

## Introduction

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The Shire of Capel recognises its duty to ensure the health and safety of workers including Shire employees, contractors, volunteers, work experience students and visitors. This policy complies with the requirements of the *Work Health and Safety Act 2020 (Act) and Work Health and Safety (General) Regulations 2022 (Regulations)* and the *Workers Compensation and Injury Management Act 1981*.

## Purpose

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The purpose of this policy is to reinforce a commitment to prevent, so far as is reasonably practicable, the incidence and reduce the severity of workplace injuries and illness to Shire of Capel workers.

## Policy statement

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Maintaining workplace health and safety for workers is a fundamental duty of the Shire of Capel.

Our commitment to workplace health and safety will only be achievable through the active participation and cooperation of all workers and management. It is our expectation that workers will pro-actively support policies and procedures designed to enhance their health and safety, and that Council and management will commit the time and resources needed to make this possible.

The Shire of Capel supports a collaborative approach to work health and safety and seeks to continually improve our practices and security performance.

## Application

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Work health and safety is the shared responsibility of all parties in the workplace and the Act defines specific duties and responsibilities:

### **Person Conducting a Business or Undertaking**

The Shire of Capel as a body corporate (Local Government Act 1995, section 2.5) has the duties of the Person Conducting a Business of Undertaking (PCBU) as defined under section 19 and 20 of the WHS Act 2020.

### **Elected Members**

Elected members are responsible for appropriately supporting health and safety requirements within the Shire of Capel and complying with appropriate Work Health and Safety acts, regulations, and other applicable legislation. Councilors have the duties of "other persons" as defined under Section 29 of the Act.

### **Chief Executive Officer and Directors**

The CEO and Directors have the duties of 'Officers' as defined under section 27 of the Act. Officers are obligated to exercise due diligence to ensure that the PCBU meets their duties and obligations.

**Managers and Supervisors** will be held accountable for working conditions under their control and ensuring that programs are carried out in a safe manner and safe work procedures are adhered to.

**Workers** are required to take all reasonable care to ensure their own safety and that of others in the workplace as well as comply with all applicable Policies, Procedures, and Handbooks. Worker’s WHS duties are as defined in Section 28 of the Act.

**Senior WHS Advisor** has responsibility for advising the organisation on the implementation of health and safety strategies to support compliance with the Act, Regulations, and other applicable legislation.

**Health and Safety Representatives** The powers and functions of Health and Safety Representatives (HSRs) are specified in Section 68 of the Act. HSRs must conduct themselves in the best interests of the workers’ health and safety they have been elected to represent.

**Work Health and Safety (WHS) Committee** The WHS Committee is the mechanism for consultation, cooperation and resolution of health and safety matters between all parties at Shire workplace(s). The committee is established under Terms of Reference as agreed with the Executive Management Team.

## Procedure

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The Shire of Capel shall, so far as is practicable:

- Provide and maintain a safe working environment where workers are not exposed to hazards.
- Provide and maintain safe plant, equipment and systems of work.
- Provide appropriate information, instruction, training and supervision to enable work to be performed safely.
- Proactively identify and rectify emerging hazards promptly and effectively.
- Report and investigate all work related near misses, incidents, and injuries.
- Consult and cooperate with Health and Safety Representatives regarding health and safety at the workplace.
- Provide adequate personal protective clothing and equipment according to the hierarchy of control where it is not practicable to avoid the presence of hazards.
- Provide effective injury management programs for injured workers as required by the Workers Compensation and Injury Management Act 1981.
- Continuously review and improve safety performance.

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|------------------------|----------------------------|---------------------|---|
| <b>Department:</b>     | Organisational Development | <b>Next review:</b> | September 2023  |
| <b>Reviewer:</b>       | Senior WHS Advisor         | <b>Legislation:</b> | <ul style="list-style-type: none"><li>• <i>Work Health and Safety Act 2020</i></li><li>• <i>Work Health and Safety (General) Regulations 2022.</i></li><li>• <i>Workers Compensation and Injury Management Act 1981</i></li></ul> |
| <b>Adopted: Minute</b> | OC1022, 26.10.2022         | <b>Delegation:</b>  |   |
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