



Health, safety and wellbeing policy

Version: 1.0 | Version effective: 30/09/2024

Audience

Department-wide.

Purpose

This policy outlines the Department of Education's (the department) obligations under Queensland's work health and safety (WHS) legislation, electrical safety legislation and workers' compensation legislation and how they will be met.

Policy statement

The department is committed to a health, safety and wellbeing management system (HSWMS) that protects workers and other persons against harm to their health and safety from hazards and risks arising from operations of the business.

The department manages its operational health, safety and wellbeing (HSW) risks in compliance with the *Work Health Safety Act 2011* (Qld) (the WHS Act), and relevant legislation, regulations and standards, including work health and safety codes of practice and Australian/International standards.

Consultation, coordination, cooperation and worker participation are vital to healthy and safe workplaces. The department recognises the essential contribution of staff knowledge and experience. When making decisions to manage HSW risks, the department commits to ensuring effective consultation, aligned to legislative requirements, with all staff and stakeholders who are, or are likely to be, directly affected by or contribute to a health and safety matter.

The department's HSWMS is the policy, procedures, systems and plans that systematically act as the department's control environment for HSW risks and supports management and minimisation of workplace injury and illness.

The key elements of the department's HSWMS are:

- Risk management
- Incident management
- Engagement and support
- Health and staff rehabilitation
- Performance and improvement

The HSWMS mandates the department's HSW legislative and ethical responsibility, and operationalises the department's HSW policy, HSW commitment statement and key value of working together to create safe places to work, learn and play.

The department is committed to a health, safety and wellbeing management system that is compatible with human rights.

Principles

| Principle | What this means for the department |
|---------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Leadership commitment and worker participation | <ul style="list-style-type: none"> • A shared vision for health, safety and wellbeing demonstrated through positive and proactive leadership • Health, safety and wellbeing as a key consideration in all decision making and change management processes • Investment to support contemporary approaches to managing health, safety and wellbeing |
| Best practice systems and governance | <ul style="list-style-type: none"> • An integrated approach to health, safety and wellbeing activities across the department • Strong systems and processes to improve efficiency and effectiveness of our health, safety and wellbeing process and practices • Ensuring our health, safety and wellbeing obligations are met through oversight and collaboration at all levels |
| Engagement, participation and capability development | <ul style="list-style-type: none"> • Genuine and transparent consultation with our people to achieve a common understanding and resolution of health, safety and wellbeing matters • Recognising and encouraging everyone to be a proactive health, safety and wellbeing leader in their workplace • Building the confidence and capability of our people through training and supervision aligned to clearly defined roles at all levels |
| Proactive health, safety and wellbeing risk management | <ul style="list-style-type: none"> • Identifying and prioritising key health, safety and wellbeing risks • Enhancing a contemporary risk management framework to inform decision making, resources and investment • Utilising evidence-informed approaches to preventing harm, intervening early, and supporting recovery |
| Measurement, accountability and continuous improvement | <ul style="list-style-type: none"> • Proactively monitoring, reviewing and acting on health, safety and wellbeing performance at all levels • Contemporary assurance programs to support positive health, safety and wellbeing outcomes |

| Principle | What this means for the department |
|-----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <ul style="list-style-type: none"> • Holding ourselves accountable to health, safety and wellbeing outcomes and striving for continuous improvement • The department's actions and decisions consider, and are compatible with human rights. |

Requirements

Legislation

The Queensland work health and safety legislation, electrical safety legislation and workers' compensation and rehabilitation legislation aims to protect the health, safety and wellbeing of all workers at work. The laws also protect the health and safety of all other people who might be affected by the work.

This legislation includes:

- The *Work Health and Safety Act 2011* (Qld) (the WHS Act)
- The *Workers' Compensation and Rehabilitation Act 2003* (Qld) (the Rehabilitation Act)
- *Electrical Safety Act 2002* (Qld)
- Other support legislation/regulations, WHS codes of practice and Australian standards.

The department has a legal obligation within this legislation, as well as an ethical responsibility, to ensure the health and safety of its people, so far as this is reasonably practicable.

The WHS Act confers the 'primary duty of care' on the department as the person conducting the business or undertaking (PCBU) and requires the department to:

- provide and maintain a work environment without risk to health and safety
- provide and maintain safe plant and structures
- provide and maintain safe systems of work
- ensure the safe use, handling and storage of equipment, structures and substances
- provide adequate facilities for the welfare of workers
- provide any information, training instruction and supervision that is necessary to protect the health and safety of all persons
- ensure that the health of workers and the conditions at the workplace are monitored for the purpose of preventing illness or injury of workers arising from the conduct of the department.

Officers of the PCBU (the department) are required to exercise a level of due diligence to ensure the department complies with its 'primary duty of care'.

By 'taking reasonable steps' to:

- acquire and keep up-to-date knowledge of work health and safety matters

- gain an understanding of the nature of the operations of business of the department and generally of the hazards and risks associated with those operations
- ensure that the department has available for use, and uses, appropriate resources and processes to eliminate or minimise risks to health and safety from work carried out as part of the conduct of business
- ensure that the department has appropriate processes for receiving and considering information regarding incidents, hazards and risks and responding in a timely way to that information
- ensure that the department has, and implements, processes for complying with any duty or obligation of the PCBU under the WHS Act
- verify the provision and use of the resources and processes.

The department is committed to ensuring its workers, including executive leadership, managers and supervisors, are aware of and held accountable to their specific duties under the WHS Act to:

- take reasonable care for their own health and safety
- take reasonable care that their acts or omissions do not adversely affect the health and safety of other persons
- comply, so far as the worker is reasonably able, with any reasonable instruction that is given by the department to allow the department to comply with the Act
- co-operate with any reasonable policy or procedure of the department relating to health and safety at the workplace that has been notified to workers.

Health, safety and wellbeing management system (HSWMS)

A HSWMS includes a policy, procedures, systems and plans that address how the department's WHS legislative duties will be met. The procedures within the HSWMS articulate mandatory WHS responsibilities and processes.

The department's HSWMS plan outlines the HSWMS, its five key elements and the key procedures, systems and support documents within these elements. The key elements of the department's HSWMS are:

| Element | Departmental approach |
|----------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Risk management | The department will manage its HSW risks in accordance with the Enterprise Risk Management Framework and the approach provided in How to manage work health and safety risks code of practice 2021 . Specific risks will be identified and reasonably managed in accordance with the relevant codes of practice, such as those addressing hazardous materials and chemicals, heights and psychosocial hazards. |
| Incident management | In the event of an incident or near miss, the department commits to doing all that is reasonably practicable to ensure its workers report, respond, provide practical and psychological first aid, investigate and review the circumstances of the incident. |

| Element | Departmental approach |
|----------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Engagement and support | <p>The department will give its people who are, or are likely to be, directly affected by a matter relating to HSW, a reasonable opportunity to express their views or raise issues. It is recognised worker input and participation improve decision-making about health, safety and wellbeing matters and assists in reducing work-related injuries and illness.</p> <p>HSW training is a vital part of the department's HSWMS, ensuring that all employees possess the knowledge and skills necessary to maintain a safe and healthy work environment.</p> |
| Health and staff rehabilitation | <p>The department is committed to supporting the health and wellbeing of staff through prevention, early intervention and ongoing support. This includes providing a system of workplace rehabilitation and ensuring suitable duties for staff while they are recovering from injury or illness.</p> |
| Performance and improvement | <p>HSW performance will be regularly monitored and reviewed to ensure the HSWMS is operating as planned and enabling the department to meet its primary duty of care.</p> |

Leadership

The department is committed to continually and comprehensively ensuring the HSW of its people and recognises that HSW leadership is a critical component of the effective management of its HSWMS.

The department's HSWMS plan outlines how the department will ensure effective HSW leadership of the HSWMS. The department's HSWMS leadership manual is a guide for department leaders on the role they must play in ensuring the department's HSWMS is effectively implemented and managed.

Definitions

| Term | Definition |
|---------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Consultation | <p>The Work Health and Safety Act 2011 (Qld) requires officers to consult, cooperate and coordinate activities with others who have a duty in relation to the same matter; and to consult with workers who carry out work for the business or undertaking. This is achieved through the effective and coordinated efforts of persons conducting a business or undertaking (PCBUs), work health and safety officers (WHSOs), health and safety representatives (HSRs), health and safety committees (HSCs).</p> <p>Consultation needs to occur with workers to:</p> <ul style="list-style-type: none"> • provide them with relevant safety information • raise WHS matters • get their input on: |

| Term | Definition |
|-----------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| | <ul style="list-style-type: none"> ○ identifying hazards and assessing risks ○ making decisions about ways to eliminate risks ○ decisions regarding adequacy of facilities ○ proposed changes that may affect health and safety ○ decisions on health and safety procedures. |
| Hazard | An object or situation that has the potential to harm a person, the environment or cause damage to property. Hazards at work may include: noisy machinery, a moving vehicle, chemicals, electricity, working at heights, a repetitive job and violence at the workplace. |
| Health | Health is a state of complete physical, mental and social wellbeing and not merely the absence of disease or infirmity. |
| Incident | An unplanned event which resulted in harm to people, damage to property or loss to a process. This includes electrical incidents. |
| Near miss | An unplanned event that did not result in an injury or illness to people, danger to health and/or damage to property but had the potential to do so. |
| Officer | <p>An officer is generally someone who:</p> <ul style="list-style-type: none"> • makes, or participates in making, significant decisions that affect the whole, or a substantial part, of the business, or • has the capacity to significantly affect the business' financial standing. |
| PCBU | <p>The term 'person conducting a business or undertaking' (PCBU) captures all types of working arrangements or structures. A PCBU can be a company, an unincorporated body or association, a sole trader or self-employed person.</p> <p>The term PCBU relates to an organisation or person who is more commonly known as 'the employer'. A person who is engaged solely as a worker or an officer in a business or undertaking is not a PCBU.</p> <p>In some cases, there will be multiple PCBUs involved in work at the same workplace who will share duties under work health and safety laws in relation to the same matter. For example, a principal contractor and sub-contractors at a construction site.</p> |
| People | The staff, contractors, visitors, students, volunteers and others who may be impacted by the department's operation. |
| Psychosocial hazards | <p>Psychosocial hazards are factors in the design or management of work that increase the risk of work-related stress and can lead to psychological or physical harm.</p> <p>Examples of psychosocial hazards might include poor supervisor support or high job demands.</p> |

| Term | Definition |
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| Primary duty of care | Primary duty of care refers to an employer and/or a PCBU, having the main responsibility for the health and safety of workers and other persons in the workplace/s. The primary duty is not limited to workers and other persons presence at a particular workplace. Instead, the duty relates to the physical and psychological health and safety of workers and other persons when they are 'at work'. |
| Risk | HSW risk is the chance that exposure or contact with a hazard (likelihood), may result in physical or psychological harm (consequence). For example, risk of an electric shock (event) from exposure to an electrical hazard (cause), resulting in harm (consequence). |
| Reasonably practicable | Reasonably practicable as defined in the act, means that which is, or was at a particular time, reasonably able to be done in relation to ensuring health and safety, taking into account and weighing up all relevant matters including: <ul style="list-style-type: none"> • the likelihood of the hazard or risk occurring • the degree of harm that might result from the hazard or the risk • what the Department (through its officers and workers) knows, or ought to reasonably know, about the hazard or risk and the ways of eliminating or minimising the risk • the availability and suitability of ways to eliminate or minimise the risk after assessing the extent of the risk and the available ways of eliminating or minimising the risk, the cost associated with available ways of eliminating or minimising the risk, including whether the cost is grossly disproportionate to the risk. |
| Rehabilitation | Rehabilitation is the process of getting a worker back to work. Rehabilitation may involve receiving treatment from a registered person (eg physiotherapist, podiatrist, dentist) or aids or equipment approved by WorkCover. |
| Wellbeing | Wellbeing is a positive state experienced by individuals and societies. Similar to health, it is a resource for daily life and is determined by social, economic and environmental conditions. |
| Worker | A person is a worker if the person carries out work in any capacity for the PCBU. |

Legislation

- [Work Health and Safety Act 2011 \(Qld\)](#)
- [Work Health and Safety Regulation 2011 \(Qld\)](#)
- [Electrical Safety Act 2002 \(Qld\)](#)
- [Electrical Safety Regulation 2013 \(Qld\)](#)

- [Queensland Work Health and Safety Codes of Practice](#)
- [Workers' Compensation and Rehabilitation Act 2003 \(Qld\)](#)
- [Workers' Compensation and Rehabilitation Regulation 2014 \(Qld\)](#)
- [Education \(General Provisions\) Act 2006 \(Qld\)](#)
- [Building Act 1975 \(Qld\)](#)
- [Building Fire Safety Regulation 2008 \(Qld\)](#)
- [Fire and Emergency Services Act 1990 \(Qld\)](#)
- [Human Rights Act 2019 \(Qld\)](#)

Delegations/Authorisations

- Nil

Policies and procedures in this group

- Nil

Supporting information for this policy

- Nil

Other resources

Policy/statement

- [Enterprise risk management policy](#)
- [Legislative compliance policy](#)
- [Preventing workplace bullying and unlawful discrimination policy](#)
- [HSW commitment statement](#)

Procedures

- [Workplace health, safety and wellbeing procedures](#)
- [Facilities and assets procedures](#)

Framework/strategy/plans

- [Public Service Commission: Be healthy, be safe, be well framework](#)
- [DoE Strategic plan](#)
- [HSW Strategy](#)
- [DoE Wellbeing Framework](#)
- [Domestic and family violence prevention strategy](#)

- [Staff mental health strategy](#)

OnePortal

- [Occupational violence and prevention](#)
- [Staff Wellbeing](#)
- [Work safe, learn safe, play safe](#)

Websites

- WorkSafe.qld.gov.au
- [Creating Healthier Workplaces](#)

Contact

For further information, please contact:

Organisational Safety and Wellbeing Unit

Contact: HSW@qed.qld.gov.au

Review date

30/09/2029

Superseded versions

Previous seven years shown. Minor version updates not included.

Nil

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