

Work Health and Safety Roles and Responsibilities Guidelines

Section 1 - Purpose

Introduction

- (1) The [Work Health and Safety Policy](#), approved by the Vice-Chancellor, commits Charles Sturt University (the University) to ensuring a safe and healthy workplace for all workers, including staff, students, contractors and visitors. This requires the ongoing integration of work health and safety principles into work practices and the ongoing commitment of resources with effective consultation and communication between all workers. Everyone is responsible for their own safety and health and for that of others whose activities they may influence or control. The degree of responsibility and accountability a person has will depend on their authority and level of influence or control. This document specifies the objectives, roles and responsibilities for implementing that policy and outlines the University program for work health, safety and welfare of all workers including staff, students and visitors to Charles Sturt University's.
- (2) The University has implemented a number of work health and safety measures. These include the establishment of consultative processes at campuses, such as provided by Health and Safety Representatives (HSRs), Health and Safety Committees and Critical Incident Response Groups; the establishment of consultative processes at the University level, such as provided by the University Safety and Health Management Committee, the Biosafety Committee, the Radiation Safety Committee, the Chemical Safety Committee and the Emergency Planning Committee; a reporting system to record and investigate accidents and other health and safety incidents; a workplace injury management and rehabilitation process for injured staff; a system of workplace inspections and action plans; a hazard reporting system; and the provision of a Manager, Work Health and Safety to provide advice and to facilitate staff training in safe and healthy work practices.
- (3) The University has developed a Work Health and Safety Management System to guide activities and developments in work health and safety within the University, based on best practice risk management principles. All workers, managerial and supervisory staff in particular, should appreciate and apply the aims of this document. To ensure continual improvement it is essential that work health and safety objectives, procedures and activities are constantly monitored and reviewed. All managers have responsibility for undertaking reviews in the light of new processes and equipment and in ensuring that new staff are acquainted with the [Work, Health and Safety Policy](#), trained in safe and healthy work practices and are provided with a safe and healthy place in which to work.
- (4) To implement the [Work Health and Safety Policy](#), all workers have a responsibility and the authority to ensure that a safe work environment exists within the University. This will require the ongoing incorporation of work health and safety principles into work practices, the ongoing commitment of resources to work health and safety and communication between all workers.

Objectives

- (5) The University is committed to implementing the requirements outlined in the [Work Health and Safety Act 2011 \(NSW\)](#) and associated legislation at all University facilities (including off-campus locations such as field work research sites). Legislated and other accredited standards in health and safety are accepted by the University as minimum

standards.

(6) The University seeks to:

- a. increase the awareness of its workers and students of the provisions and requirements of the [Work Health and Safety Act 2011 \(NSW\)](#);
- b. develop and maintain regular workplace inspections and reporting procedures;
- c. assess and control risks as they are identified;
- d. encourage workers and students to take an active role in the development of safe working practices;
- e. implement appropriate drills for evacuation of the workplace in the event of a dangerous situation;
- f. continue the consultative process between workers, students and management;
- g. train appropriate workers to assist in the implementation of work health and safety policies of the University;
- h. keep the University community informed of hazardous situations which may be associated with their work;
- i. provide adequate workplace health and first aid services; and
- j. develop and promote health and safety attitudes within the University community which will be taken into the wider community.

Section 2 - Glossary

(7) For the purpose of these Guidelines, the following definitions apply:

- a. Due diligence - means gaining an understanding of the hazards and risks associated with the operations of the business and to ensure that the business has and uses appropriate resources and processes to eliminate or minimise risks to health and safety.
- b. Officer - refers to a person who makes or participates in making decisions that affect the whole or a substantial part of the business or undertaking.
- c. Others - refers to people who are at the workplace but do not carry out work for PCBUs (refer definition as included under clause 7d). This includes, but is not limited to, students, authorised visitors, customers and clients.
- d. Person conducting a business or undertaking (PCBU) - refers to the legal entity operating a business or undertaking. A PCBU may be an individual person or an organisation conducting a business or undertaking. It is not an individual unless they are conducting the business in their own name as a sole trader or partner. Persons engaged solely as a worker or officer of the business or undertaking are excluded from the definition of a PCBU.
- e. Senior Executive - refers a staff member holding the position of Vice-Chancellor, Deputy Vice-Chancellor, Pro Vice-Chancellor, Executive Dean, Chief Financial Officer or Executive Director, People and Culture.
- f. Senior Manager - refers to a staff member holding the position of Dean, Director, Executive Director (other than Finance or Human Resources) or Head of School of the University.
- g. Student - means a person enrolled at Charles Sturt University and undertaking a unit and/or course of study. This also includes attendance at workshops held on campus.
- h. Supervisor - refers to the immediate day-to-day manager of an individual or group of workers, students in classes and/or on field trips.
- i. University community - means all workers, students, authorised visitors, visiting and adjunct appointments, and external appointees of University Council, boards and committees of the University.
- j. Work Health and Safety Management System - means that part of the overall management system which includes organisational structure, planning activities, responsibilities, practices, procedures, processes and resources for developing, implementing, achieving, reviewing and maintaining the [Work Health and Safety Policy](#), and so managing the safety risks associated with the business or undertaking of the University.

- k. Worker - refers any person who carries out work in any capacity for the University, including but not limited to, a University staff member, visiting or adjunct appointment, contractor, subcontractor and their employee, apprentice or trainee, student gaining work experience, labour hire and volunteer.
- l. Workplace - means a place where work is carried out for the University and includes any place where a worker goes, or is likely to be, while at work. This may include, but is not limited to, laboratories, workshops, training rooms, on-site recreational facilities, vehicles or vessels, on field trips, in teaching facilities, in offices, in rural environments and any area of industry operations.

Section 3 - Policy

- (8) Refer to the [Work Health and Safety Policy](#).

Section 4 - Procedures

- (9) Nil.

Section 5 - Guidelines

Work Health and Safety Duties and Responsibilities

- (10) Duties for Work Health and Safety are legislated in the [Work Health and Safety Act 2011 \(NSW\)](#). The Act details the duties of a PCBU, officers and workers as well as suppliers and manufacturers.

- (11) The following principles apply to all duties in the [Work Health and Safety Act 2011 \(NSW\)](#):

- a. a duty is not transferable;
- b. a person may have more than one duty;
- c. more than one person can have the same duty; and
- d. risks are managed to ensure they are eliminated or minimised, so far as is reasonably practicable.

- (12) The most important responsibility for all members of the University community is to minimise risks and prevent accidents. This can be achieved if staff at all levels attempt to identify, assess and control risks as they arise.

University

- (13) In accordance with the [Work Health and Safety Act 2011 \(NSW\)](#), as a PCBU, the University has a primary duty of care to ensure workers and others are not exposed to a risk to their health and safety.

- (14) A primary duty of care is owed by the University when it:

- a. directs or influences work carried out by a worker;
- b. engages or causes to engage a worker to carry out work (including through subcontracting); and
- c. has management or control of a workplace.

- (15) The University must meet its obligations, so far as is reasonably practicable, to provide a safe and healthy workplace for workers or other persons by ensuring:

- a. safe systems of work;
- b. a safe work environment;

- c. accommodation for workers, if provided, is appropriate;
- d. safe use of plant, structures and substances;
- e. facilities for the welfare of workers are adequate;
- f. notification and recording of workplace incidents;
- g. adequate information, training, instruction and supervision is given;
- h. compliance with the requirements under the [Work Health and Safety Regulation 2017 \(NSW\)](#); and
- i. effective systems are in place for monitoring the health of workers and workplace conditions.

(16) The University must also have meaningful and open consultation about work health and safety with its workers, health and safety representatives, and health and safety committees. Additionally, the University must consult, cooperate and coordinate with other PCBUs with whom they share duties.

(17) The University will also have further obligations if involved in specific kinds of activities such as:

- a. the management and control of workplaces, or fixtures, fittings or plant at workplaces;
- b. the design, manufacture, import or supply of plant, substances or structures; and
- c. installation, construction or commissioning of plant or structures.

Specific Responsibilities

Officers and Directors

(18) The [Work Health and Safety Act 2011 \(NSW\)](#) outlines the duties of officers of a PCBU. Officers are defined in the Act as a person who makes decisions, or participates in making decisions that affect the whole, or a substantial part, of a business or undertaking and has the capacity to significantly affect the financial standing of the business or undertaking. If a person is only responsible for implementing those decisions, they are not considered an officer.

(19) It is an officer's duty to exercise due diligence to ensure their business or undertaking fulfils its health and safety obligations under the [Work Health and Safety Act 2011 \(NSW\)](#). The essential elements of due diligence for an officer are interrelated and cumulative in nature. These elements require an officer:

- a. to acquire and keep up to date knowledge of work health and safety matters;
- b. to gain an understanding of the operations of the business and the hazards and risks involved;
- c. to ensure appropriate resources and processes are provided to enable hazards to be identified and risks to be eliminated or minimised;
- d. to ensure information regarding incidents, hazards and risks is received and the information is responded to in a timely way;
- e. to ensure the PCBU has, and implements, processes for complying with any legal duty or obligation; and
- f. to ensure processes are verified, monitored and reviewed.

Vice-Chancellor

(20) The Vice-Chancellor is responsible for the overall implementation of the University's [Work Health and Safety Policy](#). The responsibility includes ensuring that staff are able to meet their obligations, through the provision of adequate budgets, the allocation of resources, availability of health and safety guidelines and the establishment and functioning of the Work Health and Safety and Injury Management Systems. The Vice-Chancellor delegates responsibility for the management of workplace health and safety but retains ultimate accountability.

Executive

(21) Each member of the Executive is responsible and accountable for assisting the Vice-Chancellor in the overall

implementation and compliance of the University's work health and safety policies. Where necessary, members of Executive will advise the Vice-Chancellor of work health and safety implications of activities in areas under their control. This includes providing support and guidance in the management of work health and safety to those whom they supervise.

Heads of Work Units and Directors

(22) Heads of Work Units and Directors are responsible and accountable to ensure that relevant safety standards and procedures are implemented, reviewed and maintained in their area of responsibility. They shall ensure the health and safety at work of staff (and students and visitors where applicable) by the provision of safety equipment, safe systems of work, information, instruction, training and supervision, as prescribed in the legislation.

Managers and Supervisors

(23) Each first-line Manager/Supervisor is responsible and accountable for taking all practical measures to ensure that the workplace under their control is safe and without risk to health, and that all persons in the workplace take reasonable care to ensure that the workplace is safe and without risk to health. More specifically, the Manager/Supervisor is responsible for detecting any unsafe or unhealthy conditions or behaviour and, if they do not have the necessary authority to fix a problem, they must report the matter promptly, together with any recommendations for remedial action, to the Head of the relevant work unit.

Employees

(24) All employees are required to comply with the University's health and safety policies, procedures and instructions, to ensure their own health and safety and the health and safety of others at the University. All employees are also required to take corrective action to eliminate hazards at the workplace, or report those beyond their control to their immediate Supervisor. All employees must cooperate with the University to enable compliance with any requirements under the legislation or the regulations imposed on the University.

Contractors and Sub-contractors

(25) All contractors and sub-contractors engaged to perform work on the University's premises or locations are required, as part of their contract, to comply with the health and safety policies and procedures of the University and observe directions on health and safety from designated persons of the University. All contractors are required to complete a Work Health and Safety Induction.

Workers, Students and Visitors

(26) Workers, students and visitors must undertake the following while at the University:

- a. take reasonable care for their own health and safety;
- b. take reasonable care for the health and safety of others;
- c. comply with any reasonable instruction from the University; and
- d. co-operate with any reasonable policies and procedures of the University.

Specific Work Health and Safety Responsibilities

(27) Specific responsibilities for roles within the University have been documented in the [WHS Responsibilities, Authority and Accountability Matrix](#). Further detail on Work Health and Safety responsibilities shall be outlined in position descriptions, policies, guidelines, procedures and other Work Health and Safety Management System documentation where appropriate.

Work Health and Safety Authority

(28) Commensurate with responsibility, the level of Work Health and Safety authority defines the level of control that a role has to act on Work Health and Safety matters or implement risk controls.

(29) All workers, students and visitors of the University have the authority to report hazards in the workplace and exercise their responsibilities under the [Work Health and Safety Act 2011 \(NSW\)](#) to improve workplace health and safety. However, the authority to make decisions in the workplace to eliminate or reduce the risk from workplace hazards varies according to the organisational structure. Further information is outlined in the [WHS Responsibilities, Authority and Accountability Matrix](#).

(30) The University's [Delegations and Authorisations Policy](#) should be referred to for matters where expenditure is required to implement risk control measures.

Failing to meet Duties - Penalty Structure

Category	Maximum penalty	Description
Category 1 Reckless Conduct	Corporations: \$3m Individuals as a PCBU or Officers of a PCBU: \$600k / 5 years jail Other Individuals : \$300k / 5 years jail	A person commits a Category 1 offence if: a) the person has a health and safety duty, and b) the person, without reasonable excuse, engages in conduct that exposes an individual to whom that duty is owed to a risk of death or serious injury or illness, and c) the person is reckless as to the risk to an individual of death or serious injury or illness.
Category 2 Breach High Risk	Corporations: \$1.5m Individuals as a PCBU or Officers of a PCBU: \$300k Other Individuals : \$150k	A person commits a Category 2 offence if: a) the person has a health and safety duty, and b) the person fails to comply with that duty, and c) the failure exposes an individual to a risk of death or serious injury or illness.
Category 3 Duty Breach	Corporations: \$500k Individuals as a PCBU or Officers of a PCBU: \$100k Other Individuals : \$50k	A person commits a Category 3 offence if: a) the person has a health and safety duty, and b) the person fails to comply with that duty.

Status and Details

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