



# muswellbrook shire council

## DRAFT Work Health and Safety Policy

MSC059E

### Authorisation Details

<b>Authorised by:</b>		<b>Internal/External:</b>	External
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<b>Department:</b>	Work Health and Safety		
<b>Document Owner:</b>	Work Health and Safety Advisor		
<b>Community Strategic Plan Goal</b>	6. Collaborative and responsive community leadership that meets the expectations and anticipates the needs of the community.		
<b>Community Strategic Plan Strategy</b>	6.3 Ensure Council is a best practice employer providing safe, happy, suitably resourced and productive workplace.		
<b>Delivery Program activity</b>	6.3.1 Continue to prioritise safety and risk management initiatives and upgrades to Council Facilities.		

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## Table of Contents

1.	Policy Objective .....	3
2.	Risks being addressed.....	3
3.	Scope .....	3
4.	Policy Statement.....	3
5.	Definitions .....	4
6.	Roles and Responsibilities.....	4
7.	Breaches and Sanctions.....	5
8.	Dispute Resolution.....	5
9.	Related Documents .....	6
9.1	Legislation and Guidelines .....	6
9.2	Policies and Procedures.....	6
9.3	Other Supporting Documents .....	6
10.	Version History .....	6

## 1. Policy Objective

Muswellbrook Shire Council is committed to ensuring the health, safety and wellbeing of all workers and other persons through effective consultation between management, workers, and other persons, and to develop and implement systems, programs, activities, and procedures which are monitored, reviewed, and audited to ensure continual improvement and best practice.

## 2. Risks being addressed

This policy addresses risks related to workplace health and safety and aims to mitigate accidents and injuries.

## 3. Scope

This policy applies to all workers as defined by the Work Health and Safety Act 2011, including all Council employees, Councillors, contractors, workers of contractors, and volunteers in the workplace. It also applies to visitors in Council workplaces.

## 4. Policy Statement

Muswellbrook Shire Council is committed to the prevention of work-related injury and ill health, through the provision of safe and healthy work conditions at all Council workplaces, including providing safe work environments, facilities, equipment, and systems of work for our workers, including volunteers and contractors, as well as Councillors, visitors, and members of the public.

Council, led by the General Manager and Directors, will demonstrate this commitment by:

- establishing measurable health and safety objectives as part of Council's Operational Plan, and regularly reviewing our performance against them;
- fulfilling all legal requirements and meeting the AS/NZS ISO 45001 Standard for safety management systems;
- identifying and eliminating, so far as is reasonably practicable, physical and psychological health and safety hazards, and minimising risks, with the aim of preventing work-related injury and illness;
- ensuring all departments across Council have and use appropriate resources and processes to eliminate or minimise risks to safety, especially for higher-risk activities;
- consulting and communicating with workers, their representatives, and the public, where relevant, to ensure they are empowered to actively participate in Work Health and Safety (WHS) risk management in the workplace and the community;
- continuously improving Council's WHS management system;
- ensuring effective processes are followed in the event of a safety-related incident, to record, investigate, and implement corrective actions to prevent or minimise recurrence or a similar incident; and
- ensuring workers understand their general responsibilities for WHS and the specific responsibilities for their position descriptions.

## 5. Definitions

In this policy:

Term	Definition
<b>Person Conducting a Business or Undertaking (PCBU)</b>	Person Conducting a Business or Undertaking (PCBU), in accordance with the WHS Act 2011 [N.S.W], is the legal entity operating a business or undertaking.
<b>Officer</b>	in accordance with the Work Health and Safety Act 2011 and the Corporations Act 2001, is a person who makes, or participates in making decisions that affect the whole, or a substantial part, of the business or undertaking of a public authority.
<b>Worker</b>	in accordance with the Work Health and Safety Act 2011, means a person carrying out work in any capacity for a person conducting a business or undertaking, including work as: <ol 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 outworker, or</li> <li>an apprentice or trainee, or</li> <li>a student gaining work experience, or</li> <li>a volunteer, or</li> <li>a person of a prescribed class.</li> </ol>
<b>Other Persons</b>	means a Councillor, visitor, customer or member of the public who enters a Muswellbrook Shire Council workplace.
<b>Workplace</b>	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. This includes a vehicle, vessel, aircraft or other mobile structure, and any waters and any installation on land, on the bed of any waters or floating on any waters.

## 6. Roles and Responsibilities

Role	Responsibility
<b>Person Conducting a Business or Undertaking (PCBU)</b>	<ul style="list-style-type: none"> <li>As the Persons Conducting Business or Undertaking (PCBU), Council has the responsibility, so far as is reasonably practicable, to eliminate risks to the health and safety of its workers, and when elimination is not possible, to minimise those risks. Further, Council will ensure, so far as is reasonably practicable, that others are not put at risk from works being undertaken on Council's behalf.</li> </ul>
<b>General Manger/Directors/Managers/ Coordinators/Supervisors/Technical Officers</b>	<ul style="list-style-type: none"> <li>Exercise due diligence to ensure Council complies with the Work Health and Safety Act and Regulations including, but not limited, to being responsible and accountable for the safety of Workers, Other Persons</li> </ul>

	<p>and Council property under their control so far as is reasonably practicable.</p> <ul style="list-style-type: none"> <li>• Ensure all policies, procedures, safe work practices and safe work procedures are followed at all times, and Workers in their area are supervised, trained and competent.</li> <li>• Ensure adequate resources, which includes both financial and personnel resources, are integrated into work systems and procedures to ensure the safety of Workers.</li> </ul>
<b>Workers</b>	<ul style="list-style-type: none"> <li>• Comply with Work Health and Safety legislation and Muswellbrook Shire Council's policies and procedures by taking reasonable care that their acts or omissions do not adversely affect their health or safety and that of other Workers and Other Persons.</li> <li>• Report all hazards and incidents to their supervisors as soon as is practically possible to ensure their own health and safety and the health and safety of others in Council Workplaces.</li> </ul>
<b>Other Persons</b>	<ul style="list-style-type: none"> <li>• Take reasonable care for their own health and safety.</li> <li>• Take reasonable care that their acts or omissions do not adversely affect the health and safety of Other Persons.</li> <li>• Comply, so far as they are reasonably able, with any reasonable instruction given in relation to health and safety.</li> </ul>
<b>Work Health and Safety Committee</b>	<ul style="list-style-type: none"> <li>• Consult in the development and review of Work Health and Safety policy and procedures.</li> <li>• Provide input on Work Health and Safety matters.</li> <li>• Contribute ideas and concerns related to Work Health and Safety.</li> <li>• Assist in the continual improvement of the Work Health and Safety Management System.</li> </ul>

## 7. Breaches and Sanctions

A breach of this policy may lead to disciplinary action, including termination of employment or engagement.

Individuals found to have committed an offence under any relevant legislation may also be subject to penalties as prescribed by the legislation.

## 8. Dispute Resolution

The General Manager is the interpreter of this Policy and shall be the sole arbiter in respect to the application of this Policy. Disputes will be resolved in accordance with Council's Grievance and Dispute Resolution Procedure MSC06I-1.

## 9. Related Documents

### 9.1 Legislation and Guidelines

- Work Health and Safety Act 2011,
- Work Health and Safety Regulation 2017
- Local Government (State) Award 2023
- Local Government Act 1993

### 9.2 Policies and Procedures

- Grievance or Dispute Resolution Procedure MSC06I-1

### 9.3 Other Supporting Documents

- N/A

## 10. Version History

This section identifies authors who reviewed the Policy and the date that it became effective.

Version No.	Date changed	Modified by	Amendments/Previous adoption details
2	23/7/14	WHS Coordinator	Updated controlled documents procedure applied Definition of PCBU changed to be the entity Muswellbrook Shire Council. Paragraph, Elected Representatives has been changed. Paragraph added for WHS Committee.
3	23/05/17	WHS Advisor	Updated Legislation Included Breaches and Sanctions and Title Changes.
4	01/05/18	WHS Advisor	Minor amendments. Adopted by Manex on 01/05/18.
5	07/03/22	WHS Admin	Updated legislation.
6	5/09/2024	BIO & WHS Advisors	Policy rewrite. Updated template and added sections: Risks being addressed and Scope.