



Australian Government
Department of Employment
and Workplace Relations

Work Health and Safety Policy

Department of Employment and Workplace Relations

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1. Purpose

- 1.1. This policy sets the department's commitment to compliance with the *Work Health and Safety Act 2011* (WHS Act), by providing our people with a culture and workplace focused on prioritising physical and psychological health and safety.
- 1.2. This policy supports the department's *Health, Safety and Wellbeing Statement of Commitment* that is centred towards:
 - The department having an effective and efficient WHS Management System.
 - Our leaders visibly demonstrating and actively focusing on health, safety and wellbeing.
 - Our people feeling safe, valued, included, and having access to workplace health and wellbeing programs.

2. Date of effect

- 2.1. This policy is effective from 1 July 2022.

3. Application

- 3.1. There are three types of people with specific duties under the WHS Act:
 1. **Workers** – includes any person carrying out work for the department as an employee, contractor, agent, or volunteer
 2. **Officers** – includes any person who makes, or participates in making decisions that affect the whole, or a substantial part of the department, and
 3. **Other people** – such as a person who attends or is otherwise engaged with the department's workplaces.
- 3.2. All people contribute to a safe and healthy workplace by ensuring they comply with their duties and obligations, particularly by ensuring that their actions or omissions do not adversely affect the health and safety of other people in the workplace.
- 3.3. A failure to comply with this policy and the WHS Act more broadly, may be considered misconduct and may result in a breach of the Australian Public Service (APS) Code of Conduct and/or with disciplinary action being taken.

4. Duties of the department

- 4.1. Under the WHS Act (section 19), the department must ensure, so far as is reasonably practicable:
 - the provision and maintenance of a work environment without risks to health and safety.
 - the provision and maintenance of safe plant and structures.
 - the provision and maintenance of safe systems of work.
 - the safe use, handling and storage of plant, structures, and substances.
 - the provision of adequate facilities for the welfare at work of workers carrying out work for the department, including ensuring access to those facilities.
 - 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 for the department.

- that the health of workers and the conditions at the workplace are monitored for the purpose of preventing illness or injury of workers arising from work carried out for the department.

5. Duties of officers

- 5.1. Under the WHS Act (section 27), an officer is a person who makes, or participates in making, decisions that affect the whole, or a substantial part, of the department. The department considers that State/ Territory Managers and SES Band 1 or above staff can reasonably be considered an officer for the purposes of the WHS Act.
- 5.2. To ensure the department complies with its obligations, officers are required to exercise due diligence by taking reasonable steps to:
 - acquire and keep up-to-date knowledge of WHS matters.
 - gain an understanding of the nature of the department's operations, and generally of the hazards and risks associated with those operations.
 - ensure the department has available for use, and uses, appropriate resources and processes to eliminate or minimise risks to health and safety.
 - ensure the department has appropriate processes for receiving and managing information regarding incidents, hazards and risks and responding in a timely way to that information.
 - ensure the department has, and implements processes for complying with any duty or obligation of the department under the WHS Act.
 - verify the provision and use of the resources and processes referred to above.
- 5.3. Officers will undertake training to gain an understanding of their due diligence obligations and how they can proactively discharge this duty.

6. Duties of workers

- 6.1. The WHS Act (section 28), requires workers, while at work, to:
 - take reasonable care for their own health and safety.
 - take reasonable care that their acts or omissions do not adversely affect the health and safety of other persons.
 - comply, so far as they are reasonably able, with any reasonable instruction given by the department to allow the department to comply with the WHS Act.
 - co-operate with any reasonable policy or procedure of the department relating to WHS that has been notified to workers.
- 6.2. All workers are responsible for knowing and understanding their WHS obligations in accordance with the WHS Act and must promptly report and record WHS hazards, risks, or incidents, in accordance with the WHS policies and procedures of the department.
- 6.3. Workers will undertake necessary training to enable them to perform their duties safely and meet their responsibilities under the WHS Act.

7. Duties of other persons (including visitors)

7.1. The WHS Act (section 29), provides that a person at a workplace must:

- take reasonable care for their own health and safety.
- take reasonable care that their acts or omissions do not adversely affect the health and safety of other persons.
- comply, so far as they are reasonably able, with any reasonable instruction that is given by the department to allow the department to comply with the WHS Act.

8. Hazard identification and risk management

- 8.1. The WHS Act and Work Health and Safety Regulations 2011 require the department to identify WHS hazards, assess risks and implement controls to eliminate or minimise risk to harm, so far as is reasonably practicable.
- 8.2. It is the role and responsibility of managers in the department to identify and appropriately manage any physical and psychological health risks present in the work that they oversee.
- 8.3. The department’s Enterprise Risk Management Policy and Framework (ERMPPF) provides the foundations and organisational arrangements for managing risk across the department.
- 8.4. The WHS Risk Management Guidance provides further information on the risk management process, how to conduct a risk assessment and links to guidance and training.

9. Consultation

- 9.1. The WHS Act (section 46) requires the department to consult with WHS duty holders, so far as is reasonably practical.
- 9.2. Consultation for WHS matters shall be proactive, collaborative, and undertaken in accordance with existing arrangements, including the Work Health and Safety Committee (WHSC) and the Health and Safety Representative (HSR) network.
- 9.3. These health and safety consultative arrangements ensure WHS duty holders are included in decision making where there is an impact on WHS. This is a vital aspect of the WHS Management System as it facilitates communication, cooperation, and coordination.
- 9.4. The department will review this Policy in consultation with the WHSC, the HSR network, officers, and workers.

10. Other resources

WHS Act 2011 (Cth)	Work Health and Safety Act 2011
Guide to the Model WHS Act 2011	Guide to Model Work Health and Safety Act Safe Work Australia
WHS Regulations 2011	Work Health and Safety Regulations 2011
Guide to Officer’s duties	The health and safety duty of an officer Safe Work Australia
Guide to WHS roles and responsibilities	Your role Comcare
Injury prevention	Preventing harm and injury at work Comcare
Managing risks in the workplace	Manage risks in the workplace Comcare
APS Code of Conduct	APS Values and the Code of Conduct

11. Useful Contacts

Team	Contact Details
Performance and Wellbeing Team	PerformanceandWellbeingTeam@dewr.gov.au

12. Document details

Policy Owner	People Branch
Document Status	Final
Point of Contact	Director, Performance and Wellbeing
Approver	Nicole Forbes
Approval Authority	Acting Assistant Secretary, People Branch Department of Employment and Workplace Relations
Date of Approval	1 April 2023

Document Review and Change

Version	Date	Author/s	Summary of Changes	Date of next scheduled review
1.0	1 April 2023	People Branch	MOG rebranding, and reference to DEWR WHS Statement of Commitment	January 2024