

HDKA promotes a commitment to child safety, wellbeing, participation, empowerment, cultural safety and awareness including children with a disability, Aboriginal and Torres Strait Islander children and/or communities and children from cultural and/or linguistically diverse backgrounds.

HDKA has a zero tolerance of child abuse and a duty of care to prevent and manage child abuse risks including physical and online environments.

Purpose

This policy will provide guidelines guidelines and procedures to ensure that:

- All people who attend the premises of services managed by HDKA including employees, children, parents or guardians, students, volunteers, contractors and visitors are provided with a safe and healthy environment.
- All reasonable steps are taken by HDKA as the employer of staff to ensure the health, safety and wellbeing of employees at the service.

Values

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

HDKA 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.

Scope

This policy applies to the Approved Provider, Nominated Supervisor, Certified Supervisor, educators, staff, children, parents or guardians, students on placement, volunteers, contractors and visitors attending the programs and activities of services administered by HDKA.

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 2007 specifies the ways duties imposed by the OHS Act must be undertaken and prescribes procedural or 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 matters¹.

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.
- Cooperating with reasonable OHS actions taken by the employer including following guidelines, attending OHS-related training, reporting incidents, cooperating 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* as amended 2007
- *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 2007*

¹ WorkSafe Victoria: www.worksafe.vic.gov.au

Definitions

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, 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 HDKA services or while engaged in activities endorsed by HDKA.

Harm: Includes death, 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 or boiling point, toxicity and reactivity), health effects, first aid requirements and safe handling procedures (e.g. personal protective equipment, safe storage or disposal and management of spills).

OHS committee: A committee that facilitates cooperation 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 or 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.

Sources

- *Early Childhood Management Manual V2.1*, Early Learning Association Australia
- [Getting into the Act](#), WorkSafe Victoria
- [Getting help to improve health and safety](#), WorkSafe Victoria
- [Guide to the OHS Act 2004](#), WorkSafe Victoria
- [Managing safety in your workplace](#), WorkSafe Victoria
- [OHS in Early Childhood Services](#), Early Learning Association Australia:
- [WorkSafe Victoria: http://www.worksafe.vic.gov.au/](http://www.worksafe.vic.gov.au/)
- [Children's Services – Occupational Health and Safety Compliance Kit](#), WorkSafe Victoria

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*
- *Staffing Policy*

Procedures

The Approved Provider (HDKA) 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 or used at the service Refer to [ELAA OHS resources](#)
 - 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 [ELAA OHS resources](#) 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 or risk completely, effectively controlled.
 - Measures employed to eliminate or control hazards and risks to health and safety are monitored and evaluated regularly.
- Ensuring 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.
- 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 or 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 or 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 or her duties.

The Nominated Supervisor is responsible for:

- Ensuring that all educators and staff are aware of this policy and are supported to implement it at the service.
- Organising or 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 and 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.
- 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 or 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.

Certified Supervisors and other educators and staff are responsible for:

- Taking care of their own safety and the safety of others who may be affected by their actions.
- Cooperating with reasonable OHS actions taken by HDKA, 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
 - Cooperating 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 HDKA.
- Practising emergency and evacuation procedures (refer to *Emergency and Evacuation Policy*).
- 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 and slipping hazards as soon as these become apparent.
- Ensuring the service is up to date with current legislation on child restraints in vehicles if transporting children.

Note:- In general services administered by HDKA would not be involved in transporting children in private cars. Buses engaged to transport children to and from excursions should be fitted with seatbelts whenever possible.

- Implementing and reviewing this policy in consultation with the Approved Provider, Nominated Supervisor, educators, staff, contractors and parents or guardians.

Students on placement, volunteers, contractors and parents or guardians at the service are responsible for:

- Being familiar with this policy.
- Cooperating 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.

Volunteers and students, while at the service, are responsible for:

- Ensuring they have provided all details required to complete the staff record.
- Undertaking a Working with Children (WWC) Check and presenting a current WWC Check card or other notification as applicable.
- Understanding and acknowledging the requirement for confidentiality of all information relating to educators and families within the service (refer to *Privacy and Confidentiality Policy*).
- Complying with the requirements of the *Education and Care Services National Regulations 2011* and with all service policies and procedures including the *Code of Conduct Policy* while at the service.
- Undertaking the induction process and completing the induction checklist (refer to Attachment 1) prior to commencement at the service.

- Following the directions of staff at the service at all times to ensure that the health, safety and wellbeing of children is protected.

Parents or guardians are responsible for:

- Complying with the requirements of the *Education and Care Services National Regulations 2011* and with all service policies and procedures including the *Code of Conduct Policy* while attending the service.
- Following the directions of staff at the service at all times to ensure that the health, safety and wellbeing of children is protected.

Attachments

- Attachment 1: Sample induction checklist for volunteers and students.

Occupational Health and Safety policy/procedure

Mandatory – Quality area 3

Attachment 1 - Sample induction checklist for volunteers and students

Name (Please print) _____

To be completed by all volunteers and students participating at services administered by HDKA and returned to the Nominated Supervisor prior to commencing at the service.

<input type="checkbox"/>	I have been given access to a copy of all the policies and procedures of HDKA
I understand the content of service policies and procedures including those relating to:	
<input type="checkbox"/>	Conduct while at the service (<i>Code of Conduct Policy</i>)
<input type="checkbox"/>	Emergency evacuation
<input type="checkbox"/>	Emergency, evacuation, fire and safety, including locations of fire extinguishers and emergency exits (<i>Emergency and Evacuation Policy</i>)
<input type="checkbox"/>	Accidents at the service (<i>Incident, Injury, Trauma and Illness Policy</i>)
<input type="checkbox"/>	Dealing with medical conditions (<i>Dealing with Medical Conditions Policy, Asthma Policy, Anaphylaxis Policy, Diabetes Policy, Epilepsy Policy and Administration of Medication Policy</i>)
<input type="checkbox"/>	Good hygiene practices (<i>Hygiene Policy</i>)
<input type="checkbox"/>	Dealing with infectious diseases (<i>Dealing with Infectious Diseases Policy</i>)
<input type="checkbox"/>	First aid arrangements for children and adults, including the location of the nearest first aid kit (<i>Administration of First Aid Policy</i>)
<input type="checkbox"/>	Daily routines
<input type="checkbox"/>	The importance of OHS and following safe work practices (<i>Occupational Health and Safety Policy</i>)
<input type="checkbox"/>	Interacting appropriately with children (<i>Interactions with Children Policy</i>)
<input type="checkbox"/>	Reporting of serious incidents and notifiable incidents at the service (<i>Incident, Injury, Trauma and Illness Policy, Complaints and Grievances Policy and Occupational Health and Safety Policy</i>)
<input type="checkbox"/>	Reporting hazards in the workplace (<i>Occupational Health and Safety Policy</i>)
<input type="checkbox"/>	Handling complaints and grievances (<i>Complaints and Grievances Policy</i>)
<input type="checkbox"/>	Child protection (<i>Child Safe Environment Policy</i>)
<input type="checkbox"/>	Privacy and confidentiality of information (<i>Privacy and Confidentiality Policy</i>)
<input type="checkbox"/>	I am aware of the non-smoking policy of the service
<input type="checkbox"/>	The expectations of my placement/engagement, my role and responsibilities (including attending to the requirements of children with additional needs) have been clearly explained to me by my supervisor
<input type="checkbox"/>	The expectations of my placement/engagement, my role and responsibilities (including attending to the requirements of children with additional needs) have been clearly explained to me by my supervisor
<input type="checkbox"/>	I am aware that I am expected to participate in general tasks, including maintaining the environment in a clean, safe and tidy condition

Volunteer or student signature _____

Nominated supervisor name (Please print) _____

Nominated supervisor signature _____

Date _____