

The BUSY School Ltd

Work Health and Safety Policy

Purpose: The purpose of this policy is to outline The BUSY School Ltd risk management framework for work health and safety, including the definition of key terms, roles and duties and the implementation and monitoring of measures to ensure, as far as reasonably practicable, the health and safety of workers and all other person/s at the school.

Scope: The BUSY School directors, all officers, all employees, and other persons at the school, including students and parents.

Status: Approved **Supersedes:** V4 (April 2023)

Authorised by: Board Chair **Date of Authorisation:** 01/02/2024

References:

- *Work Health and Safety Act 2011* (Qld)
- *Work Health and Safety Regulation 2011* (Qld)
- *Education (Accreditation of Non-State Schools) Act 2017* (Qld)
- *Education (Accreditation of Non-State Schools) Regulation 2017* (Qld)
- *WHSQ Codes of Practice*
- *Corporations Act 2001* (Cth)
- The BUSY School (TBS) Risk Management Framework
- TBS Incident Reporting Form (online via Folio)
- TBS Complaints Handling Policy
- TBS Complaints Handling Procedure

Review Date: Annually **Next Review Date:** 01/02/2025

Policy owner: The BUSY School Ltd – Board of Directors

Policy Statement

The BUSY School (TBS) is committed to providing and maintaining a safe and healthy workplace for all workers (including contractors and volunteers) as well as students, visitors and members of the public. Hazards and risks to health and safety will be eliminated or minimised, as far as is reasonably practicable.

In doing so, TBS will as far as reasonably practicable comply with the *Work Health and Safety Act 2011* (Qld), (the Act) and the *Work Health and Safety Regulation 2011* (Qld), (the Regulation) and relevant codes of practice, ensuring that, so far as is reasonably practicable:

- it complies with all legislation relating to health and safety;
- all workplace hazards and risks are eliminated or minimised as far as is reasonably practicable;
- information, instruction and training is provided to enable all workers to work safely;
- workers are supervised effectively to ensure work activities are performed safely;
- workers are consulted on matters relating to health, safety and wellbeing;
- appropriate safety equipment and personal protective equipment is provided; and
- a suitable injury management and return to work program is provided.

This commitment is in line with TBS's responsibility under the *Education (Accreditation of Non-State Schools) Regulation 2017* to comply with the requirements of the *Work Health and Safety Act 2011*.

Definitions

Definitions relevant to this policy, according to the *Work Health and Safety Act 2011* and *Work Health and Safety Regulation 2011* include:

- **Person Conducting a Business or Undertaking (PCBU)¹** includes those operating a business alone or with others; for profit or not-for-profit; and partners in a partnership. A person is not a PCBU if solely a worker or officer in a business, is an elected member of a local government or a volunteer association. Examples of a PCBU include a company, association, a sole trader, or partners in a partnership. The TBS is a PCBU.
- **Officer** is a person who makes or participates in making decisions, that affect the whole or a substantial part of the business or undertaking of the State or Commonwealth², public authority³ or a corporation⁴. At TBS this may include members of the School Board and senior leadership employees such as the Chief Executive Officer, General Manager, Executive Principal, Campus Principal, or Business Manager.
- **Worker⁵** includes employees, contractors and subcontractors and their employees, employees of a labour hire company who has been assigned to work in TBS, outworkers, apprentices, trainees, students gaining work experience, and volunteers. A PCBU, for example a sole trader, can also be a worker if they carry out work in the business.
- **Health and Safety Representative (HSR)⁶** (Sch5 *Work Health and Safety Act 2011*):
is a worker, elected by workers⁷, to represent the health and safety of the work group of which the worker is a member. A HSR's duties include representing workers in work health and safety matters by investigating complaints from workers; inquiring about risks to workers; monitoring measures undertaken by the PCBU; inspecting the workplace including with an inspector; requesting a health and safety committee be established, directing that unsafe work cease and the issuing of provisional improvement notices in certain circumstances. HSRs may be present at an interview concerning work health and safety between a worker or a group of workers and the PCBU or worker(s) and an inspector.
- **Work Health and Safety Officer (WHSO)⁸** is a suitably qualified person appointed by the PCBU to assist in fulfilling the PCBU's work health and safety duties. Activities include identifying and reporting on work health and safety matters, hazards and risks, notifying of or investigating incidents, accompanying or assisting an inspector during an inspection and establishing training. The PCBU may also act in the role of work health and safety officer⁹.
- **Health and Safety Committee (HSC)¹⁰** is a body established to facilitate cooperation between the PCBU and the workers and to assist with work health and safety compliance including developing standards, rules and procedures. Membership of the committee must include the work health and safety officer, if these positions have been established at the school and at least half of the committee members must be workers, not nominated by the PCBU.
- **Reasonably practicable¹¹** means what is reasonably able to be done to ensure the health and safety of workers and other person at TBS. Determining what is reasonable requires a weighing up of relevant matters such as the likelihood or degree of harm from the hazard or risk, availability of ways to eliminate or minimise the risk and associated costs, including whether the cost is grossly disproportionate to the risk.
- **Notifiable Incident¹²** occurs when there is a death, serious injury or incident or a dangerous incident, relating to a worker or other person because of the conduct of TBS. Such incidents must be reported to Work Health and Safety Queensland immediately after TBS becomes aware of the incident.
- **Serious injury or Incident¹³** is where a person needs immediate treatment as an in-patient in a hospital or treatment for certain injuries prescribed in the legislation such as amputation, serious head or an eye

¹ Work Health and Safety Act 2011 s.5

² Work Health and Safety Act 2011 s.247

³ Work Health and Safety Act 2011 s.252

⁴ Corporations Act 2001 s.9

⁵ Work Health and Safety Act 2011 s.7

⁶ *Work Health and Safety Act 2011 Schedule 5*

⁷ *Work Health and Safety Act 2011 Part 5*

⁸ Work Health and Safety Act 2011 Schedule 5

⁹ Work Health and Safety Act 2011 Part 5

¹⁰ Work Health and Safety Act 2011 s.103B

¹¹ Work Health and Safety Act 2011 s.103C

¹² Work Health and Safety Act 2011 s.75

¹³ Work Health and Safety Act 2011 s.18

injury, a serious burn, separation of skin from tissue, spinal injury, loss of bodily function or serious lacerations. It also includes medical treatment within 48 hours of exposure to a substance.

Roles and Duties

The Act outlines the duties held by the PCBU, officers, workers, and other persons within the TBS community. TBS acknowledges the duties held by these roles cannot be transferred or delegated to another person.

More than one person can concurrently have the same duty and each duty holder must comply with that duty to the standard required by the legislation. If more than one person has a duty for the same matter, each person is required to carry out their duty to the extent they have the capacity to influence and control the matter 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. Duties of specific roles are outlined below.

PCBU

The PCBU has the primary duty of care under the Act, to ensure as far as reasonably practicable, the health and safety of workers and any other person, is not put at risk from work carried out from conducting the business such as a school. In fulfilling this duty, TBS will as far as reasonably practicable:

- Provide and maintain a safe work environment
- Provide and maintain safe plant and structures
- Provide and maintain safe systems of work
- Ensure safe use, handling and storage of plant, structures and substances
- Provide adequate facilities for workers welfare
- Provide information, training, instruction or supervision
- Monitor the health of workers and the conditions at TBS to prevent illness or injury

In addition to the primary duty of care, the PCBU has duties outlined in other sections of the Act. In fulfilling these duties, TBS will ensure, so far as is reasonably practicable:

- Safe entry and exit to TBS
- Anything arising from TBS is free from risk to the health and safety of any person
- Fixtures, fittings and the plant are without risks to the health and safety of any person
- Provision of consultation, cooperation and issue resolution to workers
- Reporting of notifiable incidents as soon as TBS becomes aware of the incident
- Compliance with codes of practices or adoption of an equivalent or higher standard

The Regulation also includes PCBU duties providing specific requirements, to supplement the broad PCBU duties in the Act. In fulfilling these duties, TBS will:

- Identify reasonably foreseeable hazards¹⁵
- Ensure general workplace facilities, including the maintenance of and accessibility to the facilities meet minimum requirements, so far as is reasonably practicable¹⁶
- Ensure the provision of and access to first aid equipment, and first aid training meet the minimum requirements¹⁷
- Ensure an emergency plan is prepared, maintained and implemented, meeting the minimum requirements in the regulation¹⁸
- Psychosocial risks are appropriately managed¹⁹

¹⁴ Work Health and Safety Act 2011 s.37

¹⁵ Work Health and Safety Regulation Act 2011 s.34 and How to manage work health and safety risks Code of Practice 2021

¹⁶ Work Health and Safety Regulation 2011 s.40-41 and Managing the work environment and facilities Code of Practice 2021

¹⁷ Work Health and Safety Regulation 2011 s.42 and First aid in the workplace Code of Practice 2021

¹⁸ Work health and Safety Regulation 2011 s.43

¹⁹ Work health and Safety Regulation 2011 s.55C and Managing the risk of psychosocial hazards at Work Code of practice 2022

Officers

Officers have a duty under the Act to exercise due diligence, by ensuring the PCBU complies with the duties under the Act. Officers of TBS will exercise due diligence by taking the following reasonable steps:

- acquiring and keeping up-to-date knowledge of work health and safety; and
- understanding the nature of TBS' operations and the associated hazards and risks; and
- ensuring TBS has resources and processes to eliminate or minimise risks to health and safety; and
- ensuring TBS has processes for receiving, considering and responding to information about incidents, hazards and risks; and
- ensuring processes for complying with work health and safety legislation; and auditing and reviewing, work health and safety processes and use of the resources.

Workers

Workers have duties under the Act. Workers of TBS have the following duties and will as far as reasonably practicable:

- take reasonable care for their own health and safety; and
- take reasonable care that their conduct does not adversely affect others; and
- comply, so far as the worker is reasonably able, with instruction given by TBS; and
- co-operate with any reasonable, notified policy or procedure.

Other Persons

All other persons have duties under the Act. All other persons at TBS have the following duties and will:

- Take reasonable care for their own safety; and
- Ensure their conduct does not adversely affect others; and
- Comply, so far as the person is reasonably able, with reasonable instructions given by TBS.

Other roles

TBS may establish additional roles or committees to assist in managing the School's work health and safety duties under the Act, these may include Health and Safety Representative (HSR), Health and Safety Committee (HSC) and Work Health and Safety Officer (WHSO).

Implementation

TBS is committed to, as far as is reasonably practicable, protecting workers and other persons against harm to their health and safety means that it will implement the following measures in line with the *Work Health and Safety Act 2011* and the *Work Health and Safety Regulation 2011*:

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

Enterprise Risk Management Framework

TBS's Enterprise Risk Management Framework (encompassing the TBS Risk Management Policy, Risk Appetite Statement and Risk Management Processes) provides further guidance on the process and approach to managing risks at TBS.

Where the approach in the Enterprise Risk Management Framework does not eliminate the risk to the health and

safety of workers and others, TBS must minimise risks, so far as is reasonably practicable, by doing one or more of the following:

- a. substituting (wholly or partly) the hazard giving rise to the risk with something that gives rise to a lesser risk;
- b. isolating the hazard from any person exposed to it;
- c. implementing engineering controls.
- d. if a risk then remains, the duty holder must minimise the remaining risk, so far as is reasonably practicable, by implementing administrative controls.
- e. if a risk then remains, the duty holder must minimise the remaining risk, so far as is reasonably practicable, by ensuring the provision and use of suitable personal protective equipment.

Information, training, instruction and supervision

TBS will ensure, so far as is reasonably practicable, 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.

TBS 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.

TBS's Enterprise Risk Management Framework provides further guidance on the information, training, instruction and supervision provided to workers at the School.

TBS will take all reasonable steps to train its staff on this policy and any related processes relating to the health, safety and conduct of employees and students on their induction and will refresh training annually.

Consultation, cooperation and issue resolution

TBS 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.

Matters may include identifying, assessing and eliminating or minimising risks relating to work carried out by the workers at TBS, proposed changes to procedures for resolving worker issues or monitoring worker safety and the provision of information and training.

Consultation with workers includes sharing information regarding work, health and safety matters with workers and giving them reasonable opportunity to:

- Express their views and raise work health and safety issues in relation to the matter; and
- Contribute to the decision-making process relating to the matter; and
- Access information on the outcome of the consultation, in a timely manner.

TBS will also consult with workers, so far as is reasonably practicable, in relation to the following health and safety matters in accordance with the *Work Health and Safety Act 2011* and the *Work Health and Safety Regulation 2011*:

- (1) when identifying hazards and assessing risks to health and safety arising from the work carried out or to be carried out by TBS;
- (2) when making decisions about ways to eliminate or minimise those risks;
- (3) when making decisions about the adequacy of facilities for the welfare of workers;

- (4) when proposing changes that may affect the health or safety of workers;
- (5) when making decisions about the procedures for:
 - a. consulting with workers; or
 - b. resolving work health or safety issues at the workplace; or
 - c. monitoring the health of workers; or
 - d. monitoring the conditions at any workplace under the management or control of TBS; or
 - e. providing information and training for workers; or
- (6) when carrying out any other activity prescribed under the relevant legislation.

When consulting with workers, TBS will ensure that:

- (1) relevant information about the matter is shared with workers; and
- (2) workers be given a reasonable opportunity —
 - a. to express their views and to raise work health or safety issues in relation to the matter; and
 - b. to contribute to the decision-making process relating to the matter;
- (3) the views of workers are taken into account by TBS; and
- (4) the workers consulted are advised of the outcome of the consultation in a timely way; and
- (5) records of the consultation process and outcome are retained.

TBS will refer to The BUSY School Complaints Handling Policy and Procedure for further guidance on resolving work health and safety issues.

Compliance and monitoring

Incident Reporting

TBS has implemented an online incident reporting form (Folio) which requires workers and other persons to report any hazards or incidents resulting in potential or actual harm to health and safety. TBS will regularly monitor, collate and report on hazards and incidents.

Notifiable Incidents

TBS is committed to, so far as is reasonably practicable, reporting notifiable incidents to Workplace Health and Safety Queensland in accordance with the *Work Health and Safety Act 2011* and the *Work Health and Safety Regulation 2011*. Notifiable incidents include the death, serious injury or illness of a person or a dangerous incident, arising out of the conduct of TBS. TBS will notify the regulator, Workplace Health and Safety Queensland, immediately and by the fastest means possible after becoming aware of a notifiable incident and will preserve the incident site as far as reasonably practicable until the inspector arrives.

Training

TBS will, so far as is reasonably practicable, train its staff on this policy and any related processes relating to the health, safety and conduct of staff and students on their induction and will refresh training annually.

Implementing the Processes

TBS will, so far as is reasonably practicable, ensure it is implementing this policy and any related processes relating to the health, safety and conduct of staff and students by auditing compliance with this policy and related processes annually where practicable.

Accessibility of processes

This policy and any related processes relating to the health, safety and conduct of staff and students will, so far as is reasonably practicable, be accessible on TBS website and on TBS' intranet (The Hive).

Complaints procedure

Suggestions of non-compliance with this policy and any related processes may be submitted as complaints under The BUSY School's Complaints Handling Policy and Complaints Handling Procedure.

Reporting

The School endeavours to monitor the Workplace Health and Safety performance on a monthly basis through monthly WHS reporting provided by WHS team, which is also, as far as is reasonably practicable, provided to the Governing Body at each meeting, and also quarterly reviews on risk management as part of the CEO's quarterly risk reviews.

Version Control

Version no.	Date Effective	Approved by	Changes
1.0	September 2020	<ul style="list-style-type: none"> Approved by TBS Board of Directors 	<ul style="list-style-type: none"> Initial draft version
2.0	October 2021	<ul style="list-style-type: none"> Endorsed by TBS Governance, Compliance and Strategy Committee Approved by TBS Board of Directors 	<ul style="list-style-type: none"> Aligned to ISQ template Review from Senior Health, Safety & Quality Manager (additions of campus WHS committees and monitoring) Version Control Formatting
3.0	September 2022	<ul style="list-style-type: none"> Endorsed by TBS Governance, Compliance and Strategy Committee Approved by TBS Board of Directors 	<ul style="list-style-type: none"> Reviewed against ISQ template Updated terminology aligning to School operations and policies / procedures Formatting and grammar
4.0	April 2023	<ul style="list-style-type: none"> Endorsed by TBS Governance, Compliance and Strategy Committee Approved by TBS Board of Directors 	<ul style="list-style-type: none"> Reviewed against ISQ template Now including Work health and Safety Regulation 2011 s.55C and Managing the risk of psychosocial hazards at Work Code of practice 2022 Version Control Formatting and grammar
5.0	February 2024	<ul style="list-style-type: none"> Endorsed by TBS Governance, Compliance and Risk Committee Approved by TBS Board of Directors 	<ul style="list-style-type: none"> Updated to include new role in structure: General Manager. Updated reference to Enterprise Risk Management Framework (new approved October 2023) Version Control Formatting and grammar