WORK HEALTH AND SAFETY (WHS)

SCOPE

This Policy applies to all employees of Tourism Australia (whether full-time, part-time or casual) and all individuals performing work in Australia at the direction of, or on behalf of Tourism Australia (for example independent contractors, subcontractors, agents, consultants, trainees, work experience students and temporary staff) (collectively referred to as "**workers**"), and to all of Tourism Australia's workplaces and to other places where workers may be working or representing Tourism Australia at its direction, for example, when visiting a customer, client or supplier, undertaking or escorting a famil, representing Tourism Australia at industry events (collectively referred to as "**workplace**").

POLICY

Tourism Australia is committed to providing a safe and healthy working environment for all workers and other individuals so far as reasonably practicable. This will be achieved by management and employees working together, following a program of health and safety activities and procedures which are monitored, reviewed and audited to achieve best practice.

Tourism Australia will regularly review this Policy to take account of changes in legislation, activities, services and products. As a result of this review, changes may be made to this Policy from time to time and all employees and contractors will be required to comply with those changes.

All documents referred to herein, including policies, plans, procedures and checklists, are available to all staff on Tourism Australia's intranet or from a People & Culture staff member.

1. What is work health and safety?

Work health and safety (or workplace health and safety or occupational health and safety) (**WHS**) involves the assessment and mitigation of risks that may impact the health, safety or welfare of Tourism Australia's workers.

Under the *Work Health and Safety Act 2011* (Cth), a PCBU such as Tourism Australia must ensure the health and safety of workers at work in the business or undertaking, so far as is reasonably practicable. In addition, it must ensure that the health and safety of other persons is not put at risk from work carried out as part of the conduct of the business or undertaking, so far as is reasonably practicable.

1.1 Work Health and Safety Management System

The Work Health and Safety (WHS) Management System relates to the mechanisms implemented within Tourism Australia in relation to health and safety of workers, including (without limitation):

- Defined WHS Roles and Responsibilities in this document;
- Exercising due diligence;
- Health and safety training and education;
- Adopting a risk management approach to manage health and safety risks;
- Consultation with Persons Carrying on a Business or Undertaking (PCBU – see Definitions below) and employees on matters related to health and safety;
- Emergency procedures and drills;
- Workplace inspections;
- Incident/accident reporting; and,
- Management of injured employees.

1.2 Work Health and Safety Objectives

Tourism Australia is committed to ensuring the health and safety of its workers by:

- providing a safe and healthy work environment for all employees, contractors and other individuals;
- providing safe and healthy methods of work;
- providing programs of health and safety activities and procedures which are continually updated and effectively carried out;
- identifying and eliminating or reducing hazards and risks to health and safety;
- continually monitoring and improving work health and safety;
- providing education and training resources; and,
- complying with all relevant laws, rules, standards and codes of practice.

2. Roles and Responsibilities

The following roles and responsibilities relate to Tourism Australia's WHS management system. Workers are required to familiarise themselves with their responsibilities and exercise reasonable care to executing them to the best of their abilities in accordance with their employment duties.

2.1 Executive Responsibilities

The Executive Leadership Team (ELT) of Tourism Australia has the primary duty of care for ensuring the health and safety of workers and others. The ELT collectively and individually have a duty to exercise due diligence to ensure that Tourism Australia complies with any duty or obligation it has under the WHS Act.

Exercising due diligence in respect of WHS matters includes, but is not limited to:

- Ensuring that Tourism Australia has effective policies, procedures and systems (including risk management systems) to ensure the health, safety and wellbeing of workers and other individuals who may be affected by its undertakings;
- Acquiring and updating knowledge of work health and safety matters;
- Understanding the operations being carried out by the organisation and the hazards and risks associated with those operations;
- Providing adequate resources to facilitate the fulfilment of Tourism Australia's Work Health and Safety responsibilities;
- Ensuring that appropriate resources are available and used, processes to enable hazards associated with the operations of the business or undertaking are identified and risks associated with those hazards are eliminated or minimised;
- Ensuring that appropriate processes for receiving and considering information regarding incidents, hazards and risks are in place and responding in a timely way to that information;
- Ensuring that processes for complying with any duty or obligation under the legislation are in place and implemented; and,
- Verifying the provision and use of the resources and processes referred to above.

2.2 Manager Responsibilities

All officers and managers are responsible and accountable for the safety of employees, contractors and company property under their control so far as reasonably practicable. Managers are responsible for ensuring all policies, procedures, safe work practices and safe work procedures are followed at all times and workers are consulted on matters relating to workplace health and safety.

In order to achieve this, managers must:-
- understand, promote and comply with WHS policies and procedures;
- engage with workers in an open honest and meaningful way to ensure they understand what safety standards are expected of them;
- encourage feedback and communication channels between you and your workers and you and senior leaders;
- ensure WHS practitioners like HSRs and senior leaders are made aware of issues or concerns on safety, especially where hazards or flaws in any operational procedures are identified;
- demonstrate a commitment to WHS and model safe work practices to workers;
- put into practice what you epect workers to follow.

2.3 Worker Responsibilities

All workers have WHS obligations to themselves and their workmates, in ensuring that they take reasonable care that their acts or omissions do not adversely affect their health or safety and that of others. Workers:
- comply with health and safety legislation, any reasonable instructions given for WHS, and Tourism Australia's related policies and procedures;
- report all hazards and incidents to their managers as soon as practically possible to ensure their own health and safety and the health and safety of others in the workplace, including contractors and third parties;
- not wilfully or recklessly interfere with or misuse anything provided for WHS at the workplace;
- not wilfully place others at risk; and
- not wilfully injure themselves.

In order to achieve this, every worker at all levels should:

- take ownership of their own health and safety for those matters within their control or ability to influence;
- work with colleagues to promote health and safety and ensure that it becomes a part of everyday business;
- contribute to providing quality information that enables the establishment of baseline compliance levels and the measurement of changes in compliance over time;
- be accountable as an individual to enhance a culture of health and safety within the PCBU;
- ensure that they meet duty of care obligations as required under the WHS laws;
- work with management and HSRs to identify safety problems and find solutions;
- understand and adhere to internal incident reporting processes.

For the avoidance of doubt, all contractors, consultants, agents and agency temps engaged to perform work for Tourism Australia are required to comply with the health and safety legislation as amended from time to time, the policy, programs and procedures of Tourism Australia as they relate to work health and safety and to observe all directions on health and safety given by management. Failure to comply or observe a direction will be considered a breach of the contract and sufficient grounds for termination of the contract.

A worker has the right to cease or refuse to carry out work if they have a reasonable concern that to carry out the work, they would expsose themselves to a serious risk to health or safey, emanating from an immediate or imminent exposure to a hazard. In doing so, the worker must notify Tourism Australia that they have ceased unsafe work as soon as practicable after doing so, and the worker may be redirected to carry out suitable alternative work at the same or another workplace, that is safe and appropriate for the worker to carry out.

3. Workers' non-compliance

Where a person's deliberate actions have resulted in a breach, the manager should first consider:

- The seriousness of the breach;
- Any mitigating factors;
- The circumstances in which the breach occurred;
- Record of satisfactory service; and,
- Consequences for the employee.

The manager should then discuss these matters openly with the person. Any action will be according to the provisions of Tourism Australia's Code of Conduct, policies and/or WHS legislation.

4. WHS Risk Management System

Tourism Australia recognises that to ensure a safe workplace, risks must be identified, assessed and eliminated or controlled. To achieve this there are a number of measures which will be implemented to manage all identified health and safety risks. These include:

- Setting up a system for identifying, reporting and responding to actual and potential hazards, such as regular workplace inspections, safety audits and development of safe work procedures;
- Consulting with workers and their representatives, managers and outside experts to identity potential hazards, classify the risk and implement necessary control measures to eliminate or minimise the risk; and,
- Regular training for all workers and managers on how to apply the WHS risk management process.

5. Consultation and WHS Committee (HSC)

Consultation between Tourism Australia workers and management is an essential part of effectively managing health and safety in the workplace.

Tourism Australia will consult with workers so that they can contribute to decisions about the implementation of safety practices and systems designed to ensure the health and safety of everyone in the workplace. As part of this, Tourism Australia will:

- Share information with workers about WHS matters;
- Ensure worker representation on the HSC;
- Inform workers' of the outcome of the consultation in a timely way.

Workers will be given the opportunity to express their views and to contribute to the resolution of WHS and welfare issues at the workplace as part of their team meetings and at management meetings. They should:

- Submit ideas and thoughts for WHS;
- Keep up to date with changes;
- Be informed and familiar with this Policy and other relevant Tourism Australia policies and procedures;
- Talk to members of the WHS Committee about issues and ideas for WHS in the workplace; and
- Lead by example.

Refer to Appendix A and B for more details.

6.   Communication and training

Communication of general WHS issues may include web-based materials including policies, procedures and guidance material; email distribution to managers and attending meetings.

WHS correspondence and reports may be distributed to:

- All relevant affected workers;
- General manager or senior manager;
- Executive Leadership Team;
- Relevant HSC Chair;
- Statutory or external authorities (when required).

Tourism Australia will identify, develop and provide appropriate information, instruction and training to equip workers with the knowledge and skills necessary to meet their WHS responsibilities. Tourism Australia will provide training for workers who are deemed to be accountable people such as fire wardens and first-aid officers. Knowledge and awareness of WHS issues, including hazards and risks, are an important step in improving the workplace. Workplace health and safety awareness should commence before employment through the assessment of the position roles and tasks.

Upon commencement at Tourism Australia, workers undergo a preliminary WHS induction on the first day, and complete the WHS induction process over their first week of commencement. Induction should include, but is not limited to:

- Awareness of personal roles and responsibilities, and the organisational structure;
- This Policy;
- The process for reporting hazards and incidents;
- An onsite orientation including emergency procedures and first-aid information;
- Introduction to key specialised employees including first-aid officers;
- Consideration of any specialised training, knowledge or skill required to undertake their tasks safely and efficiently; and,
- How to access specialised services (e.g. counselling, Employee Assistance Program, etc.).

7.   Manual Handling/Ergonomics

Tourism Australia is committed to the implementation of the following strategies to minimise the risks to its workers associated with manual tasks:

- Manual handling and poor working postures should be reduced where possible by using properly designed mechanical handling equipment and ergonomic equipment.
- Manual handling tasks will be identified through workplace inspections, job safety analyses, feedback from employees and incident investigations.
- Manual handling risk assessments will be conducted for tasks that pose a risk to personnel using the Manual Handling Checklist.
- Workers will be provided with training in areas where manual handling poses a risk to health or safety.
- Appropriate supervision and equipment, including manual handling equipment (e.g. trolleys), will be provided to ensure work practices are carried out in a safe manner.
- Ergonomics will be considered during any alteration or design of the workplace.
- Chairs and workstation design will comply with ergonomic guidelines and Tourism Australia will endeavour to ensure that the equipment is suited for each individual.
- Workers will be provided with appropriate training and information on the correct workstation setup.
- A workstation ergonomics risk assessment will be conducted for all new workers using the Ergonomics Checklist. Ergonomic assessments will also be conducted for any individual who has concerns with their setup.

Refer to the Manual Handling Checklist and Ergonomics Checklist for a more detailed description of the above steps.

8. Electrical Equipment

Tourism Australia will ensure that electrical equipment will be tagged and reported or removed and power leads will be checked regularly for faults.

9. First-Aid

Tourism Australia is committed to ensuring that workers have access to appropriate first-aid facilities and trained staff at every Tourism Australia managed worksite. To support this Policy, Tourism Australia will:

- Maintain first-aid kits at workplaces it manages and arrange appropriate training in first-aid and emergency treatment for designated staff;
- Have a designated team of qualified first-aid officers available to provide basic first-aid treatment; or,
- Arrange for first-aid services to be provided to Tourism Australia staff by third-parties, where required.

10. Emergency Management

Tourism Australia will develop, maintain and test an emergency management procedure in conjunction with building management on a regular basis. An emergency is an unplanned event, or series of events, which arises internally or from external sources and may:

- Adversely affect the safety of workers, stakeholders or the public;
- Disrupt Tourism Australia's operations;
- Cause physical or environmental damage, or threaten Tourism Australia property; and,
- Requires an immediate response.

An emergency situation may include (but is not limited to) fire and/or smoke, explosion, bomb threats, suspicious objects, power failures, natural disasters, chemical spills, gas leaks, robbery or violence. The Emergency Procedures will be displayed in a prominent place in the workplace.

All workers are expected to participate diligently in any emergency management exercise, as part of their duty to cooperate with all reasonable instructions, policies or procedures relating to WHS.

11.   Injury management

An injury is defined as "a work related impact on a person which results in first aid or medical treatment or which requires absence from work for one day or more". If an employee is injured at work, they must:

- -   Seek first aid
- -   Ensure details of treatment received are entered on an Incident, Hazard and Near Miss Form and in the first aid register of injuries.

More information is contained in the *Injury Management Policy* available to staff through the intranet.

12.   Hazard/Incident Reporting and Notification

All types of hazards and incidents relating to workers' health and safety (such as a dangerous incident, injury or illness of a person, or death) - including near misses (whether or not they involve damage to people or property) - must be reported immediately to their manager, People & Culture, or a Health and Safety Representative. An report must be recorded on the Tourism Australia Incident, Hazard and Near Miss Form. It is People & Culture's responsibility to ensure that all incidents are recorded on the Form.

There may be legal implications from an incident including the possibility that legal action will be taken by a regulatory body and/or a report made to relevant bodies. Subject to the circumstances of the incident, People & Culture will consider whether there is a need to engage legal services.

Every death, injury, exposure or dangerous occurrence that occurs at Tourism Australia or while undertaking a Tourism Australia activity must be reported in a timely manner for legislative and WHS preventive reasons. An incident notification may also commence the following (where relevant):

- The injury management support function of People & Culture, including workers compensation process and return to work support;
- Investigation of the incident and events with the aim of preventing any reoccurrence; and,
- Reporting to the regulatory bodies.

13.   Incident Investigations

Depending on the type and severity of the incident reported, the investigation may be confined or escalated to any of the following stages:

- Very minor incident (or incident outside of Tourism Australia's control) – no action, but incident recorded;
- Manager investigation – to complete details, assess and prevent further occurrences. Reports are provided to People & Culture for evaluation and filing;
- HSC investigation – a formal investigation with a report and recommendations;
- Special Incidents Investigations Committee – a formal investigation including the review of Tourism Australia WHS policies, procedures and guidelines.

A regulatory authority may investigate any incident reported to them. A (WHS related) regulatory authority's initial contact with Tourism Australia is the General Manager, People & Culture. Regular communication and process will be handled by People & Culture as part of its role to liaise with and report to WHS regulatory authorities.
Incidents of significance will also be discussed or reviewed by the HSC at scheduled meetings.

14. Complying with WHS Requests

Tourism Australia's WHS recommendations made by the HSC and People & Culture are actioned by business unit management in a timely and efficient manner. Where business unit management rejects any report recommendations, the reasons must be indicated in writing and forwarded to the HSC and People & Culture.

Discussion on the matter will then proceed. The stages of an (accepted) WHS report include actions to progress from:

- Recommendations presented to the business unit and discussed by the HSC.
- Recommendations are implemented. Any outstanding non-compliance issues must be reported to the General Manager People & Culture, the HSC and Managing Director/ELT together with a timeframe for compliance.
- Eight months after the report, full compliance is expected. The ELT or head of the business unit that has failed to achieve full compliance must inform the General Manager, People & Culture of reasons for the non-compliance and actions to be taken to achieve full compliance.

DEFINITIONS

Comcare	The WHS Regulator and workers compensation insurer.
Designated Work Group (DWG)	A grouping of employees who can be represented by a HSR in relation to health and safety matters affecting employees at work.
Health & Safety Committee (HSC)	A committee that assists Tourism Australia in developing, implementing and reviewing measures designed to protect the health and safety of employees, facilitate cooperation and disseminate WHS information.
Health & Safety Representative (HSR)	An employee interested in championing the WHS cause on behalf of Australian-based employees.
Person Carrying on a Business or Undertaking (PCBU)	An individual or organisation that arranges, directs or influences work to be done or contributes something towards the work being done. It can include partners, sole traders, trustees or committee members of unincorporated associations, public or private companies and incorporated associations.
Provisional Improvement Notice (PIN)	An improvement notice issued under Division 7 Section 90 of the WHS Act 2011 to address breaches of the Act or regulations after having followed due process.
WHS	Work health and safety or workplace health and safety

FORMS

Ergonomics Checklist
Manual Handling Checklist
Workplace Inspection Checklist
First Aid Form
Incident, Hazard and Near Miss Form

APPENDIX A: HEALTH AND SAFETY COMMITTEE

The Health and Safety Committee (HSC) is a formal structure for the discussion and resolution of workplace health, safety and wellness issues. The committee is beneficial in the implementation of Tourism Australia's Work Health and Safety Management System. In addition, it is encouraged that WHS issues are discussed at group/team meetings.

Purpose

The purposes of the HSC include:

- Formulation and implementation of WHS improvement strategies including consideration and implementation of Tourism Australia WHS policies and procedures;
- Promotion of a strong WHS culture through regular communication and consultation, promotion of improvements and highlighting of specific hazards or incidents;
- Review and analysis of injury/incident reports and data, implementation and effectiveness of recommended preventive action of incidents and development of injury/incident prevention strategies;
- Reviewing and interpreting procedures to assist in implementation;
- Initiating, formulating and implementing WHS programs and procedures; and,
- Monitoring the WHS performance with regard to conducting regular workplace inspections, inducting new employees, and auditing and analysing WHS compliance.

Meeting Frequency

The Committee meets at least quarterly. The minutes of each meeting are accessible to Tourism Australia employees through the intranet. Additional copies are provided to the ELT.

Membership

Membership of the HSC is voluntary, however at a minimum membership should include:

- A chairperson, who ideally is a senior manager or equivalent;
- The HSR;
- One member from the Emergency Control Organisation (i.e. floor wardens); and,
- One first-aid officer.

The HSC should comprise representatives drawn from the work groups in an area to achieve a balanced committee. Management may nominate the members of the committee with the exceptions of the HSR who is elected by employees. Employees must nominate at least half of the committee. Appointment to the committee is for a minimum term of two years. Training courses to assist HSC members are available through external training providers.

The WHS Act does not impose any specific obligations on committee members. However, members generally join a committee with the intention of improving health and safety in their workplaces. Members should actively participate in and assist the committee where they can. Other special officers such as the first-aid officers, floor wardens, etc., who are not appointed to the committee, should report to the committee on at least an annual basis.

Specific Roles

The HSC will have a committee chair, drawn from its membership. The HSC Chair will be responsible for:

- Arranging meeting dates and venues;
- Conducting the meeting in an efficient manner;
- Completing the annual HSC report;

- Distributing the agenda of the committee;
- Arranging for relevant employee to discuss issues in the agenda (or written communication for discussion);
- Recording of the minutes; and,
- Distribution of the minutes.

Inspections

WHS inspection is an important mechanism by which the standards of a workplace are established, maintained and improved. Inspection has the important function of identifying and recording deficiencies in the WHS system, specifically, physical hazards, errors in work procedures and poor practices in the particular business unit. If problems are identified, the responsibility for their correction rests with business unit management. Inspections for compliance with general WHS standards and Tourism Australia policy and procedures within the business unit are an expected activity of business unit management, generally with the assistance of the HSC.

Agendas

Before each meeting, a notice of next meeting must be circulated to the employees requesting agenda items and/or issues for discussion. Items submitted must be included on the meeting's agenda and the proposer invited to the meeting for the discussion of the item.

Minutes

Minutes of the meeting should be produced as soon as possible after the meeting, kept for a period of five years by the Chair and transferred with the Chairmanship, made accessible to all employees and may be circulated electronically to committee members.

APPENDIX B: HEALTH AND SAFETY REPRESENTATIVES

Health and Safety Representatives (HSR) are the employees who represent the health and safety interests of Tourism Australia employees, consistent with the procedures outlined in this Policy. The aim of the HSR is to work constructively in improving the health and safety of workers.

The HSR are voluntary roles that are determined by a formal election process. It is an expectation that the principal HSR will participate in the HSC. Under legislation there can only be one HSR) for each designated work group. HSRs are encouraged in all work areas and have special powers under the WHS Act. Further information is available from the Comcare website.

HSRs may wish to consult employees on day-to-day experience of particular work processes as they are valuable sources of information and can advise on situations with the potential to cause injury or illness. Employees can also offer ideas on how the hazards can be best addressed. People & Culture is available to assist employees and HSRs in fulfilling their obligations and improving the health and safety of employees.

Nomination

People & Culture must notify all employees of HSR vacancies within one month of becoming aware of a vacancy and encourage nominations (employees will be notified via email and the intranet, and the nomination period will be clearly communicated). The nomination period will be stated in the employee communication and will be a minimum of 10 working days. Employees interested in the position of HSR should nominate themselves on the HSR nomination form. A nominated HSR must be willing to undergo the required training.

Election

If there is only one nomination at the end of the nomination period then that person will be automatically elected. If there are only two nominations at the end of the nomination period, the two employees may come to an agreement on who will be the principal HSR. If there is no agreement then an election will be held.

Where there are more than two nominations for the position of HSR, an election will be arranged by People & Culture, who will distribute information on how to vote. Voting will remain open for five working days.

The election may involve the electronic polling option and may include a short election statement or profile of the candidates (as indicated on their nomination form). Any paper-based voting process must comply with the requirements of the WHS (Safety Arrangements) Regulations 1991. TA will ensure that all employees are formally notified of the outcome of the HSR election.

Any dispute arising out of the nomination, election or voting process shall be addressed to the General Manager, People & Culture.

Management will inform all staff of any nominated HSR within 10 working days of the results being determined. People & Culture will maintain a list of HSR and will notify the regulator of the new HSR (i.e. Comcare) immediately as required under the WHS Act 2011.

Duration

A HSR is elected for a term of two years. HSRs may be removed from their role in certain circumstances (see WHS Act and/or Comcare information). A HSR that ceases employmentautomatically ceases to represent the employees.

Function

A HSR may undertake the points below . HSR have a range of statutory rights under the Act that include:

- The right to be consulted, so far as is reasonably practicable, on:
  - Any proposed changes in the workplace or to the materials, equipment or procedures used that may affect the health and safety of employees;
  - Risk assessment of new and existing materials, equipment or procedures that may affect the health and safety of employees;
  - The development of WHS policies and procedures;
  - WHS hazard and incident investigation;
  - The provision of WHS information, instruction and training; and,
  - WHS disputes and their resolution.
- Direct work to cease where there is an immediate threat to the health and safety of any person and the manager is unavailable.
- Inspect any part of the workplace and investigate complaints at which a member of the area that they represent works, at any time giving reasonable notice to the relevant business unit and immediately in the event of an incident or hazardous situation.
- Make a request for a formal inspection. A HSR may request to a Comcare investigator, to Comcare or the SRC Commission that an investigation be conducted at the workplace (by contacting the state/territory Comcare WHS manager). It is requested that the Tourism Australia WHS investigation process be first given a chance.
- Issue a Provisional Improvement Notice (PIN) (for more information see below). This should be considered a last resort after Tourism Australia's WHS process has had an opportunity.
- Attend workplace inspections and audits, including those carried out by Comcare.
- Be given access to any information, except that which is medically confidential or under legal professional privilege, on:
  - The health and safety of the employee in the area they represent; and,
  - The actual or potential hazards in the workplace.
- Paid leave to attend the accredited health and safety training course.
- Have access to the facilities and assistance to enable them to perform their role.

HSR - Training

All HSRs are to be provided appropriate ongoing training.Applications for training should be made to the HSR Chair or People & Culture for prior approval.

HSR - Issuing a Provisional Improvement Notice (PIN)

Where the HSR believe a person:

- Is breaching the Act or Regulations; or,
- Has breached the Act or Regulations and is likely to do so again, the relevant manager must be consulted in an attempt to reach agreement on fixing the breach or preventing the likely breach and People & Culture must also be notified. If agreement on the resolution of a breach of the legislation in the DWG cannot be reached within a reasonable time, a PIN may be issued to the person responsible for the work or work area. This person is referred to as the Responsible Person.

The PIN must specify:

- Which part of the legislation is believed to have been breached;
- The reason why it is believed there was/is a breach; and,
- The period (not less than seven days after the day of issue of the PIN) in which the Responsible Person is to take action necessary to prevent any further or likely breach.

A PIN issued by a HSR must be set out in accordance with the WHS ACT 2011. The PIN may also specify what action the Responsible Person is to take. The period may be extended by the HSR in writing before the original expiry date. Further information is available from the Comcare website, relevant documentation and accredited training courses.