



EFFECTIVE DATE	1 July 2020
REVIEW DATE	1 July 2023
POLICY OWNER	Chancery
APPLIES TO	This Policy applies to clergy, employees, board members, contractors (as defined and in relation to WHS legislation and a one member corporation), volunteers, work experience students and trainees (Workers) of the Diocese including those working in or visiting its premises.
EXCLUSIONS	Where an agency or entity of the Diocese has its own policy, the relevant agency or entity policy will apply to Workers engaged by those agencies or entities. In the event of conflict between the policies of agencies or entities and the Diocesan policy, the Diocesan policy prevails.
RELATED POLICIES, GUIDELINES & PROCEDURES	Statement of Commitment Return to Work (RTW) & Injury Management Policy
REFERENCE	<i>Work Health and Safety Act 2011 (NSW)</i> <i>Work Health and Safety Regulation 2011 (NSW)</i>
RELATED FORMS	WHS Management System Forms
HEADINGS	Objective Definitions Policy <ul style="list-style-type: none"> 1. Policy Statement 2. Consultation 3. Health & Safety Diligence Framework 4. WHS Management System 5. Person Conducting Business or Undertaking (PCBU) Responsibility for Safety in the Workplace 6. Responsibility for Safety in the Workplace <ul style="list-style-type: none"> 6.1 Bishop's Responsibilities 6.2 Diocesan Business Manager/ Heads of Agencies/ Parish Priests' Responsibilities 6.3 WHS Diocesan Specialist Roles' Responsibilities 6.4 Workers' Responsibilities 6.5 Contractors and Sub-Contractors' Responsibilities 6.6 Clients and Visitors' Responsibilities Breaches of this Policy

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OBJECTIVE

The purpose of this policy is to provide guidelines on work health and safety matters and to promote a safe and caring working environment. The purpose is also to ensure that the Diocese's legislated and other duties of care in relation to the health, safety and welfare of its Workers, is recognised across the whole of the organisation in addition to ensuring that there are standardised procedures in respect of health, safety and welfare of its Workers throughout the organisation.

DEFINITIONS

Australian Standards: Detailed technical documents developed for Standards Australia by expert working parties drawn from industry and government agencies. There are over 400 Australian standards relevant to occupational health and safety (OHS). Some of these have been adopted as codes of practice by individual governments. Increasingly, standards are being developed in partnership with Standards New Zealand and ISO, the International Organisation for Standardisation.

Code of Practice: Technical document on a health and safety issue approved by a government minister. It provides practical guidance on ways to achieve compliance with OHS legislation.

Diocese means the Roman Catholic Diocese of Lismore and includes without limitation any Diocesan agencies, corporations, entities, parishes, parish corporations and parish entities where the Worker is employed or otherwise engaged by the Diocese.

Duty of Care: A principle of common law that requires each person or organisation to take care not to cause harm to other persons.

Duty of Due Diligence: The positive duty of due diligence imposed on officers of PCBU's requires the officers to have a clear understanding of what the key hazards are, what the risks are and what controls should be used on those risks within the business.

Emergency: An event that will produce or exacerbate injury to people and/or damage to property unless immediate intervention occurs.

Emergency Procedures: Best practice guidelines for reacting to an emergency so that persons at risk respond in a prompt, orderly and appropriate way.

Ergonomics: The study of the characteristics of people and their work systems with the object of achieving optimum interaction in terms of comfort, health, safety and performance.

Hazard: An energy or environmental factor that could produce injury or disease.

Hazard Identification: The process used to identify all possible situations where people may be exposed to injury, illness or disease.

Hazardous Substance: A material listed in SafeWork Australia's list of designated hazardous substances or in State hazardous substances legislation.

Incident: Any event or circumstance occurring at, or in relation to, a place of work that presents a risk to health or safety.

Injury: Immediate damage to the body caused by exposure to a hazard.

Manual Handling: Includes a wide range of work activities such as lifting, pushing, pulling, holding, throwing and carrying, as well as repetitive tasks, such as packing, typing, cleaning and sorting.

Safety Data Sheet (SDS): A summary of relevant properties of a hazardous chemical or proprietary product and which includes safety, health, storage, handling and emergency information. For more information, see the *Model Code of Practice: Preparation of Safety Data Sheets for Hazardous Chemicals*.

Officer (under the WHS Act) is defined as:

- A director or secretary of a business;
- A person who makes or participates in making decisions that affect the whole, or substantial part, of the business; or
- A person who has the capacity to significantly affect the company's financial standing, in accordance with whose instructions or wishes the directors of the company are accustomed to act.

Person Conducting Business or Undertaking (PCBU) (under the WHS Act) can be:

- A person;
- A corporation;
- A partnership; or
- An unincorporated association.

That conducts business or undertaking, whether or not the business or undertaking is conducted for profit or gain.

Personal Protective Equipment (PPE): Equipment worn by Workers to reduce risk from OHS hazards.

Reasonably Practicable: In relation to a duty in respect of health and safety, 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.

Regulation: Subordinate legislation passed by State Government to amplify or make explicit the requirements of an Act.

Risk: The chance of the hazard actually causing an injury or disease. It can be measured in terms of consequences and likelihood.

Risk Assessment: Judgment as to the likelihood of an agent producing harm to persons under the circumstances of its use.

Risk Management: The process of recognising situations that have the potential to cause harm to people or property, and the act of doing something to prevent the hazardous situation occurring or the person being harmed.

Safe Work Procedures (SWP) Safe Method Statement (SWMS) or Standard Operating Procedures (SOP): A statement which describes how work is to be carried out. It identifies the work activities assessed as having a safety risk and outlines the safety risks. It also describes the control measures that will be applied to the work activities. The SWMS includes a description of the equipment used in the work, the standards or codes to be complied with, the qualifications of the personnel and training required to do the work.

WHS Audit: Systematic search for hazards in the workplace, problems in work procedures, and deficiencies in the WHS management system.

WHS Management System: The design, implementation and maintenance of work activities to minimize, as far as is reasonably practicable, the occurrence of injury and disease.

Worker (under the WHS Act) includes:

- An employee of the PCBU;
- A contractor or sub-contractor;
- An employee of the contractor or sub-contractor;
- An employee of a labour hire company who has been assigned to work in the PCBU;
- An out-worker;
- A student gaining work experience; or
- A volunteer.

POLICY

1. Policy Statement

The Bishop of the Diocese of Lismore is committed to the safety and well-being of its Workers and those who are in their care. This commitment also extends to anyone else on premises controlled or managed by the Diocese and their delegates.

To meet these obligations, the Diocese is committed so far as reasonably practicable to:

- Providing safe and healthy workplaces and working conditions that prevent injury and illness;
- Eliminating or controlling hazards that cause injury and illness;
- Consulting with employees and other stakeholders to achieve these objectives;
- Ensuring that people other than employees (including, but not limited to volunteers, clients, visitors, contractors) are not exposed to risks to their health or safety arising from the conduct of the Diocese while they are at a Diocesan workplace.
- Establishing and maintaining a WHS Management System, compliant with the requirements of the WHS Act, WHS Regulations and all relevant Codes of Practice and Industry Standards.

2. Consultation

Worker involvement throughout all levels of the Diocese is critical for ensuring a safe and healthy workplace. The Diocese supports a range of consultation mechanisms, which are not limited to Workplace Safety Officers, WHS Representatives and WHS Committees, depending on the scope and size of agency. Where a WHS Representative or Committee exists, a 'Terms of Reference' document outlines the functions of this consultative mechanism.

3. Health & Safety Diligence Framework

The Health & Safety Due Diligence Framework:

1. **Sets the standards for WHS Management Systems** for the Diocese and for each agency and Parish.
2. **Sets the standards for resourcing for the Diocese**, including the allocation of designated WHS personnel and relevant training requirements.
3. **Provides and establishes workable mechanisms for ongoing auditing** within the Diocese and review of agency and parish safety management systems.
4. **Communicates minimum reporting requirements** by relevant agencies and parishes to the Bishop on WHS performance.

5. **Ensures there are incident response procedures for critical WHS incidents** which allow responsible personnel to effectively monitor these incidents and react in a timely fashion, including approval of financial and capital expenditure.

The following systems are incorporated with the Diocesan Health & Safety Due Diligence Framework:

- **A hazard reporting system in the workplace:** This includes training for all employees in hazard identification techniques to ensure all hazards are identified so they can be assessed and controlled.
- **Procedures to deal with these hazards:** Ensure that once a hazard is reported, a risk assessment is undertaken immediately and appropriate control measures are implemented.
- **Provide ongoing training to employees:** Provide induction training, ongoing workplace based training and organisation training initiatives relating to WHS Policy and procedures.
- **Communicate regularly with employees:** Established WHS and other consultative committees or train WHS Representatives (if requested) and ensure management presence on Committees.
- **Establish, monitor and review health and safety programs:** That are relevant to agencies and parishes needs which create a greater awareness of WHS obligations among Workers.
- **Expressly nominate a safety person (or people):** Who are responsible for safety decisions and outcomes.
- **Ensure designated management personnel are fully aware of the agencies current WHS policies and procedures:** That they ensure these are properly implemented.

4. WHS Management System

A WHS Management System is in place for the Chancery and parishes. Separate WHS Management Systems are in place for Agencies of the Diocese.

5. Person Conducting Business or Undertaking (PCBU) Responsibility For Safety In The Workplace

The primary duty holder under the WHS legislation is a 'person conducting a business or undertaking' (**PCBU**). The Employer will generally be the PCBU.

The PCBU has the duty to ensure, so far as reasonably practicable, the health and safety of:

- Workers engaged by the PCBU;
- Workers whose activities in carrying out their work are influenced or directed by a PCBU; and
- Other persons while they are at work in the business of the PCBU. Where the PCBU controls a workplace, it must ensure that the means of entering and exiting the workplace, and anything arising from the workplace, are free of risk. PCBUs who control, design, import, supply, install, construct, commission or manufacture fixtures, fittings, plant, substances or structures also have obligations to ensure that those activities are without risk to health and safety of workers.

A 'person' may include a company, unincorporated association or partnership. An individual will only be a PCBU where the individual is conducting the business in his or her own right. Person Conducting Business or Undertaking (**PCBU**) (under the WHS Act) can be:

- A person;
- A corporation;
- A partnership; or
- An unincorporated association

that conducts business or an undertaking, whether or not the business or undertaking is conducted for profit or gain.

PCBUs can be an Officer, who (under the WHS Act) is defined as:

- A director or secretary of a business;

- A person who makes or participates in making decisions that affect the whole, or substantial part, of the business; or
- A person who has the capacity to significantly affect the company's financial standing, in accordance with whose instructions or wishes the directors of the company are accustomed to act.

The positive **Duty of Due Diligence** imposed on Officers of PCBU's requires the Officers to have a clear understanding of what the key hazards are, what the risks are and what controls should be used on those risks within the business.

At a minimum, the PCBU must ensure so far as is reasonably practicable:

- That the working environment is, and remains, free of risks to health and safety
- That safe plant and structures are provided.
- That safe systems of work are provided and maintained.
- The safe use, handling and storage of plant, structures and substances.
- The provision of, and access to, adequate facilities for the welfare of workers carrying out work for the business or undertaking in the workplace.
- The provision of information, training, instruction or supervision that is necessary to protect all persons from risks to his/her health and safety arising from work carried out as part of the conduct of the business or undertaking.
- The monitoring of the health of workers and the conditions at the workplace for the purpose of preventing illness or injury of workers arising from the conduct of the business or undertaking. Once the risks are identified, steps must be taken to eliminate those risks, as far as is reasonably practicable. Where it is not reasonably practicable to eliminate those risks, steps must be taken to minimise these risks.

(Refer to **Appendix - Diocese of Lismore PCBUs and Officers** for the Diocesan structure of agencies and parishes for the purposes of responsibilities for WHS).

6. RESPONSIBILITY FOR SAFETY IN THE WORKPLACE

6.1. Bishop's Responsibilities

The primary WHS responsibility of the Bishop is to ensure that the Diocese provides a safe and healthy workplace for Workers of all agencies within the Diocese.

The Bishop achieves this by:

- Ensuring that he understands the Person Conducting a Business or Undertaking (**PCBU**) operations within the Diocese and the associated hazards and risks.
- Monitoring agencies and parishes to ensure that they have appropriate resources and processes in place to eliminate or minimize risks to health and safety.
- Ensuring there are processes in place for verifying and developing Chancery, Parish and Agency WHS Management Systems.

6.2. Diocesan Business Manager/Heads of Agencies/Parish Priests' Responsibilities

The Diocesan Business Manager, Heads of Agency and Parish Priests are accountable to the Bishop in ensuring that:

- The workplace and facilities are adequate and meet safety standards;
- Staff are provided with appropriate training, support and procedures to ensure that they can safely perform their work; and
- Agencies and parishes meet the criteria of the **Health & Safety Due Diligence Framework**.

6.3. WHS Diocesan Specialist Roles' Responsibilities

WHS Diocesan specialist roles exist within Diocesan Chancery and agencies and are responsible for providing specialist advice on the development and ongoing improvement of WHS Management Systems in existence.

6.4. Workers' Responsibilities

Workers are required to liaise with and seek guidance from their Manager/ regarding this Policy. Workers are accountable to the Bishop for:

- Taking reasonable care of their own health and safety.
- Taking reasonable care that their acts or omissions do not adversely affect the health and safety of others.
- Cooperating with the Chancery, agencies and parishes and other persons to ensure compliance with the WHS Act, WHS Regulation and all relevant codes of practice.
- Ensuring the Chancery, agencies and parishes are informed of matters that impact on work health and safety by reporting all hazards and incidents.
- Assisting in the identification of hazards, assessment of risks and the implementation of risk control measures.
- Carrying out roles and responsibilities as detailed in the WHS Policy and procedures.
- Following any reasonable instruction and training provided in relation to health and safety at work.
- Using equipment provided for health and safety purposes.
- Providing feedback on any matters, which may affect their health and safety in the workplace.
- Ensuring that they are not affected by alcohol or any drugs that would endanger their own or any other person's health and safety.

6.5. Contractors and sub-contractors' Responsibilities

Contractors and sub-contractors engaged to perform work on Diocesan premises or locations are required, as part of their contract, to comply with:

- The WHS Policy and procedures of the Diocese; and
- Directions on health and safety from designated staff of the Diocese. Failure to comply or observe a direction will be considered a breach of the contract and sufficient grounds for termination of the contract.

6.6. Clients and Visitors' Responsibilities

Clients and visitors are responsible for:

- Taking care of their own health and safety
- Complying with WHS policies while on Diocesan premises.
- Reporting all incidents and/or hazards that may cause injury and/or illness.

BREACHES OF THIS POLICY

Breaching this Policy may result in disciplinary action, which may include the termination of employment or engagement and, notification to external agencies including without limitation professional standards associations, regulatory agencies and police.

REVISION/ MODIFICATION HISTORY

Date	Version	Current Title	Summary of Changes	Approval Date	Commencement Date
1 May 2020	1	Work health and Safety Policy	Initial Policy	15 June 2020	1 July 2020

APPROVAL DATE/ REVISION HISTORY

Approved by: Bishop Gregory Homeming

Date: 15 June 2020

To be revised: 1 July 2023