

Work health and safety policy and procedures

Contents

POLICY	2
1. Purpose	2
2. Objective.....	2
3. Application.....	2
4. Definitions.....	2
4.1 Commission workplaces	2
4.2 Continuous improvement.....	3
4.3 Dangerous incident.....	3
4.4 Hazard	3
4.5 Health and Safety Representative (HSR)	3
4.6 Inspector	3
4.7 Notifiable incident	3
4.8 Person Conducting a Business or Undertaking (PCBU)	3
4.9 Reasonably practicable	4
4.10 Regulator.....	4
4.11 Serious injury or illness	4
4.12 Worker	4
4.13 Work Health and Safety Co-ordinator	4
5. Work health and safety legislative and regulatory framework.....	4
6. Policy statements	5
6.1 WH&S at the Commission.....	5
6.1 Principles underpinning WH&S at the Commission	5
7. Responsibility.....	6
7.1 The Commissioner	6
7.2 Executive Director Corporate Services	6
7.3 Work Health and Safety Co-ordinator	7
7.4 Health and Safety Representative	8
7.5 Operations Support Manager	8
7.6 Commission workers.....	8
7.7 Managers/supervisors	8
7.8 Visitors to the Commission	8
8. Breach of policy	9
PROCEDURES	9
1. Reporting a hazard.....	9
2. Hazardous substances register	9
3. Reporting a notifiable incident.....	9
4. Election of HSRs	10
5. Training of HSRs.....	10

6.	Work health and safety inspections	10
7.	First aid officers or medical attention	10
7.1	Medical emergencies	10
7.2	If the matter is not serious	10
8.	Reporting an injury	11
	Version history	14
	Publication information	14

POLICY

1. Purpose

The NSW Crime Commission (the Commission) has a legal and moral obligation to provide all workers and visitors to the Commission with a safe and healthy environment.

Meeting the Commission's work health and safety (WH&S) obligations is a shared responsibility of management and all workers.

2. Objective

The aim of this policy is to provide a framework and promote the health, safety and welfare of workers and other persons at the Commission and to ensure that:

- all workers are aware of their rights and responsibilities in relation to WH&S;
- there is an ongoing commitment to the identification and management of WH&S issues;
- safe work practices are developed and implemented to either eliminate or reduce potential risks; and
- the Commission meets its WH&S obligations under the *Work Health and Safety Act 2011* (NSW) (WH&S Act), the *Work Health and Safety Regulation 2011* (NSW) (WH&S Regulation), and the associated Codes of Practice and industry standards.

3. Application

This policy applies to all Commission employees.

Provisions within this policy also apply to contractors and other visitors to the Commission.

4. Definitions

4.1 Commission workplaces

For the purpose of this policy, Commission workplaces include the Commission's Kent Street head office, the Australian Federal Police building and any other locations at which Commission employees work on a regular basis. This can include approved home-based work arrangements.

The *Work Health and Safety Act 2011* defines "workplace" to mean:

- (1) *A workplace is a place where work is carried out for a business or undertaking and includes any place where a worker goes, or is likely to be, while at work.*
- (2) *...place includes:*
 - (a) *a vehicle, vessel, aircraft or other mobile structure, and*
 - (b) *any waters and any installation on land, on the bed of any waters or floating on any waters."*

4.2 Continuous improvement

Continuous improvement is a process of enhancing WH&S management to achieve improvements in overall WH&S performance. Continuous improvement includes constantly assessing and responding to identified risks with the goal of eliminating or reducing, as far as is reasonably practicable, any potential impact.

4.3 Dangerous incident

In accordance with the WH&S Act, a dangerous incident means a workplace incident to which imminent or immediate exposure poses a serious risk to the health or safety of a worker or any other person. See s 37 of the WH&S Act for details.

4.4 Hazard

A hazard is anything that has the potential to harm the health or safety of a person. Hazards can take many forms including physical, chemical, biological, mechanical, electrical and psychological.

4.5 Health and Safety Representative (HSR)

In accordance with the WH&S Act, an HSR is a worker who has been elected by Commission workers to represent their work group on health and safety issues.

4.6 Inspector

An inspector is an external person appointed by the regulator, in accordance with s 156 of the WH&S Act. An inspector provides information and advice about compliance with the WH&S Act, assists with the resolution of work health and safety issues at workplaces, reviews disputed provisional improvement notices, investigates contraventions of the Act and attends coronial inquests in relation to work-related deaths. See s 160 of the WH&S Act for further details.

4.7 Notifiable incident

In accordance with s 35 of the WH&S Act, a notifiable incident means the death of a person, a serious injury or illness of a person or a dangerous incident.

4.8 Person Conducting a Business or Undertaking (PCBU)

In accordance with the WH&S Act, the Commission is classified as a *person conducting a business or undertaking*, with all the associated rights and responsibilities.

4.9 Reasonably practicable

Reasonably able to be done, in relation to a duty to ensure health and safety.

4.10 Regulator

For the purposes of the WH&S Act, the regulator is SafeWork NSW (formerly WorkCover NSW).

4.11 Serious injury or illness

In accordance with the WH&S Act, serious injury or illness of a person means an injury or illness requiring a person to have immediate treatment as an in-patient in hospital, or immediate treatment for a range of specific serious injuries, or medical treatment within 48 hours of exposure to a substance. For details see s 36 of the WH&S Act.

4.12 Worker

For the purposes of the WH&S Act, a worker is a person who carries out work in any capacity for a PCBU including as an employee, a contractor or subcontractor, an employee of a contractor or subcontractor, an employee of a labour hire company, an apprentice or trainee, a work experience student, an outworker or a volunteer. Not all of these categories of workers are applicable to the Commission.

4.13 Work Health and Safety Co-ordinator

The Work Health and Safety Co-ordinator (WH&S Co-ordinator) is a Commission employee nominated by the Executive Director Corporate Services to take responsibility for the day-to-day management of WH&S within the Commission.¹

5. Work health and safety legislative and regulatory framework

The WH&S Act and subordinate legislation sets out the Commission's legal obligations.

For the purpose of the WH&S Act, the Commission is classified as a *person conducting a business or undertaking* (PCBU). As such, the Commission has an obligation under the WH&S Act to ensure the health and safety of its workers while they are at work and to ensure that the health and safety of other persons is not endangered by the Commission's conduct.

As well as the over-arching duty of care owed by the Commission to its workers and other persons attending the Commission, the Commission must, as far as is reasonably practicable, ensure:

- the provision and maintenance of a safe work environment;
- that accommodation for workers, either in an office or during official travel, is appropriate;
- the provision and maintenance of safe plant and structures;
- the provision and maintenance of safe systems of work;
- the safe use, handling, and storage of plant, structures and substances;
- that workplace incidents are notified and recorded;
- the provision of access to welfare facilities at work;

¹ At the date of this policy the WH&S Co-ordinator is the Building and Security Manager.

- the provision of information, training, instruction or supervision that is necessary to protect all persons from health and safety risks arising from the Commission's work; and
- the effective monitoring of the health and safety of workers for the purpose of preventing injury or illness arising from the work of the Commission.

6. Policy statements

6.1 WH&S at the Commission

The work of the Commission combines traditional office work with operational activities.

Common office WH&S issues include overuse injuries, trips and falls, ergonomic or environmental issues and psychological injuries.

Those workers who participate in operational activities such as search warrants, prison and prisoner visits, human source meetings, hearings, technical deployments, etc., may be exposed to different WH&S issues. For example, there may be a heightened risk of psychological injury to certain workers due to the nature of some of the material to which they are exposed.

All workers are expected to be familiar with relevant policies and procedures that provide guidelines to help them maintain their health and safety while they are at work.

The WH&S Act and Regulation state that a PCBU must ensure the safety of its workers while at work, as far as is reasonably practicable. Considerations include, in order of priority:

- the likelihood of the hazard or risk occurring;
- the degree of harm that might result from the hazard or risk;
- knowledge 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; and
- whether the cost associated with eliminating or minimising the risk is grossly disproportionate to the risk.

6.1 Principles underpinning WH&S at the Commission

There are three key principles which underpin the Commission's approach to WH&S:

- continuous improvement;
- integration of WH&S and risk management into planning; and
- monitoring of WH&S performance.

The Commission aims to meet these principles through:

- consultation with staff/workers;
- training of staff/workers;
- the provision of support to staff/workers; and
- the effective elimination or control of identified workplace hazards.

6.1.1 Continuous improvement

Continuous improvement is a process of enhancing WH&S management to achieve improvements in overall WH&S performance in line with the Commission's WH&S policy. Continuous improvement includes constantly assessing, re-assessing and responding to

identified risks and hazards with the goal of eliminating hazards, reducing their potential impact or their chance for occurrence or recurrence.

6.1.2 Integration of WH&S and risk management into planning

The Commission is committed to integrating WH&S considerations and other risk management into its planning processes.

6.1.3 Monitoring of WH&S performance

The WH&S Co-ordinator prepares a WH&S audit report every six months. The aim of the report is to identify trends in WH&S matters and, wherever possible, take steps to eliminate or manage issues which could cause injury to workers.

6.1.4 Consultation

The Commission provides workers with information about WH&S and seeks workers' views about WH&S matters, including how to resolve identified issues.

The Commission has a dedicated WH&S email group (WHS@cc.nsw) to enable workers to notify the Commission of issues simply and quickly.

6.1.5 Training

The Commission arranges for appropriate training for staff based on their WH&S responsibilities.

6.1.6 Elimination or control of identified workplace hazards

The Commission assesses each identified hazard and, as far as is reasonably practical, takes action to eliminate or remove the hazard. If this is not possible, the Commission will take action to reduce the risks posed by the particular hazard. This may be through physical intervention or a change in policy and procedure. Corrective action is based on the hierarchy of control and is considered as follows:

- elimination;
- substitution;
- isolation;
- engineering;
- administration; and
- personal protective equipment.

7. Responsibility

7.1 The Commissioner

As head of the agency, the Commissioner is accountable for the overall health, safety and welfare of Commission workers. The Commissioner may delegate responsibility for WH&S matters within the Commission and this responsibility is delegated to the Executive Director Corporate Services.

7.2 Executive Director Corporate Services

With accountability for the human resources and building and security functions of the Commission, the Executive Director Corporate Services has responsibility for ensuring the

Commission meets its WH&S obligations through the exercise of due diligence, which includes:

- a) acquiring knowledge about WH&S matters;
- b) understanding the hazards and risks associated with the Commission's operations;
- c) ensuring that the Commission has available for use, and uses, appropriate resources and processes to eliminate or minimise, as far as is reasonably practical, risks to health and safety arising from the Commission's business or undertakings;
- d) ensuring the Commission has appropriate policies and procedures for processing information regarding incidents, hazards and risks and responding in a timely manner;
- e) ensuring the Commission has, and implements, processes for complying with its duties and obligations under the WH&S Act including, but not limited to:
 - reporting notifiable incidents;
 - consulting with Commission workers;
 - ensuring compliance with notices issued under the WH&S Act;
 - ensuring the provision of training and instruction to Commission workers about WH&S; and
 - ensuring that HSRs receive their entitlements to training

In addition to obligations under the WH&S Act, the Executive Director Corporate Services is responsible for:

- implementing this policy and procedure;
- ensuring appropriate privacy protocols are maintained for reports of injuries and/or worker's compensation matters;
- ensuring the Commission meets its legal obligations in relation to WH&S; and
- allocating sufficient resources to mitigate hazards effectively as and when they are identified.

7.3 Work Health and Safety Co-ordinator

The Commission has a Work Health and Safety Co-ordinator (the WH&S Co-ordinator)². The WH&S Co-ordinator is responsible for the day-to-day management of WH&S within the Commission. The health and safety representative/s (HSR/s) must report all identified hazards to the WH&S Co-ordinator.

The WH&S Co-ordinator prepares half-yearly reports on WH&S matters and provides them to the Executive Director Corporate Services. The half-yearly report is a consolidation of information contained within the hazard register, the bi-monthly WH&S HACS report prepared by the HSR and any injury reports. In the event that a significant issue is identified between reports, the WH&S Co-ordinator will report on the matter out of session.

The WH&S Co-ordinator is also responsible for making recommendations to amend this policy and procedures and making recommendations for WH&S related changes to other Commission policies and procedures.

² At the date of this policy, the WH&S Co-ordinator is the Building and Security Manager.

7.4 Health and Safety Representative

The Health and Safety Representative (HSR)³ is responsible for:

- conducting bi-monthly WH&S inspections of the Commission's workplaces and:
 - notifying the WH&S Co-ordinator of any identified hazards;
 - notifying workers within the vicinity of a hazard; and
 - preparing a hazard assessment check sheet (HACS);
- maintaining currency of WH&S knowledge; and
- briefing contractors on WH&S matters, including how to report any issues the contractor may identify in the course of their visit/s to the Commission.

An HSR may direct a worker, including contractors, to cease work if the HSR has a reasonable concern that carrying out the work would expose the worker to a hazard that may pose a serious risk to their health and safety. If the HSR has made such a direction, he or she is required to inform the WH&S Co-ordinator, who may inform the Executive Director Corporate Services.

7.5 Operations Support Manager

The Operations Support Manager, reporting to the Executive Director Corporate Services, is responsible for co-ordinating workers compensation matters.

The Operations Support Manager reports on these matters to the Executive Director Corporate Services.

7.6 Commission workers

All Commission workers, including contractors, have an obligation to take reasonable care for their own health and safety and to ensure that their acts or omissions do not adversely affect the health and safety of others. This responsibility includes complying with reasonable WH&S instructions made by the Commission, and complying with Commission WH&S policies and procedures.

The Commission expects all workers to be proactive in respect of managing WH&S issues which may impact on them. This includes the obligation to identify and report actual or potential hazards.

7.7 Managers/supervisors

Managers/supervisors are responsible for ensuring that the policy is implemented within their teams and encouraging workers to identify and report actual or potential risks and hazards.

7.8 Visitors to the Commission

Visitors to the Commission, including peoples attending for hearings, and prisoners, have limited WH&S responsibilities. Visitors to the Commission are expected to take reasonable care for their own health and safety and to ensure that their acts or omissions do not adversely affect the health and safety of others. Commission representatives may give

³ At the date of this policy, the HSR representatives are located in Building and Security.

reasonable instructions to visitors in respect of WH&S, and require them to comply with such instructions.

8. Breach of policy

Failure to comply with the Commission's WH&S policy, or any other policy, is a breach of the Commission's Code of Conduct. Failure to comply with this policy may result in management action in accordance with the Commission's *Misconduct and unsatisfactory performance*. Failure to comply with aspects of WH&S legislation may also attract penalties.

PROCEDURES

1. Reporting a hazard

All workers have obligations under the WH&S Act. This includes an obligation to report any hazards in the workplace.

Workers who identify a matter of a minor nature should email WHS@cc.nsw with their request. It may be necessary to complete a Workplace Hazard Report Form (example provided at Annexure A).

The WH&S Co-ordinator will enter the information on the hazard register (example provided at Annexure B) and establish a risk rating, identify possible mitigation strategies and determine the residual risk should treatment strategies be effected.

Wherever possible, the Commission will take steps to eliminate the hazard. Where this is not possible, the Commission will do everything that it can to reduce the risks posed by the hazard to a manageable level. Some hazards will be the responsibility of the landlord, GPNSW.

2. Hazardous substances register

The Commission keeps and maintains a register for all hazardous substances that are used at the Commission. The register is maintained by the WH&S Co-ordinator and includes a list of all hazardous substances and any associated Material Safety Data Sheets.

3. Reporting a notifiable incident

SafeWork NSW must be notified immediately after the Commission becomes aware that a notifiable incident arising out of the conduct of Commission business has occurred. In accordance with the WH&S Act, an incident that must be notified includes the death of a person, a serious injury or illness of a person, or a dangerous incident. Such a notice can be given by phone or in writing and, if given over the phone, it may be necessary to provide written notice of the incident within 48 hours. The Commission is required to keep a record of each notifiable incident for at least 5 years.

The Commission must also ensure that the site where the incident occurred is not disturbed until an inspector arrives at the site. However, this does not prevent the Commission from assisting an injured person, removing a deceased person or making the site safe, nor does it prevent any action associated with a police investigation or for which an inspector or regulator has given permission.

4. Election of HSRs

HSRs are elected by the staff of the Commission every three years.

One month before the expiry of the term of the current HSR there is a call for nominations. Workers are only able to nominate themselves.

The list of nominees is compiled by the WH&S Co-ordinator and a vote is conducted via the Commission's intranet, OurSource.

The successful candidate is notified of their appointment. In the event that the candidate does not have current WH&S qualifications, the Commission will arrange training for the new HSR.

5. Training of HSRs

All serving HSRs are expected to maintain their HSR qualifications and notify the Commission six months before their qualifications are due to expire. The Commission will arrange WH&S training as required.

6. Work health and safety inspections

Work health and safety inspections are conducted bi-monthly by the HSR.

The aim of the WH&S inspections is to identify and document potential and actual hazards within the building.

The HSR prepares a report, which includes all hazards identified during the WH&S inspection, and provides this to the WH&S Co-ordinator. The WH&S Co-ordinator reviews the identified hazards with the Executive Director Corporate Services and arranges or implements mitigation strategies.

All hazards/risks identified during the WH&S inspection are recorded on the hazard register.

7. First aid officers or medical attention

7.1 *Medical emergencies*

In a medical emergency, call 000 for an ambulance.

Notify security that you have called an ambulance and that you need a first aid officer.

While waiting for help:

- ensure the scene is safe and there is no further danger to you or the casualty. Take particular care in electrical accidents;
- do not move the casualty unless there is a high risk of further injury if you leave the casualty in place, and only if you can do it safely;
- stay with the casualty;
- ask about the likely cause, e.g., diabetes, heart problems, asthma.

7.2 *If the matter is not serious*

There are first aid officers throughout the Commission building and first aid kits are located on each floor. In the event of a workplace injury or illness that does not constitute an emergency, a first aid officer should be contacted directly. A list of first aid officers is

displayed in the kitchen on each floor. Alternatively, call Security on x99 and ask for a first aid officer to attend.

8. Reporting an injury

Refer to the *Workers compensation and injury management policy and procedures*.

If the injury occurred as a result of a WH&S issue, the WH&S Co-ordinator or HSR is to be notified.

WORKPLACE HAZARD REPORT FORM

PROVIDE COMPLETED FORM TO WH&S CO-ORDINATOR

Submitted by: Click here to enter text.	Title: Click here to enter text.	Contact No: Click here to enter text.
Submitted to: Click here to enter text.	WH&S Co-ordinator	Contact No: Click here to enter text.
Date reported: Click here to enter a date.		
Please rate the hazard (check one box)		
Immediately Dangerous <input type="checkbox"/>	Potentially Dangerous <input type="checkbox"/>	For investigation <input type="checkbox"/>
Is this primarily a (check one box):		
HR issue <input type="checkbox"/>	Safety issue <input type="checkbox"/>	Facilities issue <input type="checkbox"/>
Description of hazard:		
Give a brief description of the hazard and risk: Click here to enter text.		
Location of hazard (please be specific): Click here to enter text.		
WH&S Co-ordinator to enter details into Hazard Register.		
WH&S Co-ordinator's response options.		
All reported hazards must be responded to within 24 hours.		
Can the hazard be eliminated now? (Preference is to close out all reported hazards immediately.)		
Yes <input type="checkbox"/>	Please take the necessary action(s) and close out hazard report.	
No <input type="checkbox"/>	Make area safe. Restrict access. Isolate energy sources if appropriate to do so. Alert others in areas. Escalate hazard report to Executive Director Corporate Services/Building Supervisor as appropriate.	
What additional actions are required to close this hazard? Click here to enter text.		
Sign-off.		
Person who reported hazard	WH&S Co-ordinator	
Name:	Name:	
Signature:	Signature:	
Date:	Date:	

Version history

Version	Effective date	Update comments	Author
1.0	21Feb14		NSWCC Governance
1.1	28May14	Amend procedures section 7 – <i>First Aid Officers or Medical Attention</i> to reflect procedure developed by First Aid Committee.	NSWCC Governance
2.0	08 Sept 16	Split WH&S policy into separate WH&S and Workers compensation policies.	NSWCC Governance

Publication information

Title	Work health and safety policy and procedure
Policy type	Policy and procedures
Policy number	BS2014/10
Policy developer	Policy Officer, Governance
Policy contact	WH&S Co-ordinator
Approval date	08 Sept 2016
Effective date	08 Sept 2016
Review date	08 Sept 2019
Supersedes	Version 1.1 dated 28May2014 Version 1.0
Classification	Unclassified
Acknowledgements	WorkCover NSW. (2011). <i>How to manage work health and safety risks code of practice.</i>
Related documents	SafeWork Australia - http://safeworkaustralia.gov.au SafeWork NSW - http://www.safework.nsw.gov.au <u>Work Health and Safety Act 2011</u> <u>Work Health and Safety Regulation 2011</u> <u>Workers Compensation Act 1987</u> <u>Workplace Injury Management and Workers Compensation Act 1998</u>