

HEALTH AND SAFETY POLICY

Quality Areas: NQS 2 – Children’s Health and Safety, NQS 7 – Governance and Leadership

Policy Owner: Safety

Why this is
important

1.0 Introduction and Purpose

We have no greater responsibility than to care for the safety of ourselves, our workplace, and those around us. It is a personal responsibility. Every team member has a responsibility to ensure that they act in a safe manner, the spaces we work in are safe, and the children we educate and care for are safe. Our goal is to care for each other, be injury-free, and contribute positively to everybody's health and wellbeing. We want every team member to be a champion for safety, always looking for ways to create a safe and healthy environment.

2.0 Who does this policy apply to:

All Team Members, students, children, contractors, and visitors

3.0 What is our Policy:

3.1 Scope

This policy supports the management of health and safety by outlining the responsibilities and accountabilities of duty holders and ensures we meet or exceed the relevant safety legislation (the WHS/OHS Acts, Regulations, Codes and Standards) in each jurisdiction. Health and safety legislation objectives are to, wherever reasonably practicable, remove or minimise risks to the health, safety of children, team members and others.

An officer of Guardian, for the purpose of this policy, are members of the Leadership Group. Other senior managers may be found to be an officer as determined on a case-by-case basis. Officers must exercise due diligence to ensure that Guardian complies with its duties or obligations. The WHS Act sets out the broad responsibilities for the Person in Control of the Business or Undertaking (PCBU), officers, staff (team members) and others. While tasks related to fulfilling these responsibilities may be performed by others, *the responsibilities themselves cannot be delegated, transferred or contracted out.*

Further policies to manage specific risks (such as food safety, return to work of injured or ill team members, emergency management etc) will be clarified by written procedures and other guidance material.

3.2 Principles

We are committed to ensuring the health, safety and wellbeing of team members, children and others in line with the current Strategic Plan and good management practice.

We will manage risk to prevent serious injury that impacts the health, safety and wellbeing of children, team members and others in relation to its operations at our owned or leased sites, and Guardian activities conducted elsewhere.

Team members, students, contractors and visitors have a collective and individual responsibility to adhere to safe work practices to prevent injuries and illnesses or risk of injury and illness.

3.3 Health and safety management framework

Our goal is to meet the key requirements of the relevant legislation and the following Australian/New Zealand Standards:

AS/NZS 4801:2001 Occupational health and safety management systems, and
AS/NZS ISO 31000:2018: Risk management – Guidelines.

The safety system operates at both support office and centre levels encompassing a systematic approach to:

- Effective planning – both strategic and operational with continuous improvement goals
- Provision and ease of access to information, procedures and guidelines
- Relevant training including induction for all team members
- Incident investigation proportionate to the risk; and
- Significant monitoring, reporting and auditing to measure performance.

Our Health and Safety strategy is developed by the Safety Team in consultation with other key stakeholders. The strategy:

- outlines specific key objectives, deliverables, to address health and safety issues
- develops programs and guidelines to continuously improve the safety of our practices and environments
- contributes to the consultative requirements of the WHS Act

4.0 Responsibilities

4.1 Chief Executive Officer

The Chief Executive Officer (CEO) as the Person in Control of the Business or Undertaking (the PCBU) is responsible for providing adequately trained team members and resources to comply with the requirements of the Act to ensure, so far as is reasonably practicable, the health and safety of persons by:

- i. complying with all relevant legislation
- ii. integrating health and safety risk management⁷ practices into its operations and functions, with a focus on continuous improvement
- iii. ensuring that effective consultation and communication mechanisms are implemented and monitored
- iv. providing a safe environment for work, play and learning (including safe plant⁵, structures⁸ and safe systems of work)
- v. ensuring the safe use, handling and storage of plant, equipment, structures and substances
- vi. providing adequate facilities for the health and safety at work of team members, children and visitors
- vii. monitoring the health of team members and children and conditions at the workplace as part of a risk minimisation strategy
- viii. providing relevant information, training, instruction, or supervision for team members and, where appropriate, students, service providers, contractors, and visitors
- ix. managing incidents that occur to prevent injury, minimise harm and prevent recurrence
- x. the allocation of sufficient team members and resources for effective implementation of this and supporting policies, delegating responsibilities appropriately and establishing accountability.

4.2 The Leadership Team as officers under the Act, are responsible for:

- i. acquiring and maintaining a general knowledge of Guardian's operations, associated risks and hazards.
- ii. knowledge of the initiatives used to manage associated risks and hazards in their area.
- iii. ensuring that appropriate resources and processes are allocated to eliminate or minimise risks to health and safety that may arise as part of the organisation's operations.
- iv. ensuring appropriate processes for receiving and considering information regarding incidents, hazards and risks and responding in a timely way.
- v. ensuring that health and safety risk management is integrated with every operation and function and is working effectively.
- vi. ensuring processes for complying with any duty or obligation under the Act such as:

- a) reporting notifiable incidents
- b) consulting with team members and affiliates
- c) ensuring compliance with notices issued under the Act
- d) providing training and instruction to team members about work health and safety
- e) that adequate records are captured and retrievable
- f) safety-related records for children are to be retained for 25 years and adults 75 years

4.3 The Chief Quality and Curriculum Officer will:

- i. advise the CEO and CNO on critical health and safety issues and actions for improvement.
- ii. facilitate compliance with safety-related policies, legislation and standards
- iii. ensure that safety strategies are developed, resourced, effectively implemented and monitored in consultation with team members
- iv. facilitate the integration of health and safety risk management practices into operations, business activities including curriculum design and work environments
- v. report on incidents/injuries that have occurred and the implementation of mitigation strategies to prevent reoccurrence
- vi. monitor that all team members complete the mandatory health and safety training requirements
- vii. ensure, where relevant, that all team members undertake appropriate health and safety risk assessments for particular activities

4.4 The Safety Team has the primary responsibility for facilitating, recommending and coordinating health, safety and wellbeing initiatives which includes:

- i. leadership in health and safety related advice, policies, procedures, training, investigations, and research
- ii. establishing, monitoring, auditing and improving practices and initiatives
- iii. contributing to safety in design and procurement of safe products and services
- iv. supporting all team members in meeting their health and safety responsibilities and objectives
- v. maintaining relationships with internal stakeholders, and with external bodies in the fields of health, safety, wellbeing, emergency management, food safety, support systems and risk management
- vi. collaborate with the Recover Team to assist team members to promptly return to safe and meaningful work following injury or illness
- vii. provide input to employment, education and care, policies and procedures to ensure the wellbeing of children and team members, their understanding of the hazards of the job, the requirement to report health and safety issues to management and the commitment to 'make safe' at the operational level

4.5 General Managers and Portfolio Managers will:

- i. ensure Centre Managers and team members are aware and undertake their responsibilities including reporting all incidents, injuries, and hazards, undertake relevant training, complete investigations in a timely way, and monitor the safety of activities
- ii. hold Centre Managers and team members accountable for their specific responsibilities and act on non-compliance
- iii. check and verify health and safety requirements and practices are implemented

4.6 Centre Managers / Nominated Supervisor (NS) must do whatever is reasonably practicable to ensure that both the workplace and the work itself are safe. This includes:

- i. ensuring that team members are appropriately trained and are supervised adequately
- ii. identifying, assessing and managing health and safety risks
- iii. consulting with team members (including peers, affiliates, contractors and the Safety Team)
 - a. about issues or changes that may affect their health or safety
 - b. while undertaking health and safety risk assessments
 - c. when decisions are made about the measures to be taken to eliminate or control these risks
 - d. when reviewing health and safety risk assessments

- iv. integrating health and safety risk management into operations, learning and teaching, and the environments in their areas of control
- v. investigating and responding to all hazards, injuries, incidents and taking action to control the risk
- vi. reporting incidents, hazards, illnesses and injuries in a timely manner and in accordance with reporting timeframes
- vii. assisting with the development, implementation, and maintenance of a recover at work program for injured team members

4.7 Team Members will:

- i. take reasonable care of, and cooperate with actions taken to protect, the health and safety of both themselves and others
- ii. follow safe work practices as provided by their supervisor or manager, including the proper use of any personal protective equipment supplied
- iii. seek information or advice from an appropriately knowledgeable/trained team member before performing new or unfamiliar tasks
- iv. report all health and safety accidents, incidents and hazards to their supervisor as soon as is practicable
- v. comply with workplace injury management and recover at work programs
- vi. follow the emergency evacuation procedures and any instructions given by emergency personnel
- vii. Team members who are Safety Champions are to follow their role statement requirements

4.8 Head of Property will:

- i. ensure that design guidelines ensure safe design of structures and environments whether new or refurbished
- ii. implement procurement processes for buildings, structures, equipment, services include safety requirements
- iii. ensure contractors undertake a preferred supplier process which includes verifiable past safety performance and processes
- iv. ensure that contractors are adequately inducted in our safety requirements
- v. ensure written records of all incidents are retained from contractors doing work in our centres or offices
- vi. as part of any acquisition of previously owned childcare centres that they transfer all safety and injury related records, documents, forms and other evidence of their history in these matters

4.9 Contractors will:

- i. undertake the necessary health and safety induction training when coming to our workplaces
- ii. take reasonable care of and cooperate with actions taken to protect the health and safety of both themselves and others
- iii. develop and implement safe work methods that take into account the risk of a childcare environment
- iv. report all health and safety injuries, incidents and hazards to a Centre Manager / Nominated Supervisor or the Facilities Manager as soon as is practicable and in writing within the required timeframe
- v. follow the emergency evacuation procedures and any instructions given by emergency personnel including wardens.

4.10 Visitors

Visitors must follow the directions of Guardian team members including verbal or written directions, signage and graphic safety instructions including activities in the car park, in the facilities on excursions and incursions as well as in an emergency.

5.0 Definitions



Due diligence is required of officers of the business in s27 of the Act meaning they should be able to provide evidence of the provision of a safe workplace, safe systems of work, the provision of safe plant and equipment, sufficient supervision and training and resources to ensure safety.

Officer is defined by section 9 of the Corporations Act 2001 (Cwlth) as a person or persons who make, or participate in making, decisions that affect the whole or a substantial part of the business.

PCBU is defined as 'persons conducting a business or undertaking' as defined in section 5 of the Work Health and Safety Act 2011

Plant includes any machinery, equipment, appliance, container, implement and tool, and any component of any of those things, and anything fitted or connected to any of those things. Note that little can be excluded so consider items for work, play, cleaning, cooking, teaching, sleeping, seating and so on.

Reasonably practicable is as defined in section 18 of the Work Health and Safety Act 2011 and refers to the state of knowledge (not confined to Australia) taken into consideration including:

- the likelihood of the hazard or risk concerned occurring, *and*
- the degree of harm that might result from the hazard or risk, *and*
- what the person concerned knows or ought reasonably to know about the hazards and risks and ways of eliminating or minimising those risks, *and*
- the availability and suitability of ways to eliminate those risks, *and*
- after assessing the extent of the risks and the availability of ways of eliminating or minimising those risks, the costs associated with available ways of eliminating or minimising those risks, including whether the costs are grossly disproportionate to the risk.

Risk management includes the 'coordinated activities to direct and control an organization with regard to risk' (Australian/New Zealand Standard AS/NZS ISO 31000:2018 Risk management — Guidelines).

Structure means anything that is constructed, whether fixed or movable, temporary or permanent, and includes components of a structure and any part of a structure, eg. buildings, play equipment, fort, fence.

Supervisor means team members provided authority by their manager to supervise others in activities related to the business eg Responsible Person

Visitor includes the regular meaning of the word encompassing families, regulatory authorities, delivery personnel, and so on.

Worker (team member) is defined in section 7 of the Work Health and Safety Act 2011 and includes people carrying out work (paid or unpaid) in any capacity for Guardian, including team members, allied service providers, contractors/subcontractors and their employees, employees of labour hire companies who have been assigned to work at Guardian, apprentices, trainees, work experience students, and volunteers.

6.0 Tools and Resources

The most important documents I need are: Health and Safety Policies and Procedures	Other supporting documents will include:
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7.0 Additional Information

[Occupational Health and Safety Act 2004 \(Vic only\)](#)
[Occupational Health and Safety Regulations 2017 \(Vic only\)](#)
[Work Health and Safety Act 2011](#)
[Work Health and Safety Regulations 2023](#)
[Health and Safety Codes of Practice](#)

Equipment (Public Safety) Act 1994

8.0 Sources

Act Section 162A	Child protection training
Act Section 165	Offence to inadequately supervise children
Act Section 166	Offence to use inappropriate discipline
Act Section 167	Offence relating to protection of children from harm and hazards
Regulation 82	Tobacco, drug, and alcohol-free environment
Regulation 83	Staff members and family day care educators not to be affected by alcohol or drugs
Regulation 84	Awareness of child protection law
Regulation 103	Premises, furniture, and equipment to be safe, clean and in good repair
Regulation 115	Premises designed to facilitate supervision
Regulation 122	Educators must be working directly with children to be included in ratios
Regulation 123	Educator to child ratios – centre-based services
Regulation 145	Staff record
Regulation 165	Record of visitors
Regulation 166	Children not to be alone with visitors
Regulation 167	Record of service's compliance
Regulation 168	Education and care services must have policies and procedures
Regulation 170	Policies and procedures to be followed
Regulation 171	Policies and procedures to be kept available
Regulation 172	Notification of change to policies or procedures
Regulation 175 (d)(e)	Prescribed information to be notified to Regulatory Authority

Policy owner	Chief Quality and Curriculum Officer		Content author	National Health, Safety and Risk Manager	
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