

OCCUPATIONAL HEALTH AND SAFETY POLICY

Mandatory – Quality Area 3

PURPOSE

This policy will provide guidelines and procedures to ensure that:

- all people who attend the premises of North Brighton Kindergarten, including employees, children, parents/guardians, students, volunteers, contractors and visitors, are provided with a safe and healthy environment
- all reasonable steps are taken by the Approved Provider, as the employer of staff, to ensure the health, safety and wellbeing of employees at the service.

POLICY STATEMENT

1. VALUES

North Brighton Kindergarten has a moral and legal responsibility to provide a safe and healthy environment for employees, children, parents/guardians, students, volunteers, contractors and visitors. This policy reflects the importance North Brighton Kindergarten places on the wellbeing of employees, children, parents/guardians, students, volunteers, contractors and visitors, by endeavouring to protect their health, safety and welfare, and integrating this commitment into all of its activities.

North Brighton Kindergarten is committed to ensuring that:

- the management group, staff and volunteers are aware of their health and safety responsibilities as employers, employees and volunteers
- systematic identification, assessment and control of hazards is undertaken at the service
- effective communication and consultation form a fundamental part of the management process to encourage innovative ways of reducing risk in the service environment
- training is provided to assist staff to identify health and safety hazards which, when addressed, will lead to safer work practices at the service
- it fulfils its obligations under current and future laws (in particular, the *Occupational Health and Safety Act 2004*), and that all relevant codes of practice are adopted and accepted as a minimum standard.

2. SCOPE

This policy applies to the Approved Provider, Persons with Management and Control, Nominated Supervisor, persons in day to day charge, educators, staff, children, parents/guardians, students on placement, volunteers, contractors and visitors attending the programs and activities of North Brighton Kindergarten.

3. BACKGROUND AND LEGISLATION

Background

Everyone involved in an early childhood education and care service has a role to play in ensuring the service's operations are safe and without risk to the health and safety of all parties. In Victoria, health and safety in the workplace is governed by a system of laws, regulations and compliance codes that set out the responsibilities of employers and employees to ensure safety is maintained at work.

The *Occupational Health and Safety Act 2004* (OHS Act) sets out the key principles, duties and rights in relation to workplace health and safety. The *Occupational Health and Safety Regulations 2017* specifies the ways duties imposed by the OHS Act must be undertaken and prescribes

procedural/administrative matters to support the OHS Act, such as requiring licenses for specific activities, or the need to keep records or notify authorities on certain matters.

The legal duties of an **employer** under the OHS Act are:

- to provide and maintain a workplace that is safe and without risk to the health of employees. This responsibility extends to contractors for routine tasks over which the employer has management. For contractors completing non-routine tasks, the employer must ensure that the service's daily operations and layout do not pose unreasonable risks
- to ensure other individuals, such as families and visitors, are not exposed to health and safety risks arising from the organisation's activities
- to consult with employees about OHS matters that will, or will likely, affect employees directly, including identifying hazards and assessing risks, and making decisions about risk control measures.

The OHS Act places the responsibility on **employees** for:

- taking care of their own safety and the safety of others who may be affected by their actions
- co-operating with reasonable OHS actions taken by the employer, including following guidelines, attending OHS-related training, reporting incidents, co-operating with OHS investigations, encouraging good OHS practice with fellow employees and others at the service, and assisting the employer with conducting OHS inspections during operating hours
- not interfering with safety equipment provided at the service, such as fire extinguishers.

Legislation and standards

Relevant legislation and standards include but are not limited to:

- *Accident Compensation Act 1985* (Vic)
- *AS/NZS 4804:2001 and 4801:2001 Occupational health and safety systems*
- *Education and Care Services National Law Act 2010*
- *Education and Care Services National Regulations 2011*
- *National Quality Standard*, Quality Area 2: Children's Health and Safety
 - Standard 2.3: Each child is protected
 - Element 2.3.1: Children are adequately supervised at all times
 - Element 2.3.2: Every reasonable precaution is taken to protect children from harm and any hazard likely to cause injury
- *National Quality Standard*, Quality Area 3: Physical Environment
 - Standard 3.1: The design and location of the premises is appropriate for the operation of a service
 - Element 3.1.1: Outdoor and indoor spaces, buildings, furniture, equipment, facilities and resources are suitable for their purpose
 - Element 3.1.2: Premises, furniture and equipment are safe, clean and well maintained
- *National Quality Standard*, Quality Area 7: Leadership and Service Management
- Standard 7.1: Effective leadership promotes a positive organisational culture and builds a professional learning community
- *Occupational Health and Safety Act 2004*
- *Occupational Health and Safety Regulations 2017*

The most current amendments to listed legislation can be found at:

- Victorian Legislation – Victorian Law Today: <http://www.legislation.vic.gov.au/>
- Commonwealth Legislation – ComLaw: <http://www.comlaw.gov.au/>

4. DEFINITIONS

The terms defined in this section relate specifically to this policy. For commonly used terms e.g. Approved Provider, Nominated Supervisor, Regulatory Authority etc. refer to the *General Definitions* section of this manual.

Duty of care: A common law concept that refers to the responsibilities of organisations to provide people with an adequate level of protection against harm and all reasonable foreseeable risk of injury. In the context of this policy, duty of care refers to the responsibility of education and care services to provide children, educators, staff, students, volunteers, contractors and anyone visiting the service with an adequate level of care and protection against reasonable foreseeable harm and injury.

Hazard: An element with the potential to cause death, injury, illness or disease.

Hazard identification: A process that involves identifying all foreseeable hazards in the workplace and understanding the possible harm that each hazard may cause.

Hazard management: A structured process of hazard identification, risk assessment and control, aimed at providing safe and healthy conditions for employees, contractors and visitors while on the premises of North Brighton Kindergarten or while engaged in activities endorsed by North Brighton Kindergarten.

Harm: Includes death, or injury, illness (physical or psychological) or disease that may be suffered by a person as a consequence of exposure to a hazard.

Material safety data sheet: Provides employees and emergency personnel with safety procedures for working with toxic or dangerous materials. The data sheet includes all relevant information about the material such as physical properties (e.g. melting/boiling point, toxicity and reactivity), health effects, first aid requirements and safe handling procedures (e.g. personal protective equipment, safe storage/disposal and management of spills).

OHS committee: A committee that facilitates co-operation between an employer and employees in instigating, developing and carrying out measures designed to ensure the health and safety of employees in the workplace.

Risk: The chance (likelihood) that a hazard will cause harm to individuals.

Risk assessment: A process for developing knowledge/understanding about hazards and risks so that sound decisions can be made about the control of hazards. Risk assessments assist in determining:

- what levels of harm can occur
- how harm can occur
- the likelihood that harm will occur.

Risk control: A measure, work process or system that eliminates an OHS hazard or risk, or if this is not possible, reduces the risk so far as is reasonably practicable.

5. SOURCES AND RELATED POLICIES

Sources

- *Early Childhood Management Manual*, ELAA
- OHS in Early Childhood Services (ELAA): www.ohsinecservices.org.au
- WorkSafe Victoria: www.worksafe.vic.gov.au

Service policies

- *Child Safe Environment Policy*
- *Code of Conduct Policy*

- *Emergency and Evacuation Policy*
- *Incident, Injury, Trauma and Illness Policy*
- *Participation of Volunteers and Students Policy*
- *Privacy and Confidentiality Policy*
- *Road Safety and Safe Transport Policy*
- *Staffing Policy*

PROCEDURES

The Approved Provider and Persons with Management and Control is responsible for:

- providing and maintaining a work environment that is safe and without risks to health (OHS Act: Section 21). This includes ensuring that:
 - there are safe systems of work
 - all plant and equipment provided for use by staff, including machinery, appliances and tools etc., are safe and meet relevant safety standards
 - substances, and plant and equipment, are used, handled, and stored safely
 - material safety data sheets are supplied for all chemicals kept and/or used at the service (refer to: www.ohsinecservices.org.au)
 - there are adequate welfare facilities e.g. first aid and dining facilities etc.
 - there is appropriate information, instruction, training and supervision for employees
- (Note: *This duty of care is owed to all employees, children, parents/guardians, volunteers, students, contractors and any members of the public who are at the workplace at any time*)
- ensuring there is a systematic risk management approach (refer to: www.ohsinecservices.org.au) to the management of workplace hazards. This includes ensuring that:
 - hazards and risks to health and safety are identified, assessed and eliminated or, if it is not possible to remove the hazard/risk completely, effectively controlled
 - measures employed to eliminate/control hazards and risks to health and safety are monitored and evaluated regularly
- ensuring regular safety audits (see *Attachment 1*) of the following:
 - indoor and outdoor environments
 - all equipment, including emergency equipment
 - playgrounds and fixed equipment in outdoor environments
 - cleaning services
 - horticultural maintenance
 - pest control
- monitoring the conditions of the workplace and the health of employees (OHS Act: Section 22)
- protecting other individuals from risks arising from the service's activities, including holding a fete or a working bee etc., or any activity that is ancillary to the operation of the service e.g. contractors cleaning the premises after hours (OHS Act: Section 23)
- providing adequate instruction to staff in safe working procedures, and informing them of known hazards to their health and wellbeing that are associated with the work that they perform at the service
- ensuring that all plant, equipment and furniture are maintained in a safe condition
- developing procedures to guide the safe use of harmful substances, such as chemicals, in the workplace
- ensuring that OHS accountability is included in all position descriptions
- allocating adequate resources to implement this policy
- displaying this policy in a prominent location at the service premises

- ensuring the physical environment at the service is safe, secure and free from hazards for children (refer to *Child Safe Environment Policy*)
- implementing/practising emergency and evacuation procedures (refer to *Emergency and Evacuation Policy*)
- implementing and reviewing this policy in consultation with the Nominated Supervisor, educators, staff, contractors and parents/guardians
- identifying and providing appropriate resources, induction and training to assist educators, staff, contractors, visitors, volunteers and students to implement this policy
- ensuring the Nominated Supervisor, educators, staff, contractors, volunteers and students are kept informed of any relevant changes in legislation and practices in relation to this policy
- consulting appropriately with employees on OHS matters including:
 - identification of hazards
 - making decisions on how to manage and control health and safety risks
 - making decisions on health and safety procedures
 - the need for establishing an OHS committee and determining membership of the committee
 - proposed changes at the service that may impact on health and safety
 - establishing health and safety committees
- notifying WorkSafe Victoria about serious workplace incidents, and preserving the site of an incident (OHS Act: Sections 38–39)
- holding appropriate licenses, registrations and permits, where required by the OHS Act
- attempting to resolve OHS issues with employees or their representatives within a reasonable timeframe
- not discriminating against employees who are involved in health and safety negotiations
- allowing access to an authorised representative of a staff member who is acting within his/her powers under the OHS Act
- producing OHS documentation as required by inspectors and answering any questions that an inspector asks
- not obstructing, misleading or intimidating an inspector who is performing his/her duties.

The above list of procedures is not exhaustive. Services must develop specific procedures to be followed in managing hazards and issues identified. Such specific issues include chemical management, purchasing of equipment, hazard identification and risk assessment etc. For more information and guidance, refer to: www.ohsinecservices.org.au

The Nominated Supervisor and Person in Day to Day Charge is responsible for:

- ensuring that all educators/staff are aware of this policy, and are supported to implement it at the service
- organising/facilitating regular safety audits of the following:
 - indoor and outdoor environments
 - all equipment, including emergency equipment
 - playgrounds and fixed equipment in outdoor environments
 - cleaning services
 - horticultural maintenance
 - pest control
- ensuring that all cupboards/rooms are labelled accordingly, including those that contain chemicals and first aid kits, and that child-proof locks are installed on doors and cupboards where contents may be harmful

- ensuring the physical environment at the service is safe, secure and free from hazards for children (refer to *Child Safe Environment Policy*)
- ensuring that all equipment and materials used at the service meet relevant safety standards
- ensuring the service is up to date with current legislation on child restraints in vehicles if transporting children (refer to *Road Safety and Safe Transport Policy*)
- implementing and practising emergency and evacuation procedures (refer to *Emergency and Evacuation Policy*)
- implementing and reviewing this policy in consultation with the Approved Provider, educators, staff, contractors and parents/guardians
- identifying and providing appropriate resources and training to assist educators, staff, contractors, visitors, volunteers and students to implement this policy
- keeping up to date and complying with any relevant changes in legislation and practices in relation to this policy.

Educators and other staff are responsible for:

- taking care of their own safety and the safety of others who may be affected by their actions
- co-operating with reasonable OHS actions taken by the Approved Provider, including:
 - following OHS rules and guidelines
 - helping to ensure housekeeping is of the standard set out in service policies
 - attending OHS training as required
 - reporting OHS incidents
 - co-operating with OHS investigations
 - encouraging good OHS practices with fellow employees and others attending the service
 - assisting the Approved Provider with tasks relating to OHS, such as conducting OHS inspections during working hours
- not interfering with safety equipment provided by the Approved Provider
- practising emergency and evacuation procedures (refer to *Emergency and Evacuation Policy*)
- teaching children about positive safety behaviours, including correct use of protective equipment, correct use of facilities and equipment, and identifying and responding to hazards
- ensuring the physical environment at the service is safe, secure and free from hazards for children (refer to *Child Safe Environment Policy*)
- maintaining a clean environment daily, and removing tripping/slipping hazards as soon as these become apparent
- keeping up to date with current legislation on child restraints in vehicles if transporting children (refer to *Road Safety and Safe Transport Policy*)
- implementing and reviewing this policy in consultation with the Approved Provider, Nominated Supervisor, educators, staff, contractors and parents/guardians.

Students on placements, volunteers, contractors and parents/guardians at the service are responsible for:

- being familiar with this policy
- co-operating with reasonable OHS rules implemented by the service
- not acting recklessly and/or placing the health and safety of other adults or children at the service at risk.

EVALUATION

In order to assess whether the values and purposes of the policy have been achieved, the Approved Provider will:

- regularly seek feedback from everyone affected by the policy regarding its effectiveness, particularly in relation to identifying and responding to occupational health and safety issues
- monitor the implementation, compliance, complaints and incidents in relation to this policy
- keep the policy up to date with current legislation, research, policy and best practice
- revise the policy and procedures as part of the service's policy review cycle, or as required
- notify parents/guardians at least 14 days before making any changes to this policy or its procedures (Regulation 172(2)).

ATTACHMENTS

- 1 - Workplace Inspection Checklist
- 2 - Action Plan for reporting an OHS incident

AUTHORISATION

This policy was adopted by the Approved Provider of North Brighton Kindergarten on Monday 8th February, 2021.

REVIEW DATE: JUNE 2024

ATTACHMENT 1

North Brighton Kindergarten Workplace Inspection Checklist						
(supplied by worksafe VIC)						
Date		Completed By:				
Reported To:						
Date Actions Completed/Review Date:						
Review previous inspection and confirm all actions are closed out or add any outstanding actions to this new checklist						
1	Emergency Arrangements	Y/N	Comments	Corrective Action	By Who	By When
1.1	Fire extinguishers/hoses in place as per the plan, clearly marked, serviced in the past 6 months (check tags), clear of any obstructions and not damaged?					
1.2	Sprinkler heads and smoke/heat detectors are free from damage or obstructions and operational (maintained)?					
1.3	Exit doors are marked, signs are clearly visible, easily opened from the inside (no locks/security pads etc.) and are clear of obstructions?					
1.4	Evacuation Plan, phone numbers and instructions are displayed?					
1.5	Emergency evacuation in past 12 months?					
1.6	Staff have knowledge of Emergency Procedures?					

2	First Aid					
2.1	Trained/nominated First Aider on site covering all sessions?					
2.2	First Aid cabinet fully equipped, clearly labelled and in a prominent and accessible location?					
2.3	Box clean, orderly and re-stocked as required?					
2.4	Current Emergency telephone numbers displayed,					
2.5	Disposable gloves provided and infection control procedures in place.					
3	Electrical	Y/N	Comments	Corrective Action	By Who	By When
3.1	Any faulty electrical appliances or equipment?					
3.2	Broken electrical plugs, sockets or switches?					
3.3	Any temporary or makeshift leads, power boards, double adaptors? (These are not allowed and must be removed immediately).					
3.4	An excessive number of extension cords or power boards?					
3.5	All electrical cords are tagged inspected, tested and tagged by a qualified electrician as per AS3760?					
3.6	Electrical equipment not exposed to water?					
3.7	Power distribution cabinets are labelled and locked?					
3.8	Power outlet covers in place					

3.9	No strained, frayed or damaged leads					
3.10	No leads are on the floor causing a tripping hazard and no equipment rolls over the leads. No temporary leads in use.					
4	Lighting	Y/N	Comments	Corrective Action	By Who	By When
4.1	Is the lighting adequate for the task?					
4.2	Glare and reflection on screens is controlled to an acceptable level?					
4.3	Security lighting is installed to cover areas between the kinder and the car park and at the car park - in good working order?					
4.4	Light fittings are clean and in good repair					
4.5	Torches available					
5	Ventilation					
5.1	Air conditioning system maintained?					
5.2	Are there regular and numerous complaints about the air quality or temperature?					
5.3	Are employees using their own fans/heaters?					
6	Walkways					
6.1	Walkways and traffic areas are clear?					
6.2	Unlikely to be slippery when wet?					
6.3	Floors have even surfaces no cracks/holes and no rips/ripples in carpets? Mats are not tripping hazards?					

6.4	Floors and aisles are clear of any rubbish, material and equipment?					
7	Ergonomics and Manual Handling	Y/N	Comments	Corrective Action	By Who	By When
7.1	Workstation set up ergonomically?					
7.2	Offices are clear and uncluttered? No unnecessary items on the floor?					
7.3	Adequate seating is provided?					
7.4	Desks & chairs in good repair?					
7.5	Adequate ventilation around photocopier and printers?					
7.6	Rubbish bins emptied regularly?					
7.7	Phone, mouse and documents are within easy reach?					
7.8	Heavy items are moved with a trolley,					
7.9	Equipment moved on wheels have wheels which roll easily and preferably have lockable castors.					
8	Storage					
8.1	Materials are stored on shelves or in rooms as appropriate? Heavy items must not be stored on the floor.					
8.2	Store rooms are neat and tidy and well lit.					
8.3	Step ladders are available and in good order.					
8.4	Shelves are free of dust and rubbish					
8.5	Floors and walkways are clear.					

9	OHS Information					
9.1	If you are injured poster and OHS Policy displayed?					
9.2	Appropriate safety signs in place?					
10	Hazardous Substances	Y/N	Comments	Corrective Action	By Who	By When
10.1	Chemicals are labelled, not leaking and not expired?					
10.2	Chemicals are in a locked cupboard out of the reach of children?					
10.3	MSDS available for all hazardous substances?					
11	Windows	Y/N	Comments	Corrective Action	By Who	By When
11.1	Clean?					
11.2	No cracked/broken panes?					
12	Bathrooms/Wash rooms	Y/N	Comments	Corrective Action	By Who	By When
12.1	Toilets and basins in good repair and cleaned daily?					
12.2	Handwashing soap/single use towels/dryers in good working order?					
13	Kitchen	Y/N	Comments	Corrective Action	By Who	By When
13.1	Gate is in good working order?					
13.2	Appliances in good working order?					
13.3	Equipment is clean and stored appropriately?					
14	Falls Prevention	Y/N	Comments	Corrective Action	By Who	By When
14.1	Are ladders used?					
14.2	Are industrial ladders used, in good working					

	condition & labelled with weight capacity?					
14.3	In good condition?					
14.4	Stored out of the reach of children?					

15	External Areas	Y/N	Comments	Corrective Action	By Who	By When
15.1	Fencing is secure, unclimbable and of a height prescribed by the BCA. In good condition with no materials that would allow children to scale the fence?					
15.2	Child proof locks are fitted?					
15.3	Paving and paths are even and in good condition? Changes in surface levels are highlighted?					
15.4	Soft fall is even and of good depth for all equipment over 0.5m? No materials in the fall that would cause injury? Grass areas free of hazards?					
16	Equipment	Y/N	Comments	Corrective Action	By Who	By When
16.1	Equipment is in good condition and free of hazards? Equipment is not close to adjacent items such as trees or fences that children could hurt themselves on or fall on?					
16.2	Furniture and play equipment have no protruding bolts, nails, splinters?					
16.3	Guard rails in place for all equipment over 1m?					

17	Sun Protection	Y/N	Comments	Corrective Action	By Who	By When
17.1	Adequate supply of SPF 30 plus broadscreen sunscreen provided?					
17.2	Sun hats provided for all staff who have to work in the sun?					
17.3	Sun protection policy in place?					

18	Trees	Y/N	Comments	Corrective Action	By Who	By When
18.1	Pathways clear from overhanging branches of trees and shrubs?					
18.2	Tree canopy not leaning heavily in one direction?					
18.3	Tree trunk not leaning to one side?					
18.4	No dead branches are visible or hanging in the tree?					
18.5	No cavities, cracks or rotten wood along the trunk or in major visible branches?					
18.6	Dead, broken branches of the tree have been removed. NOTE:-inappropriate tree pruning may weaken it, trimming work is best done by a professional?					
18.7	Trees are clear from overhead power lines?					
19	Water Tanks	Y/N	Comments	Corrective Action	By Who	By When
19.1	No leaking water?					
19.2	Tank and footings in good working order?					
19.3	Signed 'Non Potable Water'?					
20	Visitors and Contractors	Y/N	Comments	Corrective Action	By Who	By When

20.1	Sign in book in use for all unaccompanied visitors/contractors?					
20.2	Contractors are inducted to kinder?					

ATTACHMENT 2 - Reporting an OH&S Incident or near miss

- Any OH&S incidents or near misses are to be reported to admin via email to northbrightonkindergarten@gmail.com
- The unsafe situation should be immediately fixed if possible, otherwise the administrator will work to fix the situation as soon as possible.

ACTION PLAN

Action	Responsible	Due Date
Safety Audits (Attachment 1) carried out on a regular basis & stored in OHS folder	OHS/Nominated Supervisor	Bi -annually
Check Material Data Safety Sheets up to date	OHSNominated Supervisor	June
Implementing/practicing Emergency Evacuation procedures	OHS/Educators	Each term
Induction & training to implement OHS	HR/Admin/Teachers	As required
Reporting OHS Incidents See attachment 2	All	As Required
Ensure OHS agenda item on monthly meeting agendas	Approved Provider/Nominated Supervisor	Monthly