OHS Responsibilities Procedure

*Last Updated: 22 October 2020*

OHS Responsibilities Procedure

1. **Purpose:**

The purpose of this procedure is to provide detailed information in relation to the Occupational Health and Safety (OHS) responsibilities and accountabilities of various Department of Education and Training (Department) employees.

1. **Scope:**

This procedure applies to all Department workplaces, including schools and central and regional offices.

1. **Definition:**

OHS responsibilities consist of:

* General and specific requirements that are outlined in the *Occupational Health and Safety Act 2004* and *Occupational Health and Safety Regulations 2017.*
* Department specific requirements to ensure workplace health and safety is not negatively impacted.
* General responsibilities of individuals under common law requirements.

1. **Responsibilities:**

In order to ensure OHS processes are integrated into operational activities, certain tasks may be delegated to a person who has control of the matter. However, ultimate responsibility remains with the position nominated in this procedure. These responsibilities should be read with the general responsibilities outlined in each of the Department’s OHS Management System (OHSMS) procedures and in conjunction with the *Occupational Health and Safety Act 2004.*

The responsibilities outlined below should be placed in job descriptions.

OHS responsibilities should be included in the performance plan review process for schools and central and regional office employees.

* 1. **Workplace Managers (includes Principals):**
* Establishing the following OHSMS requirements in a Department school or workplace for which they have control or responsibility:
  + providing information, instruction and training to employees in order to perform their work safely and without risks to their health
  + assigning people and resources to complete OHSMS activities (including time and materials)
  + ensuring people in key OHS roles receive appropriate training and supervision
  + establishing specific processes for OHS consultation and communication including issue resolution with [Health and Safety Representatives](http://www.education.vic.gov.au/hrweb/safetyhw/Pages/definedohsterms.aspx) (HSR) and employees.
* Supervising employees to enable them to perform their work safely and without risks to their health.
* Consulting with HSR, employees and their representative organisations regarding health, safety and wellbeing issues.
* Complying with the requirements of OHS legal notices (e.g. Provisional Improvement Notices (PIN), Improvement Notices and Prohibition Notices) and reporting notifiable incidents to WorkSafe Victoria.
* Monitoring and reviewing local health, safety and wellbeing performance.
* Reporting health, safety and wellbeing performance and improvement initiatives to regional directors, senior managers and employees.
* Providing and maintaining plant and systems of work that are safe and do not pose risks to health
* Providing a workplace which has adequate facilities and is in a condition that is safe and without risks to health.
* Promoting positive work relationships and acting early to address interpersonal issues such as stress, bullying, morale and workplace conflict issues.
* Promoting health, safety and wellbeing.

**Workplace Managers** have been delegated by the Department as the employees responsible for managing health, safety and wellbeing in their schools and workplaces. [Workplace Managers](http://www.education.vic.gov.au/hrweb/safetyhw/Pages/definedohsterms.aspx) may nevertheless delegate to the [Management OHS Nominee](http://www.education.vic.gov.au/hrweb/safetyhw/Pages/definedohsterms.aspx), or other employee, the operational aspects of implementing health and safety initiatives.

**Note: The role of the Management OHS Nominee is separate to that of the HSR and it is inappropriate to delegate the operational aspects of OHS to the HSR.**

* 1. **Management OHS Nominees:**
* Managing and maintaining the Department’s OHSMS including:
* identifying hazards
* developing risk control action plans
* ensuring employee OHS training needs are met
* consulting and communicating with the HSR and employees on OHS hazards, and controls
* monitoring OHS procedures, actions and systems in the school/workplace
* Preparing incident investigation and inspection reports for the Workplace Manager.

The **Management OHS Nominee** must have an appropriate level of authority to be able to make decisions on OHS matters. In schools this would usually be a member of the leadership team.

* 1. **Employees, Contractor and Volunteers:**
* Participating in relevant health and safety training based on roles and responsibilities (Contractors to provide evidence of prior relevant training).
* Participating in the development and implementation of specific OHS risk management strategies (see [*OHS Risk Management*](http://www.education.vic.gov.au/hrweb/safetyhw/Pages/ohsriskmgt.aspx)*)* as appropriate.
* Understanding and complying with all OHS legislation and regulations relevant to their activities at the school or workplace.
* Taking reasonable care for the health, safety and wellbeing of themselves and others who may be affected by their actions.
* Cooperating with any directions and procedures required to ensure their own health, safety and wellbeing as well as the health, safety and wellbeing of others.
* Reporting all injuries, illness or ‘near misses’ to the Workplace Manager and/or Management OHS Nominee (in the case of employees also reporting all occurrences into eduSafe Plus).
  1. **Health and Safety Representative (HSR):**
* Participating in health and safety training relevant to their role and as per their entitlements under OHS legislation.
* Representing their Designated Work Group (DWG) in local health and safety consultation and communication processes.
* Using the OHS issue resolution process to resolve local health, safety and wellbeing issues.
* Participating in workplace inspections, including visits by WorkSafe Victoria inspectors and Inspections following an accident, near miss or identification of an immediate risk.
  1. **Health and Safety Committee:**

The Health and Safety Committee (HSC) is a forum for discussing issues in relation to OHS. The HSC does not override direct lines of communication between workplace managers and employees. In addition, it is not the role of the HSC to deal with specific issues (e.g. maintenance issues) but to address the broader OHS issues that relate to a work group or area. The focus of the HSC is to:

* facilitate cooperation between the Department and its employees in developing and implementing measures and controls designed to ensure a safe and healthy work environment in all workplaces
* review and disseminate OHS policies/procedures which are to be complied with, in each workplace or location
* implement and monitor the Department OHSMS and objectives
* provide a means for OHS issue resolution or escalation as required.

The HSC will undertake training to ensure all members are provided with the knowledge and skills to effectively undertake their role. The HSC will meet at three monthly intervals as a minimum. Membership will comprise of management and employees with at least half that membership being employees. If a HSC member is unable to attend the scheduled HSC meeting, the relevant **Workplace Manager** and/or **Management OHS Nominee** or Deputy HSR must attend in their place.

* 1. **Secretary:**

A Secretary may be appointed who will:

* prepare the agenda and coordinate the scheduling of the HSC meetings
* ensure HSC records and relevant documentation are made available to all employees i.e. emailed and/or displayed on OHS Notice Boards as per the *OHS Consultation and Communication Procedure*
* take the minutes and distribute to all relevant parties
* ensure a site OHS Notice Board is maintained with up-to-date copies of minutes and other relevant OHS information
* book meeting rooms
* assist the HSC Chairperson as required.
  1. **HSC Chairperson:**

The HSC Chairperson shall:

* coordinate the HSC meetings
* facilitate the implementation of the *Health and Safety Committee Charter (*refer to the *Health and Safety Committee Guide)*
* invite any relevant advisers and /or presenters to the meeting
* present all relevant OHS statistical information at the HSC meetings
* report relevant information from other OHS forums at HSC meetings
* refer any unresolved issues to management for consideration and reporting the outcomes of such matters back to the HSC
* ensure actions are undertaken and coordinate provision of any relevant reports to relevant stakeholders
* review and approve minutes of the HSC meeting.
  1. **HSC Members:**

The HSC members shall:

* report specific OHS issues raised by the [Designated Work Group (DWG)](http://www.education.vic.gov.au/hrweb/safetyhw/Pages/definedohsterms.aspx) and where possible resolve them in line with the *OHS Issue Resolution Flowchart*
* relay, explain and where appropriate, seek feedback from employees on items noted by the HSC
* actively participate in HSC business.

1. **Defined terms**

All terms defined by the Department are hyperlinked to the [Department's Defined Health and Safety Terms](http://www.education.vic.gov.au/hrweb/safetyhw/Pages/definedohsterms.aspx?) website. Defined roles will appear **in bold**.

1. **Related Legislation**

*Occupational Health and Safety Act 2004*

*Occupational Health and Safety Regulations 2017*

1. **Related documentation**

*Health and Safety Committee Guide*

*OHS Consultation and Communication Procedure*

*OHS Issue Resolution Flowchart*

1. **Further assistance**

Further information, advice or assistance is available by contacting the OHS Advisory Service on ph. 1300 074 715 or email [safety@edumail.vic.gov.au](mailto:safety@edumail.vic.gov.au).