



Kutta Mulla Gorinna Inc

WORKPLACE HEALTH AND SAFETY POLICY

Kutta Mulla Gorinna Inc acknowledges the traditional custodians of country and acknowledges their continuing connection to land, waters and community. We pay our respects to the people, the culture and the elders past, present and emerging.

Version 3

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Kutta Mulla Gorinna Inc

POLICIES AND PROCEDURES HANDBOOK

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PURPOSE

The purpose of this policy is to outline the Kutta Mulla Gorinna Inc Governance framework for achieving excellence in health and safety and the protection of the environment in which it operates.

SCOPE

Kutta Mulla Gorinna Inc's Board, all officers, all workers and other persons at the school, including students and parents.

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)*
- Kutta Mulla Gorinna Inc Risk Management Policy
- Kutta Mulla Gorinna Inc Incident Reporting Form
- Kutta Mulla Gorinna Inc Workplace Bullying Policy
- Kutta Mulla Gorinna Inc Complaints Handling Policy

DEFINITIONS

Definitions relevant to this policy include:

Person conducting a business or undertaking

For this Act, a person conducts a business or undertaking –

- a) whether the person conducts the business or undertaking alone or with others; and
- b) whether or not the business or undertaking is conducted for profit or gain

- A business or undertaking conducted by a person includes a business or undertaking conducted by a partnership or an unincorporated association
- If a business or undertaking is conducted by a partnership (other than an incorporated partnership), a reference in the Work Health and Safety Act 2011 to a person conducting the business or undertaking is to be read in reference to each partner in the partnership
- A person does not conduct a business or undertaking to the extent that the person is engaged solely as a worker in, or as an officer of, that business or undertaking
- An elected member of a local government does not in that capacity conduct a business or undertaking
- A regulation may specify the circumstances in which a person may be taken not to be a person who conducts a business or undertaking for the purposes of the Work Health and Safety Act 2011 or any provision of the Act
- A volunteer association does not conduct a business or undertaking for the purposes of the Work Health and Safety Act 2011
- In the Act, volunteer association means a group of volunteers working together for 1 or more community purposes where none of the volunteers, whether alone or jointly with any other volunteers, employs any person to carry out work for the volunteer association.

Worker

A person is a worker if the person carries out work in any capacity for a person conducting a business or undertaking including work as –

- a) An employee; or
- b) A contractor or subcontractor; or
- c) An employee of a contractor or subcontractor; or
- d) An employee of a labour hire company who has been assigned to work in the person's business or undertaking; or
- e) An outworker; or
- f) An apprentice or trainee; or
- g) A student gaining work experience; and
- h) A volunteer; or
- i) A person of a prescribed class

The person conducting the business or undertaking is also a worker if the person is an individual who carries out work in that business or undertaking

Dangerous incident

Means an incident in relation to a workplace that exposes a worker of any other person to a serious risk to a person's health or safety emanating from an immediate or imminent exposure to –

- a) An uncontrolled escape, spillage or leakage of a substance; or
- b) An uncontrolled implosion, explosion or fire; or
- c) An uncontrolled escape of gas or steam; or
- d) An uncontrolled escape of pressurised substance; or
- e) Electric shock; or
- f) The fall or release from a height of any plant, substance or thing; or
- g) The collapse, overturning, failure or malfunction of, or damage to, any plant that is required to be authorised for use under a regulation; or

- h) The collapse or partial collapse of a structure; or
- i) The collapse or failure of an excavation or of any shoring supporting an excavation; or
- j) The inrush of water, mud or gas in workings, in an underground excavation or tunnel; or
- k) The interruption of the main system of ventilation in an underground excavation or tunnel; or
- l) Any other event prescribed under the Work Health and Safety Regulations

Health and Safety Representative

In relation to a worker means the health and safety representative elected under the Work Health and Safety Act 2011 for the work group of which the worker is a member. At KMG the Business Services Manager performs the Workplace Health & Safety representative role.

Officer

An officer means –

- a) An officer within the meaning of Section 9 of the Corporations Act 2001 of the Commonwealth other than a partner in a partnership; or
- b) An officer of the State, Commonwealth of another State within the Work Health and Safety Act 2011
- c) An officer of a public authority within the Work Health and Safety Act 2011

Other than an elected member of a local government acting in that capacity.

Serious injury or illness

In the Work Health and Safety Act 2011 serious injury or illness requiring the person to have –

- a) Immediate treatment as an inpatient in a hospital; or
- b) Immediate treatment for:
 - i. The amputation of any part of his or her body; or
 - ii. A serious head injury; or
 - iii. A serious eye injury; or
 - iv. A serious burn; or
 - v. The separation of his or her skin from underlying tissue; or
 - vi. A spinal injury; or
 - vii. The loss of a bodily function; or
 - viii. Serious laceration; or
- c) Medical treatment within 48 hours of exposure to a substance;

And includes any other injury or illness prescribed under a regulation but does not include an illness or injury of a prescribed kind.

POLICY

Kutta Mulla Gorinna Inc acknowledges that a duty under the *Work Health and Safety Act 2011* and the *Work Health and Safety Regulation 2011* cannot be transferred or delegated to another person.

Kutta Mulla Gorinna Inc also acknowledges that in accordance with the *Work Health and Safety Act 2011* and the *Work Health and Safety Regulation 2011*:

1. More than one person can concurrently have the same duty

2. Each duty holder must comply with that duty to the standard required by the legislation even if another duty holder has the same duty
3. If more than one person has a duty for the same matter, each person -
 - a) retains responsibility for their duty in relation to the matter; and
 - b) must discharge their duty to the extent to which they have the capacity to influence and control the matter or would have had that capacity but for an agreement or arrangement purporting to limit or remove that capacity; and
 - c) 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.

The specific roles and responsibilities of a Person Conducting a Business or Undertaking, Officers, Workers and Other Persons are outlined below.

Person conducting a business or undertaking

In its legal role as a *Person Conducting a Business or Undertaking*, Kutta Mulla Gorinna Inc must undertake its role and responsibilities under the *Work Health and Safety Act 2011* and the *Work Health and Safety Regulation 2011* as follows:

1. Kutta Mulla Gorinna Inc will ensure, so far as is reasonably practicable, the health and safety of:
 - a) Workers engaged, or caused to be engaged by the school; and
 - b) Workers whose activities in carrying out work are influenced or directed by the school; while they are at work in the school.
2. Kutta Mulla Gorinna Inc will ensure, so far as is reasonably practicable, that the health and safety of other persons is not put at risk from work carried out as part of the conduct of the school.
3. Kutta Mulla Gorinna Inc will also ensure, so far as is reasonably practicable -
 - a) the provision and maintenance of a work environment without risks to health and safety; and
 - b) the provision and maintenance of safe plant and structures; and
 - c) the provision and maintenance of safe systems of work; and
 - d) the safe use, handling and storage of plant, structures and substances; and
 - e) the provision of adequate facilities for the welfare at work of workers in carrying out work for the school, including ensuring access to those facilities; and
 - f) the provision of any information, training, instruction or supervision that is necessary to protect all persons from risks to their health and safety arising from work carried out as part of the conduct of the school; and
 - g) that the health of workers and the conditions at the school are monitored for the purpose of preventing illness or injury of workers arising from the conduct of the school.
4. Kutta Mulla Gorinna Inc will ensure, so far as is reasonably practicable, that the school, the means of entering and exiting the school and anything arising from the school are without risks to the health and safety of any person.
5. Kutta Mulla Gorinna Inc will ensure, so far as is reasonably practicable, that the fixtures, fittings and plant are without risks to the health and safety of any person.
6. Kutta Mulla Gorinna Inc will ensure the provision of consultation, cooperation and issue resolution in relation to work health and safety as required under the relevant provisions of the legislation
7. Kutta Mulla Gorinna Inc will ensure compliance when reporting notifiable incidents under the relevant provisions of the legislation

8. Kutta Mulla Gorinna Inc's governing body must also undertake its role and responsibilities under the *Education (Accreditation of Non-State Schools) Regulation 2017* by complying with the *Work Health and Safety Act 2011*.

Officers

In their legal role as Officers, Kutta Mulla Gorinna Inc's Board members, Executive School Director and members of the senior executive team (including Business Services Manager and the Curriculum Manager) must undertake their role and responsibilities under the *Work Health and Safety Act 2011* and the *Work Health and Safety Regulation 2011* as follows:

1. If Kutta Mulla Gorinna Inc has a duty or obligation under the legislation, an officer will exercise due diligence to ensure that the school complies with that duty or obligation.
2. Due diligence includes taking reasonable steps -
 - a) to acquire and keep up-to-date knowledge of work health and safety matters; and
 - b) to gain an understanding of the nature of the operations of Kutta Mulla Gorinna Inc and generally of the hazards and risks associated with those operations; and
 - c) to ensure that Kutta Mulla Gorinna Inc 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 the school; and
 - d) to ensure that Kutta Mulla Gorinna Inc has appropriate processes for receiving and considering information regarding incidents, hazards and risks and responding in a timely way to that information; and
 - e) to ensure that Kutta Mulla Gorinna Inc has, and implements, processes for complying with any duty or obligation of the school under the legislation; and
 - f) to verify the provision and use of the resources and processes mentioned above.

Workers

In their legal role as Workers, employees of Kutta Mulla Gorinna Inc, contractors and subcontractors and their employees, employees of a labour hire company who has been assigned to work in the school, outworkers, apprentices, trainees, students gaining work experience and volunteers, must undertake their role and responsibilities under the *Work Health and Safety Act 2011* and the *Work Health and Safety Regulation 2011* as follows:

1. take reasonable care for his or her own health and safety; and
2. take reasonable care that his or her acts or omissions do not adversely affect the health and safety of others; and
3. comply, so far as the worker is reasonably able, with any reasonable instruction that is given by Kutta Mulla Gorinna Inc to allow compliance with the legislation; and
4. cooperate with any reasonable policy or procedure of Kutta Mulla Gorinna Inc relating to health or safety at the school, that has been notified to workers.

RESPONSIBILITIES OF OTHERS AT THE SCHOOL

In their legal role as Other Persons at the school, Board members, students, parents and visitors, must undertake their role and responsibilities under the *Work Health and Safety Act 2011* and the *Work Health and Safety Regulation 2011* as follows:

1. take reasonable care for his or her own health and safety; and

2. take reasonable care that his or her acts or omissions do not adversely affect the health and safety of others; and
3. comply, so far as the person is reasonably able, with any reasonable instruction that is given by Kutta Mulla Gorinna Inc.

IMPLEMENTATION

Implementation under the *Work Health and Safety Act 2011* and the *Work Health and Safety Regulation 2011*

In practice, Kutta Mulla Gorinna Inc's commitment to 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 process
- Provide information, training, instruction and supervision
- Provide a process for consultation, cooperation and issue resolution

Further details of these measures are provided below.

RISK MANAGEMENT PROCESS

Kutta Mulla Gorinna Inc's Risk Management Policy provides further guidance on the process and approach to managing risks at the school.

PROVIDE INFORMATION, TRAINING, INSTRUCTION AND SUPERVISION

In accordance with the *Work Health and Safety Act 2011* and the *Work Health and Safety Regulation 2011*, Kutta Mulla Gorinna Inc will ensure 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.

Kutta Mulla Gorinna Inc 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. Kutta Mulla Gorinna Inc's Risk Management Policy provides further guidance on the information, training, instruction and supervision provided to workers at the school.

PROVIDE FOR CONSULTATION, COOPERATION AND ISSUE RESOLUTION

Kutta Mulla Gorinna Inc 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.

Kutta Mulla Gorinna Inc will consult with workers 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*:

- a) when identifying hazards and assessing risks to health and safety arising from the work carried out or to be carried out by the school;
- b) when making decisions about ways to eliminate or minimise those risks;
- c) when making decisions about the adequacy of facilities for the welfare of workers;
- d) when proposing changes that may affect the health or safety of workers;
- e) when making decisions about the procedures for -
 - (i) consulting with workers; or
 - (ii) resolving work health or safety issues at the workplace; or
 - (iii) monitoring the health of workers; or
 - (iv) monitoring the conditions at any workplace under the management or control of Kutta Mulla Gorinna Inc; or
 - (v) providing information and training for workers; or
- f) when carrying out any other activity prescribed under the relevant legislation.

When consulting with workers, Kutta Mulla Gorinna Inc's will ensure:

- a) that relevant information about the matter is shared with workers; and
- b) that workers be given a reasonable opportunity -
 - (i) to express their views and to raise work health or safety issues in relation to the matter; and
 - (ii) to contribute to the decision-making process relating to the matter; and
- c) that the views of workers are taken into account by Kutta Mulla Gorinna Inc;
- d) that the workers consulted are advised of the outcome of the consultation in a timely way; and
- e) that records of the consultation process and outcome are retained.

Kutta Mulla Gorinna Inc's Complaints Handling Policy and Procedures provide further guidance on resolving work health and safety issues.

TRAINING

Kutta Mulla Gorinna Inc school will 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

Kutta Mulla Gorinna Inc will 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.

ACCESSIBILITY OF PROCESSES

This policy and any related processes relating to the health, safety and conduct of staff and students are accessible on the school website and will be available on request from the school administration.

COMPLAINTS PROCEDURE

Suggestions of non-compliance with this policy and any related processes may be submitted as complaints under Kutta Mulla Gorinna Inc's Complaints Handling Policy.

COMPLIANCE AND MONITORING

In line with the *Work Health and Safety Act 2011* and the *Work Health and Safety Regulation 2011* and its duties Kutta Mulla Gorinna Inc is committed to monitoring the health of workers and the conditions at the school.

Kutta Mulla Gorinna Inc has implemented an Incident Reporting Form which requires workers and other persons to report any hazards or incidents resulting in potential or actual harm to health and safety. Kutta Mulla Gorinna Inc will regularly monitor, collate and report on hazards and incidents in accordance with the *Work Health and Safety Act 2011* and the *Work Health and Safety Regulation 2011*.

Kutta Mulla Gorinna Inc is also committed to 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 the school.
