



SCHOOLS REGISTRATION BOARD

NEWSLETTER – June 2013

The Work Health and Safety (WHS) Act, Work Health and Safety Regulations, and many of the Codes of Practice being developed are in support of the legislation which came into effect in Tasmania on 1 January 2013.

The Schools Registration Board (SRB) has taken advice from Mr Ted Leeson (Principal Consultant WHS, State Service Management Office, Department of Premier and Cabinet) that all schools will need to have a WHS plan in place by 2014.

An EXAMPLE ONLY of such a plan, provided by Mr Leeson, is attached for your consideration.

Please note that from 2014 documentation to support a school registration review by the SRB will need to include a WHS plan. The SRB Handbook will be revised to include this requirement.

Kind regards

Jenny Cranston

Chair, Schools Registration Board

EXAMPLE ONLY

Work Health and Safety Plan

(school name) _____

For the period _____ to _____ (dates)

Aim: This plan sets out this School's intentions for improving work health, safety, wellbeing and injury management for all its people for the period of time listed above.

Part A - Actions to address areas of concern

Please note: The following high-risk activities and areas of performance have been identified and are to be addressed as indicated.

Element	Actions	By when	By whom	Progress
1	Safety Management System Review			
1.1	The present policy dealing with manual handling is to be reviewed			
1.2	All staff required to participate in training on manual tasks are to be identified and are to complete applicable training as a priority			
2	Work Health and Safety (WHS) Training			
2.1	All new staff are to attend WHS induction training as soon as possible following commencement and in no case is this to be later than 8 weeks after starting work	Within 8 weeks of starting work		
2.2	All staff are to attend the annual mandated WHS training session			
2.3	All managers who have not attended WHS training for managers in the last			

	five years are to do so			
2.4	All supervisors who have not attended training for WHS for supervisors/manager are to do so as early a reasonably possible			
2.5	All appointed or elected health and safety officers are encouraged to attend the approved WHS training for HSRs			
3	Incident Notification			
3.1	All staff are to be reminded of the requirement to provide prompt notification of every incident.			
3.2	Every supervisor or manager who is notified of an incident is to ensure that the causes of the incident are discovered and action to prevent recurrence is taken promptly, and that the causes and actions are recorded.			
4	Injury Management			
4.1	Each member of the senior executive group is to appoint at least one person employed within their group as a Return-to-Work (RTW) Coordinator.			
4.2	All appointed RTW Coordinators are to be trained in their functions.			
4.3	A position of an Injury Management Coordinator (IMC) is to be created and filled.			
4.4	The Injury Management Coordinator for the SCHOOL is to participate on the SCHOOL WHS Committee.			
4.5	Each member of the senior executive team is to be personally involved at least quarterly in workers' compensation claims reviews for any staff from their area to ensure all appropriate actions are being progressed as a priority			
5	Asbestos Management			
5.1	Prepare a draft asbestos management plan			
5.2	Consult staff on draft asbestos management plan			

Part B - Actions to achieve a compliant WHS Management System by 31 December 2016

Element	Actions	By when	By whom	Progress
1	WHS Management System gap analysis is to be conducted			
2	A plan to close those identified gaps is to be settled			

Part C - Actions to ensure compliance with the new Work Health and Safety laws by 31 December 2016

Element	Actions	By when	By whom	Progress
1	All managers and supervisors are to make themselves acquainted with their responsibilities under the <i>Work Health and Safety Act 2012</i> and those regulations and Codes of Practice that may apply to their areas of responsibility			
2	All managers are to ensure that workplace hazards inspections are conducted regularly (as specified) and that the hazards that are identified are documented and addressed promptly			
3.1	Prepare a draft WHS Consultation Protocol			
3.2	Seek agreement from all relevant representative bodies to the WHS Consultation Protocol			

Part D - Reporting of WHS performance

Element	Actions	By when	By whom	Progress
1.	The WHS Key Performance Indicators (KPI) are to be reported on at least twice a year to the School senior management. Comment on each KPI is also to be provided.			

2	The Corporate Risk and Improvement Committee is to review the WHS KPI's at least quarterly and recommend actions to ensure compliance and improvement.			
---	--------------------------------------------------------------------------------------------------------------------------------------------------------	--	--	--

Part E - WHS Plan for 2013-2014

Element	Actions	By when	By whom	Progress
1	A WHS Plan for the School for the period ____ - ____ is to be prepared ready for implementation			
2	All managers, staff and their representative bodies are to be consulted on the preparation of this Plan.			

Signature _____

Date _____

Principal

Further information obtained in association with Mr Ted Leeson:

Under the WHS Act, the changes for Tasmania include:

- *an employer will become known as a 'person conducting a business or undertaking' (PCBU). A PCBU includes an employer, corporation, association, partners in a partnership, sole trader and certain volunteer organisations (for example, a volunteer organisation that employs a person to carry out work is a PCBU. But a volunteer organisation that operates with volunteers and does not employ anyone is not a PCBU) and householders where there is an employment relationship between the householder and the worker.*

A PCBU has the primary duty of care for WHS. There are also additional duties for a PCBU who:

- *manages or controls a workplace*
- *controls fixtures, fittings or plant at a workplace*
- *designs, manufactures, imports or supplies plant, substances or structures installs, constructs or commissions plant or structures for a workplace.*

The duties of a PCBU, as set out in the WHS Act, are generally similar to those for an employer under the previous legislation. That is, a PCBU must do all that is reasonably practicable ensure the health and safety of workers, customers and visitors by removing or reducing risks at the workplace.

As the PCBU is often an inanimate legal entity, rather than a natural person, the Act imposes specific obligations on the officers of the PCBU. As a guide, the officers are the people who are responsible for organisational governance and decision making. Where a PCBU has a duty or obligation under the Act, the officers of the PCBU must exercise due diligence to ensure that the PCBU complies with that duty or obligation. Due diligence is the standard of care applying to officers.

In order to demonstrate their due diligence officers must ensure appropriate, proactive steps are taken to ensure the PCBU complies with the requirements of the Act and Regulations. A Health and Safety Management Plan, as well as an underpinning planning and development procedure is one way the officers of the PCBU can demonstrate due diligence and commitment to continuous improvement.