



Workplace Health and Safety Policy

Effective Date	May 2012
Review Date	May 2014
Associated Documents	<ul style="list-style-type: none">• NSW Workplace Health and Safety Act (2012) and Regulation (2001)

The Parish Priest of St Joseph's Tweed Heads and Principal and Executive of St Joseph's College, accept that they have a duty of care for the health, safety and welfare of the employees, students and community of St Joseph's College. In accepting this duty of care all due diligence will be used to ensure protection from workplace-related injury and illness.

It will provide the necessary resources to enable our school to comply with the NSW WH&S Act 2012 and Regulation 2001.

All employees of St Joseph's College are required to take care for the health and safety of themselves, the students in their care and others.

College staff and volunteers are expected to co-operate with the Principal and Executive in this regard to enable the nominated employer to comply with the necessary Workplace Health and Safety Act and accompanying Regulations.

This policy will have an associated program for the management of WH&S in the College which will provide:

- A system for identifying and controlling hazards
- WH&S training and supervision for all staff and volunteers
- Mechanisms to assist staff to meet their duty of care for others
- A procedure for communication and consultation that enables staff to participate in the management of WH&S
- Programs for the monitoring and supervision of the health and safety of students and staff
- An evaluation procedure that will be reviewed on a regular basis

NSW WH&S Legislation

Workplace health and safety (WH&S) legislation is relevant to all workplaces, including schools. It deals with issues such as:

- types of risks which must be controlled
- how risk management is to be undertaken
- specific requirements for particular types of workplace, machinery, substances and operations
- appointment of WH&S representatives and committees
- structure and powers of regulatory bodies responsible for administering WH&S law
- penalties for breaching WH&S provisions

The primary aim of WH&S legislation is to safeguard the welfare of employees. The legislation also imposes obligations on employers and those in control of workplaces in relation to other people besides their own employees. This means that employers have certain obligations to contractors and to visitors who enter the workplace.

Employees at a school have a contractual right to a workplace that is reasonably safe and without risk. It is an implied term in contracts of employment that employers will provide such a workplace.

In addition, employees have the right to refuse to perform work that will breach a statutory safety standard, without being in breach of their contracts of employment. Any instruction by an employer that requires an employee to work in a manner that breaches a statutory WH&S standard will be neither "lawful" nor "reasonable". In the context of workplace safety, the duty of co-operation requires employees to participate in safety-related activities, such as attending safety training to ensure adherence to safety policies and procedures.

Employees have a common law duty to obey the lawful and reasonable instructions of their employers. This duty also derives from the contract of employment and any failure by employees to comply with an instruction that is both lawful and reasonable will expose them to contractual remedies by their employers, such as disciplinary or termination procedures. In the context of workplace health and safety, employees have a contractual duty to follow reasonable safety instructions and to use safety equipment provided by the employer.

Employees also have a common law duty to take reasonable care to avoid exposing others who may be affected by their acts or omissions to unnecessary risk of injury. This duty is similar to the common law duty of the employer but is limited to matters over which the employee “has control or reasonably ought to have control”.

Enforcement by NSW Work Cover

Enforcement of WH&S legislation is ensured mainly through Work Cover.

Depending on what an inspector finds during an investigation, there are a number of courses of action open to the inspector. In general, inspectors can take the following steps as a result of an inspection:

- giving advice or referring the employer to codes of practice or other guidance material
- issuing an improvement notice
- issuing a prohibition notice
- issuing on-the-spot fines
- initiating a prosecution for breach of legislation.

WH&S in our School Context

Schools are more than just education centres. They are also workplaces, playgrounds, sporting grounds and community centres. On any given day those present at our school may include:

- students
- teachers
- administrative staff
- parents and other family members
- grounds staff
- sporting teams
- members of the local community
- delivery and trades people
- government officials
- trespassers

Legal obligations have been placed on those in charge of schools to protect the health and safety of those attending, working at or visiting a school. The obligations have two sources, the common law and legislation.

A failure to act in accordance with an obligation imposed by legislation can result in a fine or imprisonment and can also be relevant to an action for damages.

WH&S legislation is mainly directed at protecting employees from injury at the workplace, but anyone adversely affected by a work-related activity (in this case, a school activity) is also covered.

Relationships applicable to schools

The common law has established the following relationships which are applicable in the school environment:

- The relationship between a school authority and its students gives rise to a duty of care. The duty of care is assumed when the child is enrolled and is sustained by the continued acceptance of the child as a pupil.
- The relationship between an employer and its employee gives rise to a duty of care.
- The relationship between an occupier of premises and a lawful entrant (a person who enters with the express or implied consent of the occupier) upon the premises gives rise to a duty of care.
- The relationship between an unlawful entrant (trespasser) and an occupier will not always give rise to a duty of care and, even when it does, the degree of care may be less than that usually required.

General Duty of Care

The general duty of care owed by a school authority to its students requires that reasonable care be taken for their safety. The duty does not require the school authority to ensure that no harm comes to its students.

Outside school grounds

Students are often taken on field trips and to sporting facilities not under the control of the school authority. The school authority's duty is non-delegable, which means it cannot escape liability because injury to a student was the result of the unsafe nature of the premises to which the students were taken. The school authority must protect students from known avoidable risks when they travel between the school and an outside sporting facility, particularly when making transport arrangements.

Supervision

In performing the duty to take reasonable care to prevent injury to pupils, a school and its teachers are generally required to provide appropriate supervision – if only to protect some pupils against the conduct of others. The level of appropriate supervision will depend on the particular circumstances, including:

- the number of children involved
- the age, educational level and maturity of the students
- the place where the children are gathered
- the reason for them being there.

Sport supervision

Some sporting activities carry a greater risk of injury and will require almost constant supervision. Students will also need adequate training before participating in some sporting activities. Provided all proper precautions are taken, it does not necessarily follow that a student injured while participating in a dangerous sport will succeed in an action against the school authority.

Playground supervision

Playground equipment exposes children to a risk of injury. A balance must be achieved between guarding against risk but not so as to ban all equipment or make it so dull that there is no fun in playing on it.

Classroom supervision

Classroom activities can be a source of risk and some will require greater supervision than others.

Students with special needs

Where the risk of injury is increased because of the physical or intellectual disability of a particular student, greater precautions will have to be taken than otherwise might be the case.

THE ROLE OF THE PARISH/CEO

The CEO/Parish's duties to employees

The duty of our school authority as an employer is to take reasonable care to avoid exposing its employees (whether teachers, grounds, administrative or other staff) to unnecessary risk of injury. This involves:

- **Provision of a safe system of work.** A safe system of work is one that is safe for an average employee taking reasonable care for his or her own safety. This system is one that the employer must establish, maintain and enforce.
- **Provision of a safe place of work.** This not only includes employees' usual work areas, but any areas where they might be expected or told to go, sometimes for isolated tasks, and amenities areas.
- **Provision of proper plant and machinery.** This means checking that equipment meets and is maintained in accordance with appropriate safety standards.
- **Employment of competent staff.** This extends to providing sufficient staff to enable work to be undertaken reasonably safely.

In practice, governing bodies that are employers under the law, act through the principals appointed to administer schools. Compliance with common law and statutory responsibilities for workplace health and safety must start with the CEO/Parish and principal.

Due Diligence

As an employer, the CEO/Parish owes common law and statutory duties to its employees, as well as to students, contractors, visitors and other non-employees whose health and safety may be affected by activities at the school. Governing bodies must make sure they exercise their duty of care with all "due diligence", that is, by taking every precaution reasonable in the circumstances to protect the health and safety of all these parties.

The employer's duty to its employees is a duty to take reasonable care to avoid exposing the employees to unnecessary risk of injury. Governing bodies, as employers, are also under a common law duty to take reasonable care to protect third parties such as students from risks.

Duty To Provide "Safe Systems of Work"

Under the New South Wales WH&S Act, employers have a duty to provide and maintain "systems of work" which are safe and without risks to health. The phrase is not defined in the Act but is commonly used in court cases concerning the employer's duty of care at common law.

Defining "system of work"

A system of work includes:

- the coordination of activities, including the order in which tasks are to be performed and the proper identification of all personnel (including contractors) involved
- the layout of plant and equipment
- methods of using machines and carrying out processes (including safety guards, lockout procedures)
- methods and relevant safety procedures for the use of substances (including the provision of appropriate personal protective equipment and other safety equipment)
- ascertaining the need for particular precautions that are necessary
- informing employees and others of relevant hazards and instructing them in the appropriate safety procedures.

Employers cannot leave the task of devising a system of work to their employees, no matter how experienced the employees may be. In addition to the duty to provide a system of work, employers must also maintain that system. The common law duty requires employers to enforce the system of work by supervising its employees.

THE ROLE OF OUR PRINCIPAL

Principals, as managers, have the day-to-day responsibility of overseeing the conduct of their employers' operations, including ensuring that educational objectives are met. However, their responsibility is not limited to educational objectives. In addition to seeing that the educational goals of the governing body are generally met, the school principal plays an important role in ensuring that the governing body meets its legal duties at common law and under WH&S legislation.

Principals have a common law duty to obey the lawful and reasonable instructions of their employers. This duty also derives from the contract of employment. Principals also have a duty to take reasonable care to avoid exposing others who may be affected by their acts or omissions to unnecessary risk of injury.

Principals also owe a duty specifically to students to take reasonable care to avoid exposing them to unnecessary risks of injury.

THE ROLE OF OUR WORKPLACE HEALTH & SAFETY STAFF REPRESENTATIVES

The WH&S Act 2012 and the Regulation 2001 set out the legal requirements. In essence the majority of all employees at the workplace must vote in favour of electing a representative.

Representatives are elected for two years. They must attend an accredited training course. (4 days – Work Cover).

One of the functions of the representative is to enable our employer bodies and staff to cooperate in initiating, developing, carrying out and monitoring measures designed to ensure workplace health, safety and welfare. The WH&S representative acts as a conduit for debate on all aspects of safety management and it will assist in resolving issues relating to workplace health and safety. Another function of WH&S representative is in assisting the College Executive and Parish to formulate, review and disseminate practices, procedures and policies in relation to health and safety.

OUR COLLEGE WH&S REPRESENTATIVE CONSTITUTION

Purpose	<ol style="list-style-type: none"> 1. To enable the employer, Principal and employees to cooperate in initiating, developing, carrying out and monitoring measures designed to ensure workplace health, safety and welfare. 2. To act as a conduit for debate on all aspects of safety management and it will assist in resolving issues relating to workplace health and safety. 3. To assist the College Executive and Parish to formulate, review and disseminate practices, procedures and policies in relation to health and safety.
Activities	<p>The representative will:</p> <ul style="list-style-type: none"> • assist with the development of the WH&S Policy • help to develop a system for identifying and controlling hazards • consult with management about WH&S training and supervision for all staff and volunteers • assist with the design of mechanisms to assist staff to meet their duty of care for others • encourage a procedure for communication and consultation that will enable staff to participate in the management of WH&S • assist the College Executive to develop programs for the monitoring and supervision of the health and safety of students and staff • monitor the evaluation procedure that will be reviewed on a regular basis • at the request of the Principal conduct workplace inspections
Term of Office	<p>Under the Regulation, employee representatives will normally hold office for two (2) years. This constitution will permit two consecutive terms of office. Where positions are replaced through resignation, the new member will serve the term of office remaining.</p>
Elections	<p>At the end of the two-year term of service (nominally December) nominations will be called for from staff in the recognised areas of hazard exposure. The names of these people will be advertised 14 days prior to the election. The election will be conducted at a scheduled staff meeting using a secret ballot process. Where members resign prior to the completion of their term, nominations will be sought. Where necessary a ballot process will be implemented.</p>
Meetings	<p><u>Timing:</u> WH&S will be an agenda item at ALL full Staff Meetings. <u>Agenda:</u> Items for the agenda will be called for 14 days prior to the scheduled meeting. <u>Minutes:</u> The minutes will then be typed by clerical support staff. Management will be responsible for filing copies of the agenda and minutes. A copy of the minutes will be posted on the staff notice board and emailed to all staff.</p>

THE ROLE OF STUDENTS

The presence of students at our school has significant implications for the management of health and safety at the school, which set it apart from other workplaces. Students can and should play an active role in healthy and safe practices, but this role is limited by their legal status as minors and as non-employers.

Under the common law, students have a duty of care towards themselves and to others. The standard of care required by students under the age of 18 would be the standard expected of a reasonable child of a similar age. This also means that, generally speaking, a higher standard of care is required of high school students than primary school students.

WH&S legislation does not deal with the roles and responsibilities of students at a school nor with specific provisions for their safety. However, the legislation provides for students' health and safety under provisions designed to protect all people affected by the activities of employers.

STUDENTS PRESENT AT THE WORKPLACE

As students are required to be on school premises, they are similar in status to a visitor or guest at an employer's work premises. As a result, the duties that are imposed under WH&S legislation on employers and employees to take reasonable care for the safety of non-employees at the workplace.

School activities may affect students whether they are participating in those activities or not. The duty of employers and employees to take care for others' safety in all work-related activities equally applies to students for activities on school premises, whether directly involving the students or not (eg. maintenance work), and activities conducted off school premises (eg. sport and excursions).

While students have a common law duty of care for the safety of others, there is no duty imposed on students under WH&S legislation.

CONTRACTORS

Typically, a contractor will be engaged to perform a specific task such as the installation of a roof or the performance of a specified maintenance task at a school.

Independent contractors are used at many workplaces to perform a wide range of duties.

Typical tasks for which contractors are engaged in schools include:

- cleaning
- maintenance of plant and equipment
- maintaining the school grounds eg. painting
- performing other specialised jobs. eg. security and pest control

Typically, a contractor will control any plant and equipment used, including its maintenance, and the systems of work employed by the contractor. The contractor will usually be in control of the instruction and training of its employees. Supervision of the work may be shared between the contractor and the person or organisation hiring the contractor.

Self-employed people are to ensure that people not employed by them are not exposed to risks to their health or safety arising from the conduct of the self-employed person's place of work.

This means that self-employed contractors owe a general duty of care to anybody who may be affected by their work at a school, including:

- staff at a school
- other contractors
- students
- members of the public, eg. parents and visitors

INSTRUCTION, TRAINING AND SUPERVISION

An employer must provide to its employees "such information, instruction, training and supervision as may be necessary to ensure [their] health and safety at work". Compliance with these aspects of the employer's duty is of the utmost importance.

The information that an employer must provide includes information relating to:

- hazards in the workplace which employees may confront
- safety procedures which have been developed and are to be followed
- training that is available
- management representatives who are responsible for addressing health and safety issues.

The legal requirement to provide instruction, training and supervision is especially important for new and trainee teachers who may be unaware of the hazards present in particular schools and the systems and procedures in place for dealing with them.

There are three main safety-training needs that must be addressed in any workplace:

- to promote and maintain a positive health and safety culture
- to ensure that individual employees within the school, from the principal to the newest relief teacher, are competent to undertake their tasks safely
- to ensure that in-house training providers are well-trained and competent – any professional trainers within the organisation must be fully competent in adult training.

In order to comply with the requirements of legislation, all persons engaged in work at a school should be considered. This includes contractors, those on youth training schemes, volunteers, relief workers and those on work experience, as well as the school's students.

The most significant general duty on all employers with regard to training is to "provide adequate information, instruction, training and supervision" for all workers in order to protect their health and safety.

Another such general duty is to ensure that workers are informed about hazards and their controls at work.

Training Programs

In order for our school to develop a successful health and safety training program that matches its commitment to a positive health and safety culture, management must commit to the key elements identified below.

- **Policy.** The school must produce a training policy that is effective and has properly identified outcomes.
- **Organisation.** There is a need to employ suitable training providers to undertake the training program.
- **Planning.** Training must be planned in good time to ensure that new starters receive induction and basic training as soon as possible after joining or transferring within the organisation.
- **Measuring Performance.** There must be an effective system of monitoring both the training provision and the feedback from trainees.
- **Reviewing Performance.** The school must learn from its performance measurement, alongside any auditing which takes place.

The needs of specific groups

Specific training needs of different groups within the school are:

- Staff in general
- Managerial and supervisory staff
- Staff with specific safety responsibilities
- New staff
- Staff with special needs
- Volunteers

NEW STAFF

New staff requires information on the emergency procedures and general health and safety standards at the school preferably before, or as early as possible after, commencing work. This process is called “induction training” – the familiarisation with a new job or workplace.

The following information should be covered as a minimum:

- An introduction to employer and employee responsibilities under the relevant WH&S act
- Safety information on any equipment or materials which new employees will be using
- The schools fire evacuation procedures
- The main aspects of the schools health and safety policy
- Accident reporting procedures
- An introduction to first-aid staff, fire wardens and safety personnel

The nature of the induction training will vary according to the size and curriculum of the school and the role of the new starter. For those commencing work in a fairly low risk environment, such as an office administrator, the duration of the induction training may be short (eg one hour). For those in a higher risk environment, such as a science teacher, the training course should cover all risk categories and its duration will accordingly be longer.

HAZARD SPECIFIC REQUIREMENTS

In addition to the duties to safeguard the health and safety of employees and others under imposed by the principle WH&S Acts, employers also have duties under WH&S regulations.

For example, the NSW government has made regulations to deal with specific hazards associated with:

- manual handling
- noise
- plant
- hazardous substances

WORKERS COMPENSATION

Federal, state and territory legislation has a “no-fault” scheme for compensating workers for injuries arising out of or in the course of their employment, where the employment was a contributing or a significant contributing factor. This only applies to staff – students cannot claim for workers compensation.

The “no fault” system means compensation will be paid regardless of whether the employer was negligent or breached some other law. Similarly, any fault on the part of the injured worker will generally be disregarded. However, where the work-related injury has occurred as a result of the worker’s serious and wilful misconduct, compensation will be denied unless the injury results in death or serious disability.

In some workers compensation legislation, compensation in cases of intoxication and deliberately self-inflicted injury, which may amount to serious and wilful misconduct in any event, is expressly excluded.

In some cases, an injury that does not arise out of the employment will be covered by workers compensation – this is the category of claim known as a “journey claim”. To be covered, the injury must be suffered on a journey between the place of employment and any of the following:

- another workplace
- a place of education (eg. an in-service training venue)
- a place connected with a compensation claim (eg. a place of medical treatment or examination)
- the worker’s home

If a worker is attending a “place of education” either in the course of employment or for further training or education required for employment purposes, the worker is covered for a journey claim.

Workers compensation pays for the injured worker’s:

- medical and related expenses (including rehabilitation)
- incidental travel expenses
- loss of earnings

In cases of death, the worker’s dependants are entitled to compensation, usually in the form of a lump sum payment and funeral expenses.

RISK MANAGEMENT

Risk management is a system that allows individual workplaces to identify Workplace health and safety (WH&S) problems and to control them methodically by the best means available. It provides employers of staff in schools with a strategic means of meeting their duty of care under WH&S legislation while allowing them flexibility to adapt to changing circumstances.

Risk management allows each individual factor contributing to work-related injury or illness to be identified and its importance as a contributory factor to be assessed. The process then assists in finding appropriate means of controlling those factors that are identified as important, in order to prevent work-related injury and illness.

The five basic steps in risk management

There are five sequential steps in undertaking the risk management process:

1. **Develop a WH&S policy** – the WH&S policy is the blueprint for implementing risk management. It clearly states the organisation’s goals and intentions, and identifies the roles of each of the workplace parties (eg. managers, employees, WH&S representatives).
2. **Identify workplace hazards** – this is the ongoing process of observing, inspecting and examining all aspects of the work and its environment to determine which, if any, hazards are present.
3. **Assess the associated risks** – this involves evaluating the likelihood and potential severity of risks associated with each hazard identified.
4. **Control the risks** – this is the process of determining and implementing measures to control the risks associated with each hazard.
5. **Monitor and review** the entire risk management process to ensure that it is working effectively and that new hazards and circumstances are accounted for.

Key elements in successful risk management

The key elements of a successful WH&S program based on the risk management approach are:

- effective organisation
- efficient communication
- careful planning and adequate resources
- ongoing performance measurement
- systematic performance review

It is not enough simply to implement a WH&S program in the school and hope that it will run smoothly. All staff must be involved in developing and implementing the program through consultation. There are a number of other elements involved in the successful development and implementation of a risk management program.

These include:

- policies
- safe systems of work
- information, instruction and training
- supervision
- emergency procedures
- procedures relating to personal protective equipment
- record keeping

HAZARD IDENTIFICATION

Hazard identification is the process of identifying all hazards in the workplace. A hazard is anything with the potential to harm life, health or property. Hazards are the main cause of Workplace health and safety problems. Finding means of eliminating hazards or controlling the associated risks is the best way to reduce workplace injury and illness.

Workplace hazards can be divided into six groups:

- **physical hazards**, eg. noise, electricity, heat and cold
- **chemical hazards**, eg. cleaning agents, laboratory reagents and corrosive liquids
- **ergonomic hazards**, eg. the height of a workbench or desks, or shape of seats
- **radiation hazards**, eg. from badly sealed microwave ovens
- **psychological hazards**, eg. stress from dealing with demanding students on a long-term basis
- **biological hazards**, eg. some biological specimens carrying potentially infectious materials, and Legionella bacteria and viruses from air conditioning systems.

HOW ARE HAZARDS IDENTIFIED?

Hazard identification involves the systematic investigation and recording of all potential hazard sources. In simple terms, it means identifying all of the possible ways in which people may be harmed through work-related activities.

As identifying every hazard throughout the workplace can be a large and complex job, it is essential to break the process down to smaller units or tasks. This may include:

- sub-dividing the workplace into departments or work areas
- breaking the activities in each department into tasks or processes
- developing a list of likely hazards from each task or process
- analysing the components of each task to identify any individual hazards present.

UNDERTAKING RISK ASSESSMENT

Risk assessment is the process of assessing all of the risks associated with each of the hazards identified during the review process. Risk is a measure of the potential outcome and likelihood of a hazard impacting on the workplace. It is the possibility of injury, illness, damage or loss occurring as a result of the hazard.

In assessing the risks, three essential steps are taken:

- the probability or **likelihood** of an accident occurring is evaluated
- the **severity** of the potential consequences is calculated or estimated
- based on these two factors, the risks are assigned **priority** for risk control through the use of a **risk rating**

ESTIMATING RISKS

Forming an estimate of the risk identified can be a difficult and complex task. For this reason it is essential that staff competent in WH&S conduct the risk assessment process. There are some processes or sources of information that may assist in this process, including:

- fatigue or wear testing
- technical or scientific evaluation of a work task
- analysing injury, incident and near miss data
- information from designers, engineers, suppliers and manufacturers

- review of other information as previously determined in the hazard identification process
- national accident, injury and workers compensation statistics

Undertaking risk control

The primary aim of risk control is to eliminate the hazard producing the risk, thereby removing the problem. Where this is not possible, risk control seeks to minimise risks by modifying or controlling the hazard and/or the associated work systems. The risk control process starts by considering the highest ranked risks, working down to the least significant. Each risk should be examined having regard to the "hierarchy of controls".

The hierarchy of controls is a set of options to determine the most effective method of risk and hazard control for a particular situation.

HIERARCHY OF CONTROLS

The hierarchy of controls is as follows:

1. Eliminate the hazard
2. Substitute the hazard
3. Isolate the hazard.
4. Introduce engineering controls.
5. Implement administrative controls and safe work practices.
6. Use personal protective equipment.

In many cases, it will be necessary to use more than one control method. Personal protective equipment (PPE) should only be used as a last resort or as a support to other control measures.

SETTING A SCHEDULE FOR CONTROL

Once the appropriate control measures to be used have been determined, deadlines should be set for implementing the control program. These dates should be determined through consideration of the risk priorities already set, and the necessary practicalities associated with implementing the control system.

All reasonable efforts must be made to ensure a risk is controlled as effectively as possible once it has been identified. In some circumstances temporary measures may be required. In serious cases, this may mean ceasing the hazardous activity until the control is in place; in others, it may mean using lesser measures (such as PPE and administrative controls) as an interim measure.

DOCUMENTING RISK CONTROL

The risk control process should be fully documented and these records kept with other relevant risk management records.

Risk control records should be attached to, cross-referenced with, or otherwise filed with related:

- hazard identification records
- risk assessment records

MONITORING & REVIEW

Monitoring and review is the final stage in establishing the health and safety program. It is the means by which risk management is kept current and effective, as new hazards and those overlooked in the original process are identified and controlled.

Monitoring and review involves the systematic repetition of the original health and safety program steps of:

- hazard identification
- risk assessment
- risk control

Review also enables identification and response to any changes in the school that may impact on health and safety.

ACCIDENT & INCIDENT REPORTING

Reporting of accidents and incidents which occur in any workplace, including schools, is an essential part of managing workplace health and safety.

Although there are several terms – “accident”, “incident” and “near miss” or “near hit” – used in talking about workplace events, there are only two broad concepts involved. A workplace event is an unplanned or desired event with either of the following outcomes:

- it results in human injury, illness, or damage to property (called an “accident” or “incident”)
- it could have resulted in harm (also called an “incident”, as well as a “near miss” or “near hit”).

There are legislative requirements that relate to accident and incident reporting or notification. These arrangements oblige employers to report the details of certain accidents and incidents to their local health and safety authority.

The types of accidents and incidents that must be reported are usually:

- accidents resulting in loss of life (which must be reported immediately)
- accidents resulting in a worker taking a number of days off work due to injury
- accidents resulting in a worker developing disease
- incidents involving damage of potential damage to dangerous items of plant (eg. boilers)

Aside from the legislative requirements, it is good workplace practice to record the details of all work-related accidents and incidents (even those which appear minor) to assist in risk management and building a profile of workplace risks.

Where students are involved, parents and other members of the public may demand an investigation of the incident. The school should be able to readily produce incident records as background information to an investigation or to counter uninformed allegations about the handling of previous incidents.

Causes of accidents

All workplace accidents and incidents are preceded by one or both of the following:

- **unsafe acts** – an act by a person which caused the accident
- **unsafe conditions** – an environment or hazardous situation which caused the accident and was independent of the people concerned.

Witnesses

There are two types of witnesses relevant to accident investigations:

- **eye witnesses** – people who actually saw the accident occurring
- **circumstantial witnesses** – those who did not actually see the accident but who can contribute valuable background information.

As part of the investigation, it is necessary to identify witnesses who:

- saw the events leading to the accident
- saw the accident happen
- came upon the scene immediately following the accident.

Interviews should be conducted with everyone who was involved or who can provide information.

Witnesses and others should be interviewed as soon as possible to minimise the possibility of their recall of the situation changing. Witnesses should be interviewed individually so that their comments do not influence each other.

Accident Recording Systems

As part of an effective health and safety management system, all organisations should establish a system for recording workplace injuries, accidents, near misses and diseases. Information from such a system may be used as part of notification requirements under legislation and workers compensation claims.

Record Keeping

Keeping records related to workplace health and safety is a core function of the principal as the employer's representative. Records are an important element in the relationship between your school and its local health and safety authority. Other records must be kept at the school as evidence of the development of safe work systems. One of the first things a health and safety inspector will usually do on entering a workplace is to request to see the health and safety records.

Legal requirements

In general terms, the health and safety laws at federal, state and territory level require employers to maintain the following types of records where they have been part of the school health and safety program:

- health and safety induction or training
- workplace monitoring (eg measurements of airborne contaminants or noise in the work environment)
- documentation in relation to health surveillance
- the school's risk assessment and any indicated control measures required
- risk assessments undertaken on designated plant, along with records of inspections, maintenance or alterations carried out on these types of plant
- reports of accidents, illnesses or dangerous occurrences
- a register of hazardous substances used at the school, along with the material safety data sheet for each substance, together with risk assessment records where the assessment identified a risk to health from substances
- records of relevant work procedures or rules

Note that the term "employer" generally means the school's governing body, but that responsibility for compliance with many of these requirements falls on the school principal, as the employer's representative at the school and the on-site "workplace manager".

Types of records

Record keeping involves the systematic maintenance of documentation that assists in monitoring and improving the management of workplace health and safety. It also entails keeping certain paperwork that is required by legislation.

There are many different types of records that need to be kept as a legislative requirement for workplace health and safety. These include:

- the health and safety policy
- risk assessment and control documentation and records
- accident/incident reports
- medical records, including results of medical assessments
- a hazardous substances register
- site licenses for dangerous goods
- results of workplace environmental monitoring
- rehabilitation information
- workers compensation records
- performance appraisal and training records
- details of the health and safety committee including its composition, the dates of meetings and details of resolutions taken
- records of personal protective equipment issued and maintenance arrangements
- copies of all standard operating procedures