

---

## HEALTH POLICIES

# Work Health and Safety



---

Policy Number:	H1
Relevant Delegation:	Not Applicable
Adoption Details:	29 September 2020
Last Review Details:	28 May 2024

---

### **POLICY OBJECTIVE:**

The objective of this policy is to confirm the Shire of York's (the Shire) commitment to providing a safe and healthy work environment for all employees, contractors, volunteers and visitors. This policy aligns with the Shire's values and outlines the principles regarding the management of Work Health and Safety (WHS) to establish a positive safety culture.

### **POLICY SCOPE:**

This policy applies to all employees, contractors, volunteers and visitors.

### **POLICY STATEMENT:**

#### **INTRODUCTION**

We at the Shire of York believe that the safety, health and wellbeing of people employed by us, or people affected by our work, is a priority and must be considered during all work performed by us or on our behalf.

#### **PRINCIPLES**

The *Work Health and Safety Act 2020* (WHS Act) provides a framework to protect the health, safety and welfare of workers in Western Australian workplaces, and for others who might be affected by the work (visitors).

"The WHS Act aims to:

- protect the health and safety of workers and others by eliminating or minimising risks that arise from work or workplaces;
- ensure fair and effective representation, consultation and cooperation to address and resolve health and safety issues in the workplace;
- encourage unions and employer organisations to take a constructive role in improving WHS practices;
- assist businesses and workers to achieve a healthier and safer working environment;
- promote information, education and training on WHS;
- provide effective compliance and enforcement measures;
- deliver continuous improvement and progressively higher standards of WHS."

In furthering these aims, regard must be had to the principle that workers and other persons should be given the highest level of protection against harm to their health, safety and welfare

---

---

from hazards and risks arising from work as is reasonably practicable.”

*Overview of Western Australia’s Work Health and Safety Act 2020, by the  
Department of Mines, Industry Regulation and Safety WA.*

Under the WHS Act, the primary duty holder is the ‘person conducting a business or undertaking’ (PCBU). This is purposefully worded to capture a broad range of modern workplace relationships and therefore, duties of care. A PCBU can be:

- a sole trader
- each partner within a partnership
- a company
- an unincorporated association
- a government department of public authority (including a local government).

You are not considered a PCBU if you are:

- an elected member of a local government acting in that capacity
- individuals engaged solely as a worker (such as an employee) and an officer (such as an executive manager) acting in that capacity alone
- a 'volunteer association' that does not employ anyone
- a 'strata title body corporate' in relation to any common areas used only for residential purposes, that does not employ anyone.

A PCBU has a primary duty of care to ensure, so far as is reasonably practicable, the health and safety of workers.

## PROVISIONS

The Shire is, as far as reasonably practicable, committed to:

- Complying with relevant legislation, policies and procedures.
- Recognising that wellbeing includes physical, emotional, psychological, and social wellbeing.
- Achieving a safe and incident free workplace by maintaining a working environment that seeks to eliminate or minimise any form of psychological and environmental risk.
- Providing adequate training, instruction and supervision to enable employees, contractors and volunteers to perform their work safely and effectively.
- Consulting and cooperating with each other on safety, health, and wellbeing matters including WHS policies, procedures and continual review and improvement of the Shire’s WHS and risk management systems.
- Ensuring hazards and incidents are proactively identified and reported, so that risks are effectively assessed and controlled or mitigated.
- Setting achievable goals and targets that measure the Shire’s WHS performance in a transparent and accountable way, driving the process of continuous improvement.
- Planning work activities and projects with due consideration for WHS including allocating adequate resources (human, physical and financial) to achieve WHS objectives.

## PENALTIES:

There is significant responsibility placed not only on the Shire, as defined in the WHS Act, which may result in financial or more severe penalties for breaches of the WHS Act.

---

---

The health and safety of our workforce is everyone's responsibility.

Alleged breaches of this policy must be reported and any substantiated breaches of this policy and the WHS Act may be performance managed up to and including termination of employment. Workers may also expose themselves and others to criminal or civil action.

## **KEY TERMS/DEFINITIONS:**

**Environmental** includes both natural and built environment such as chemical, biological, physical and cultural risks.

**Hazard** means anything which has the potential to cause injury or illness.

**Health** means physical and psychological health.

**Psychological hazard** means anything at work that might cause psychological harm. This means any hazard or injury that arises from or in relation to the design or management of work, the working environment or workplace interactions or behaviours that may cause psychological and/or physical harm.

**Reasonably practicable** in relation to a duty to ensure health and safety, means that which is, or was at a particular time, reasonably able to be done in relation to ensuring health and safety, taking into account and weighing up all relevant matters.

**Volunteer** means a person who acts on a voluntary basis regardless of whether they receive out of pocket expenses

**WHS risk** is the chance of someone becoming injured or ill as a result of a workplace hazard. The significance of the risk is determined by considering the likelihood of it happening and the consequences if it does happen.

**Worker** is any person who carries out work for a PCBU, including work as an employee, contractor, subcontractor, self-employed person, outworker, apprentice or trainee, work experience student, employee of a labour hire company placed with a 'host employer' and volunteers.

**Workplace** is a place where work is carried out for a business or undertaking and includes any place where a worker goes, or is likely to be, while at work.

Additional definitions can be found in Sections 4-8 of the WHS Act.

---

Responsible Officer:	Chief Executive Officer
Contact Officer:	Executive Manager Infrastructure and Development Services
Relevant Legislation:	<i>Work Health and Safety Act 2020</i> <i>Work Health and Safety (General) Regulations 2022</i> <i>Emergency Management Act 2005</i> <i>Dangerous Goods Safety Act 2004</i> <i>Workers' Compensation and Injury Management Act 1981</i>
Relevant Documents:	Shire of York Risk Management Framework Shire Policy G19 - Risk Assessment and Management Shire Policy G30 - Contractor Management Policy Shire Policy O3 - Workforce & Human Resources

---

---

Shire Policy O4 - Alcohol & Other Drugs

Shire Policy O8 - Employee Code of Conduct

Shire of York WHS Induction

Overview of Western Australia's Work Health and Safety Act 2020

Review History:

<b>Date Review Adopted:</b>	<b>Resolution Number</b>
Adopted – 29 September 2020	050920
Adopted – 28 May 2024	070524
<b>Former Policy No:</b>	H1.1