such as fire extinguishers.
- **OHS COVID-19 Regulations Incident Notification Regulations 2021, require workplaces to:**
  - notify WorkSafe Victoria (WorkSafe) of an infectious disease in the workplace, unless immediate inpatient treatment is required or the disease is the cause (or suspected cause) of a death. In a state of emergency and pandemic situation, timely notification of potential workplace transmission of COVID-19 is critical for efficient and effective management of related health and safety risks, and the prompt investigation of potential breaches of employer duties.
- The OHS COVID-19 Regulations will extend the operation of Part 5 of the Occupational Health and Safety Act 2004 (OHS Act) to require duty holders to notify WorkSafe if:
  - an employer becomes aware that an employee or independent contractor engaged by the employer, and any employees of the independent contractor, has received a confirmed diagnosis of COVID-19, and has attended the workplace within the infectious period (being 14 days prior to receiving the confirmed diagnosis of COVID-19 and until clearance from isolation has been received); or
  - a self-employed person has received a confirmed diagnosis of COVID-19 and has attended the workplace within the infectious period (being 14 days prior to receiving the confirmed diagnosis of COVID-19 and until clearance from isolation has been received).

A penalty will apply for failing to notify WorkSafe under section 38 of the OHS Act – up to \$39,652 (240 penalty units) for an individual or \$198,264 (1200 penalty units) for a body corporate.

The OHS COVID-19 Regulations are temporary in nature and will expire 12 months after their making. WorkSafe will review the proposed OHS COVID-19 Regulations during the 12-month period of operation.

### Scope

This policy applies to the Glen Education, Nominated Supervisor/Glen Education Leaders, educators, staff, children, parents/guardians, students on placement, volunteers, contractors and visitors attending the programs and activities of Glen Education.

### Definitions

**COVID 19 – Coronavirus or** COVID-19 virus is a new virus linked to the same family of viruses as Severe Acute Respiratory Syndrome (SARS) and some types of common cold.

**Duty of care:** A common law concept that refers to the responsibilities of organisations to provide people with an adequate level of protection against harm and all reasonable and foreseeable risk of injury. In the context of this policy, duty of care refers to the responsibility of education and care services to provide children, staff, students, volunteers, contractors and anyone visiting the service with an adequate level of care and protection against reasonable and foreseeable harm and injury.

**Glen Education Leader:** A person who is nominated by Glen Education Management to provide leadership and mentoring (operational and educational) across the organisation, that aligns with the National Early Years Framework and who actively promotes and ensures adherence to all Glen Education practices, policies and procedures

**Hazard:** An element with the potential to cause death, injury, illness or disease.

**Hazard identification:** A process that involves identifying all foreseeable hazards in the workplace and understanding the possible harm that each hazard may cause.

**Hazard management:** A structured process of hazard identification, risk assessment and control, aimed at providing safe and healthy conditions for employees, contractors and visitors while on the premises of Glen Education or while engaged in activities endorsed by Glen Education.

**Harm:** Includes death, or injury, illness (physical or psychological) or disease that may be suffered by a person as a consequence of exposure to a hazard.

**Maintenance, Hazard, Near Miss Register:** A Glen Education generated register used to record areas/items in need of maintenance and or repair or to record any foreseeable hazards and near misses identified

**Material Safety Data (MSD) sheet:** Provides employees and emergency personnel with safety procedures for working with toxic or dangerous materials. The data sheet includes all relevant information about the material such as physical properties (e.g. melting/boiling point, toxicity and reactivity), health effects, first aid requirements and safe handling procedures (e.g. personal protective equipment, safe storage/disposal and management of spills).

**Near Miss:** A situation that caused no damage to property and no personal injury was sustained, but where, given a slight shift in time or position, damage or injury easily could have occurred

**Nominated Supervisor:** A person who has been nominated by Glen Education under Part 3 of the Act and who has consented to that nomination in writing can be the Nominated Supervisor. All services must have a Nominated Supervisor(s) with responsibility for the service in accordance with the National Regulations (Section 5 and 161).

**Pandemic:** is an epidemic occurring worldwide, or over a wide geographic area and affecting a large proportion of the population.

**Risk:** The chance (likelihood) that a hazard will cause harm to individuals.

**Risk assessment:** A process for developing knowledge/understanding about hazards and risks so that sound decisions can be made about the control of hazards. Risk assessments assist in determining:

- what levels of harm can occur
- how harm can occur
- the likelihood that harm will occur.

**Risk control:** A measure, work process or system that eliminates an WHS hazard or risk, or if this is not possible, reduces the risk so far as is reasonably practicable.

**Safety data sheets:** A Safety Data Sheet (SDS) is a document that provides health and safety information about products, substances or chemicals that are classified as hazardous substances or dangerous goods. If you buy one of these products, it should come with an SDS.

**State of Emergency:** A State of Emergency declaration gives the Victorian Chief Health Officer broad powers to act to eliminate or reduce a serious risk to public health by detaining people, restricting movement, preventing entry to premises, or providing any other directions considered reasonable to protect public health, slow the spread of infection, reduce the pressure on the health system and minimise the associated risks

**WHS committee:** A committee that facilitates co-operation between an employer and employees in instigating, developing and carrying out measures designed to ensure the health and safety of employees in the workplace.

**Work, Health and Safety (WHS):** Workplace Health and Safety (WHS) is the discipline concerned with protecting the health and safety of all stakeholders in the workplace from exposure to hazards and risks resulting from work activities. This may also be referred to as OHS in Victoria

**WorkSafe Victoria:** WorkSafe Victoria is the statutory authority responsible for promoting and enforcing health and safety in Victorian workplaces.

## Policy

### Responsibilities

#### Glen Education is responsible for:

- providing and maintaining a work environment that is safe and without risks to health (OHS Act: Section 21). This includes ensuring that:
  - there are safe systems of work
  - all plant and equipment provided for use by staff, including machinery, appliances and tools etc., are safe and meet relevant safety standards
  - substances, and plant and equipment, are used, handled, and stored safely
  - material safety data sheets are supplied for all chemicals kept and/or used at each service (refer to: <https://www.worksafe.vic.gov.au/safety-data-sheets> )
  - there are adequate welfare facilities e.g. first aid and dining facilities etc.
  - there is appropriate information, instruction, training and supervision for employees

*(Note: This duty of care is owed to all employees, children, parents/guardians, volunteers, students, contractors and any members of the public who are at the workplace at any time)*

- ensuring there is a systematic risk management approach (refer to: <https://www.worksafe.vic.gov.au/safety-data-sheets>) to the management of workplace hazards. This includes ensuring that:
  - hazards and risks to health and safety are identified, assessed and eliminated or, if it is not possible to remove the hazard/risk completely, effectively controlled
  - measures employed to eliminate/control hazards and risks to health and safety are monitored and evaluated regularly
- ensuring regular safety audits of the following:
  - indoor and outdoor environments
  - all equipment, including emergency equipment
  - playgrounds and fixed equipment in outdoor environments
  - cleaning services
  - horticultural maintenance

- pest control
- monitoring the conditions of the workplace and the health of employees (*OHS Act: Section 22*)
- protecting other individuals from risks arising from the service's activities, including holding a fete or a working bee etc., or any activity that is ancillary to the operation of the service e.g. contractors cleaning the premises after hours (*OHS Act: Section 23*)
- providing adequate instruction to staff in safe working procedures, and informing them of known hazards to their health and wellbeing that are associated with the work that they perform at the service
- ensuring that all plant, equipment and furniture are maintained in a safe condition
- developing procedures to guide the safe use of harmful substances, such as chemicals, in the workplace
- ensuring that WHS accountability is included in all position descriptions
- allocating adequate resources to implement this policy
- ensuring this policy is available via the Glen Education website
- ensuring the physical environment at the service is safe, secure and free from hazards for children (refer to Child Safe Environment Policy)
- implementing/practising emergency and evacuation procedures (refer to *Emergency and Evacuation Policy*) each term
- implementing and reviewing this policy in consultation with the Nominated Supervisor/Glen Education Leader, educators, staff, contractors and parents/guardians
- identifying and providing appropriate resources, induction and training to assist educators, staff, contractors, visitors, volunteers and students to implement this policy
- ensuring the Nominated Supervisor/Glen Education Leader, educators, staff, contractors, volunteers and students are kept informed of any relevant changes in legislation and practices in relation to this policy
- consulting appropriately with employees on WHS matters including:
  - identification of hazards
  - making decisions on how to manage and control health and safety risks
  - making decisions on health and safety procedures
  - the need for establishing an WHS committee and determining membership of the committee, then establishing accordingly
  - proposed changes at the service that may impact on health and safety
- notifying WorkSafe Victoria and other relevant agencies about serious workplace incidents, and preserving the site of an incident (*OHS Act: Sections 38–39*)
- in a state of emergency and pandemic situation, notifying WorkSafe Victoria and other relevant agencies of notification of potential workplace transmission of COVID-19 is critical for efficient and effective management of related health and safety risks.
- holding appropriate licenses, registrations and permits, where required by the OHS Act
- attempting to resolve WHS issues with employees or their representatives within a reasonable timeframe
- not discriminating against employees who are involved in health and safety negotiations
- allowing access to an authorised representative of a staff member who is acting within his/her powers under the OHS Act
- producing WHS documentation as required by inspectors and answering any questions that an inspector asks
- not obstructing, misleading or intimidating an inspector who is performing his/her duties.

**The Nominated Supervisor/Glen Education Leader is responsible for:**

- ensuring that all educators/staff are aware of this policy, and are supported to implement it at the service

- organising/facilitating regular safety audits of the following:
  - indoor and outdoor environments
  - all equipment, including emergency equipment
  - playgrounds and fixed equipment in outdoor environments
  - cleaning services
  - horticultural maintenance
  - pest control
- ensuring that any hazard, maintenance, repairs identified are reported to Glen Education and recorded in the maintenance, hazard, near miss register, which is available at each service
- ensuring that all cupboards/rooms are labelled accordingly, including those that contain chemicals and first aid kits, and that child-proof locks are installed on doors and cupboards where contents may be harmful
- ensuring the physical environment at the service is safe, secure and free from hazards for children (refer to *Child Safe Environment Policy*)
- ensuring that all equipment and materials used at the service meet relevant safety standards
- ensuring the service is up to date with current legislation on child restraints in vehicles if transporting children (refer to *Excursions and Safe Transport Policy*)
- implementing and practising emergency and evacuation procedures (refer to *Emergency and Evacuation Policy*)
- implementing and reviewing this policy in consultation with Glen Education, educators, staff, contractors and parents/guardians
- identifying and providing appropriate resources and training to assist educators, staff, contractors, visitors, volunteers and students to implement this policy
- keeping up to date and complying with any relevant changes in legislation and practices in relation to this policy.

**All educators and other staff are responsible for:**

- taking care of their own safety and the safety of others who may be affected by their actions
- co-operating with reasonable WHS actions taken by Glen Education, including:
  - following OHS and WHS rules and guidelines
  - helping to ensure housekeeping is of the standard set out in service policies
  - attending OHS and WHS training as required
  - reporting WHS incidents
  - co-operating with WHS investigations
  - encouraging good WHS practices with fellow employees and others attending the service
  - assisting Glen Education with tasks relating to WHS, such as conducting WHS inspections during working hours
- not interfering with safety equipment provided by Glen Education
- practising emergency and evacuation procedures (refer to *Emergency and Evacuation Policy*) each term
- ensuring the physical environment at the service is safe, secure and free from hazards for children (refer to *Child Safe Environment Policy*)
- ensuring that any hazard/repairs identified are reported to Glen Education and recorded in the maintenance, hazard, near miss register, available at each service
- maintaining a clean environment daily, and removing tripping/slipping hazards as soon as these become apparent
- keeping up to date with current legislation on child restraints in vehicles if transporting children (refer to *Excursions and Service Events Policy*)
- implementing and reviewing this policy in consultation with Glen Education, Nominated Supervisor/Glen Education Leader, educators, staff, contractors and parents/guardians.

- teaching children about positive safety behaviours, including correct use of protective equipment, correct use of facilities and equipment, and identifying and responding to hazards

**Students on placements, volunteers, contractors and parents/guardians at the service are responsible for:**

- being familiar with this policy
- co-operating with reasonable OHS and WHS rules implemented by the service
- not acting recklessly and/or placing the health and safety of other adults or children at the service at risk.

**Approvals and Revision**

Date	Version	Author	Revision Description
Q3 2012	1.00	Glen Education Management	New Policy
Q2 2022	6.00	Glen Education Management	Policy updated due to rebranding May 2022