

WORK HEALTH AND SAFETY POLICY

November 2023

**PREPARED BY:
CORPORATE GOVERNANCE UNIT**

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SUTHERLANDSHIRE



1. PURPOSE

The purpose of this Policy is to make clear our commitment to:

- maintaining the health and wellbeing of our workforce and those that work in and visit our Workplaces, and
- how we seek to fulfil that commitment.

2. APPLICATION

This Policy applies to our Councillors, Executive, Managers, Staff, Contractors and other persons who work in and visit our Workplaces.

3. PRINCIPLES

3.1 Application of Principles

No one principle should be applied to the detriment of another. Principles must be collectively considered and applied to the extent that is reasonable and practicable in the circumstances.

3.2 Our people are our safety leaders

We commit to treating all our employees regardless of their position as safety leaders. It is our expectation that every safety leader will take responsibility for their own safety as well as others in the Workplace.

To fulfil this commitment, we will:

- encourage our employees to use our safety management system;
- encourage our employees to report safety incidents, near misses and hazards;
- learn from safety incidents, near misses and hazards to improve safety outcomes;
- invest in enhancing the safety knowledge of our people through a program of continual learning and development that is relevant to their needs;
- commit to listen to, address and provide feedback on safety concerns promptly; and
- hold individuals accountable for their actions, where they have acted in a grossly negligent or reckless manner.

3.3 Our approach to safety in our Workplace is proactive and caring

We commit to a proactive and caring approach to safety in our Workplace by:

- resourcing and supporting our senior leadership and management to build, promote and maintain a safe and healthy Workplace;



- allocating adequate resources to allow for the effective design, implementation, maintenance, and continual improvement of our Safety Management System;
- maintaining effective communication and consultation mechanisms to provide all our people with the opportunity to contribute to decisions that impact their safety; and
- establishing effective safety incident and near-miss reporting, investigation, and remediation processes to ensure identified root causes are rectified and we learn from these events.

3.4 We adopt a systemised approach to safety management

We commit to maintaining and implementing a risk-based Safety Management System that seeks to, as far as reasonably practicable, reduce safety risk to all people in our Workplaces, including risks related to:

- the consumption of alcohol and other drugs in our Workplace in line with our Alcohol and Other Drugs Management Framework, and
- our use of heavy vehicles in line with our Heavy Vehicle National Law obligations.

3.5 Our approach to safety incident, near miss and hazard management is fair

We commit to a fair approach to managing adverse safety events by:

- treating all safety incidents, near misses, and hazards as opportunities to learn and improve;
- implementing robust reporting processes with clear accountability;
- training our people to understand these processes;
- identifying and addressing systemic issues that contribute to adverse safety events;
- holding those involved in an adverse safety event responsible for learning from the event and implementing mitigations; and
- focus on the learning process, rather than blaming and punishing the person, unless the person has acted in a manner that is without reasonable excuse, grossly negligent, or is reckless as to the risk of serious injury, illness or death of an individual.

3.6 We report safety performance transparently

We commit to being transparent about our safety performance by:

- setting performance targets that are realistic but also aspirational;
- holding ourselves accountable to achieve performance targets;
- providing reliable, timely and relevant performance information to each stakeholder group; and
- using performance information to enable evidence-based safety improvement decisions.

3.7 We focus on continual improvement

We commit to a systematic, risk-based and planned approach to safety management improvement where:

- improving safety management is a central part of our business planning;
- our people are involved in the planning process through regular communication and consultation;
- we equip our people to identify and control safety risks and improvement in the Workplace;



- we maintain a clear organisational structure responsible for designing and improving safety systems in our Workplace; and
- our improvement actions are centred on ownership, accountability and responsibility.

4. RESPONSIBILITIES

4.1 Responsible Officer

The Manager Corporate Governance is responsible for maintaining the currency of this Policy and the Safety Management System.

4.2 Councillors

Under the Work Health & Safety Act 2011 (NSW), Councillors:

- are not Officers; do not conduct Council operations; are not Workers and do not hold the duties associated with these roles, and
- are responsible for complying, so far as reasonably practicable, with any reasonable instructions given by Council Officers in the conduct of Council operations; and for taking reasonable care of their own health and safety and for ensuring their actions do not adversely affect the health and safety of others.

4.3 Chief Executive Officer

Under the Work Health & Safety Act 2011 (NSW), the Chief Executive Officer is an Officer and is responsible for exercising the Officer's functions including the conduct of Council operations. The Chief Executive Officer is also responsible for ensuring the organisation adheres to the requirements of this Policy and for providing necessary safety management leadership, direction and guidance to the organisation.

4.4 Directors

Under the Work Health & Safety Act 2011 (NSW), Directors are Officers and are responsible for exercising the Officer's functions including the conduct of Council operations. They are also responsible for ensuring their Directorate adheres to the requirements of this Policy and for providing necessary safety management leadership, direction and guidance to their Directorate.

4.5 Senior Managers

Under the Work Health & Safety Act 2011 (NSW), Senior Managers are Officers and are responsible for exercising the Officer's functions including the conduct of Council operations. They are also responsible for ensuring their Business Unit adheres to the requirements of this Policy and for providing necessary safety management leadership, direction and guidance to their Business Unit.



4.6 Employees

Employees must adhere to the requirements of this Policy and operate within its authorities. All employees must take reasonable care for the health and safety of themselves and others; and follow any reasonable health and safety instructions issued by Council.

5. POLICY COMPLIANCE

Compliance with this Policy will be monitored by the Corporate Governance Business Unit.

Safety risk will be managed in accordance with Council's Risk Appetite.

Monitoring of compliance with this Policy will be undertaken through the implementation of:

- safety performance, injury management and return to work performance reporting against agreed key performance indicators;
- the Chain of Responsibility and Heavy Vehicle National Law Framework;
- the Alcohol and Other Drug Management Framework; and
- the Safety Compliance Audit Program.

6. RECORD KEEPING, CONFIDENTIALITY AND PRIVACY

Council adheres to and complies with the NSW State Records Act 1998 and Privacy and Personal Information Protection Act 1998 through its Access to Information Policy and Privacy Management Plan.

7. BREACHES OF POLICY

Breaches of this Policy will be dealt with in accordance with normal disciplinary procedures and will be advised to the Chief Executive Officer and/or Director, via the Manager where appropriate.

8. RELATED DOCUMENTS

- Council Alcohol and Other Drug Determination and Guideline.
- Council Chain of Responsibility and Heavy Vehicle National Law Framework.
- Council Chain of Responsibility Heavy Vehicle Operation Guideline.
- Council Codes of Conduct for Councillors, Council Staff and Council Committee Members, Delegates of Council and Council Advisors (2022).
- Council Work Health & Safety Management System.

9. RELEVANT LEGISLATION AND REGULATIONS

- Heavy Vehicle National Law Act 2013 (NSW).
- Local Government Act 1993 (NSW).



- Privacy and Personal Information Protection Act 1998 (NSW).
- State Records Act 1998 (NSW).
- Work Health and Safety Act 2011(NSW).
- Work Health and Safety Regulations 2017 (NSW).

10. DEFINITION OF TERMS

Term	Meaning
Officer	<p>An Officer is a person that has the delegation to make or participate in making a decision about work health and safety for the whole or a substantial part of Council. Officers are:</p> <ul style="list-style-type: none"> • The Chief Executive Officer • Directors; and • Senior Managers who make, or participate in making, decisions that affect the whole, or a substantial part, of Council including significant financial decisions. <p>The full definition of Officer is in section 9 of the <i>Corporations Act 2001</i>.</p>
Workplace	<p>Workplace includes, but is not limited to workshops, office space, work sites or open space; working in a vehicle, vessel, aircraft or other mobile structure; at premises being inspected; working in any waters or any installation on land, on the bed of any waters or floating on any waters; and other sites where the work of Council is completed.</p>

End of Document

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