

OCCUPATIONAL HEALTH AND SAFETY POLICY

QUALITY AREA 3 & 7 – VERSION 1.4



PURPOSE

This policy provides guidelines and procedures to ensure that all individuals attending Denzil Don Kindergarten - including staff, children, parents/carers, students, volunteers, contractors, and visitors - are provided with a safe and healthy environment at all times.

The Approved Provider (Committee of Management), as the employer, is committed to taking all reasonable steps to safeguard the health, safety, and wellbeing of staff and all persons at the service. This includes implementing effective risk management practices, maintaining safe systems of work, and ensuring compliance with relevant workplace health and safety legislation and standards.

POLICY STATEMENT

The safety, health, wellbeing, rights and best interests of every child guide all decisions, actions and practices of Denzil Don Kindergarten staff.

VALUES

Denzil Don Kindergarten is committed to ensuring that:

- Management, service staff, and volunteers are aware of and understand their responsibilities in relation to health, safety, and wellbeing as employers, employees, and volunteers.
- Hazards, including those relating to psychological health, are systematically identified, assessed, and controlled to minimise risks within the service environment.
- Effective communication and consultation are integral to management processes, fostering collaboration and encouraging innovative approaches to risk reduction.
- Appropriate training and support are provided to staff to enable them to identify health, safety, and wellbeing hazards, contributing to safer work practices across the service.
- All obligations under current and future legislation are met, particularly under the *Occupational Health and Safety Act 2004*, and that all relevant codes of practice are adopted as the minimum standard.

SCOPE

This policy applies to the Approved Provider, all service staff (educational and non-educational), students, volunteers, parents/carers, children, and others attending the programs and activities of Denzil Don Kindergarten.

Parent/Carer Responsibilities Under This Policy:
Take reasonable care for your health and safety and that of others while at the service
Provide relevant information that may impact the safety or wellbeing of your child, or others at the service
Follow all service policies, procedures, and directions provided by staff, and cooperate with measures in place to maintain a safe and secure environment
Read, understand and follow the service Code of Conduct at all times

Responsibilities: R indicates legislation requirement	Approved provider & persons with management or control	Nominated Supervisor and Person in Day-to-Day Charge	All service staff (educational & non-educational)	Contractors, Volunteers & Students
Provide and maintain a work environment that is safe and without risks to health, safety, and wellbeing (OHS Act: Section 21), ensuring this duty of care extends to service staff, children, parents/carers, volunteers, students, contractors, and visitors	R	√		
Implement safe systems of work and design work that is healthy, safe, and productive	R	√		
Ensure all plant, equipment, furniture, and appliances are safe, fit for purpose, and meet relevant safety standards, and are maintained in a safe condition (<i>Regulation 103</i>)	R	√	√	√
Ensure materials and substances are used, handled, and stored safely, with up-to-date Safety Data Sheets (SDS) (<i>see definitions</i>) available	R	√		
Provide adequate welfare facilities, including first aid and staff amenities	R	√		
Maintain a clean and safe environment, promptly addressing trip and slip hazards	R	√	√	√
Ensure storage areas are clearly labelled and secured, including childproof locks where required	R	√		
Ensure the physical environment is safe, secure, and free from hazards (<i>refer to Child Safe Environment and Wellbeing Policy</i>)	R	√		
Implement a systematic risk management approach, including identifying, assessing, and eliminating hazards (including psychosocial), or controlling risk if elimination is not possible	R	√		
Monitor and review risk control measures regularly to ensure effectiveness	R	√		
Conduct regular safety audits of indoor and outdoor environments, all equipment (including emergency equipment), playgrounds and fixed outdoor equipment, and services such as horticulture, pest control, and chemical management.	R	√		
Ensure risk assessments are completed for all new, hired, leased, or donated equipment and furniture	R	√	√	√
Identify hazardous manual handling tasks and eliminate or minimise risks, as far as reasonably practicable	R	√	√	√
Develop procedures for the safe use of hazardous substances	R	√		
Provide systems of work that support psychological health, including clear role definitions, manageable workloads, adequate staffing and effective supervision	R	√		
Monitor psychological health risks through incident reports, absenteeism, and staff consultation	R	√	√	√
Implement policies addressing workplace bullying, harassment, occupational violence, and stress (<i>see Prevention of Harassment and Bullying & Occupational Violence and Aggression Policies</i>)	R	√		
Ensure safe work schedules by providing adequate breaks, allowing sufficient recovery time, giving reasonable notice of roster changes, and complying with employment agreements	R	R		

Consult with employees on OHS matters, including, including hazard identification, risk control decisions, development of procedures, workplace changes, and the establishment of OHS committees	R	√		
Ensure staff are consulted in the development and review of this policy and that consultation is documented	R	√	√	√
Allow access to an authorised representative of a member of staff who is acting within their powers under the <i>Occupational Health and Safety (OHS) Act 2004</i>	R	√		
Provide induction, training, and resources to staff, volunteers, students, visitors, and contractors to implement this policy	R	√		
Ensure staff are informed of known hazards and safe work procedures relevant to their roles	R	√		
Include OHS responsibilities in all position descriptions and ensure all staff understand and implement this policy	R	√		
Ensure individuals take reasonable care for their own health and safety and that of others who may be affected by their actions	R	√	√	√
Comply with the <i>Occupational Health and Safety Act 2004</i> and all relevant legislation	R	√	√	√
Keep up to date with changes to legislation, regulations, and best practices, and ensure relevant parties are informed	R			
Notify WorkSafe Victoria of notifiable incidents, preserve incident sites, and meet reporting requirements (<i>OHS Act: Sections 38–39</i>)	R	√		
Hold and maintain required licences, registrations, and permits where required by the OHS Act	R	√		
Cooperate with inspectors and provide requested documentation, ensuring no obstruction, intimidation, or misleading conduct	R	√		
Ensure no discrimination against employees involved in OHS matters or consultation processes	R	√		
Monitor workplace conditions and staff health, safety and wellbeing employee wellbeing (<i>OHS Act: Section 22</i>)	R	√	√	√
Attempt to resolve OHS issues promptly with employees or their representatives in a reasonable time frame	R	√		
Implement and practice emergency and evacuation procedures (<i>see Emergency and Evacuation Policy</i>)	R	√	√	√
Ensure the safety of all persons affected by the service’s activities (<i>OHS Act: Section 23</i>), including visitors, contractors, and the community during events or external activities	R	√	√	√
Allocate adequate resources to implement this policy effectively	R	√		
Ensure this policy is accessible to all - staff, families, contractors, volunteers, via the service website and in the Policy Folder in the office denzildonkinder.org.au/policies/	R	√		
Review and update this policy in consultation with service staff, families, and relevant parties	R	√	√	√
Ensure the service remains up to date with current legislation and best practice relating to child restraints in vehicles when transporting children (<i>see Road Safety and Safe Transport Policy</i>)	R	√		

BACKGROUND & LEGISLATION

BACKGROUND

All people involved in an early childhood education and care service have a responsibility to ensure that operations are conducted in a way that is safe and without risk to the health and safety of everyone. In Victoria,

workplace health and safety is governed by a framework of laws, regulations, and compliance codes that outline the responsibilities of employers and employees.

The *Occupational Health and Safety Act 2004 (OHS Act)* establish the key principles, duties, and rights in relation to workplace health and safety. The *Occupational Health and Safety Regulations 2017 (OHS Regulations)* support the Act by outlining how these duties must be carried out and by prescribing procedural and administrative requirements. These include obligations such as obtaining licences for specific activities, maintaining records, and notifying relevant authorities of certain incidents or matters.

The legal duties of Denzil Don Kindergarten under the *OHS Act* are to:

- Provide and maintain a working environment that is safe and without risks to staff health, including psychological health, including:
 - providing and maintaining safe systems of work
 - providing information, instruction, training and supervision so staff can perform their work safely and without risks to health
- Monitor the conditions of the workplace and staff health
- Consult with staff and any health and safety representatives (HSRs) when doing certain things, eg: identifying or assessing hazards or risks, and deciding how to control those risks
- Resolve health and safety issues in line with any relevant agreed procedure or the relevant procedure prescribed by the *Occupational Health and Safety Regulations 2017 (OHS Regulations)*

To comply with our duties, the service:

- Will consult with staff and HSRs to identify or assess hazards or risks to health and safety at the service, including work-related factors that can cause or contribute to stress
- Eliminate identified risks, or implement measures to control the risk(s), as is reasonably practicable
- Investigate whether work-related factors contributed to reports of injury/incident involving stress
- Review and revise risk control measures

The definition of *health* under the *Occupational Health and Safety (OHS) Act* includes both physical and psychological health. Therefore, any reference to health and safety obligations under the *Act* extends to the psychological wellbeing of employees.

Employees also have duties under the *OHS Act*. While at work, employees are required to take reasonable care for their own health and safety, as well as for the health and safety of others who may be affected by their actions or omissions. Employees must also cooperate with the service by implementing measures to comply with the requirements of the *OHS Act and the Occupational Health and Safety Regulations*.

LEGISLATION & 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
- National Quality Standard, Quality Area 3: Physical Environment
- National Quality Standard, Quality Area 7: Governance and Leadership
- 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: www.legislation.vic.gov.au
- Commonwealth Legislation – Federal Register of Legislation: www.legislation.gov.au

DEFINITIONS

The terms defined in this section relate specifically to this policy. For regularly used terms, see the Definitions File located online: <https://denzildonkinder.org.au/policies/> OR in the Policies Folder in the kindergarten office.

Authorised Representatives of Registered Employee Organisations (ARREO): an employee or officer of a registered employee organisation who has completed a WorkSafe-approved course and holds an entry permit issued by the Magistrate's Court. An ARREO can enter a workplace to review suspected breach of the OHS Act.

Hazard management: the process of hazard identification, risk assessment and control, aimed at providing safe and healthy conditions for employees, contractors and visitors at the service.

Hazardous manual handling: work which requires a person to use force to lift, lower, push, pull, carry, move, hold or restrain something. It's hazardous manual handling if it involves repeated or sustained application of force, sustained awkward posture and/or repeated movements.

Health and safety representatives (HSR): workers who are elected to represent the health and safety interests of their work group.

Material safety data sheet: provides information for safety procedures for working with toxic or dangerous materials. The data sheet includes all relevant information about the material such as physical properties, health effects, first aid requirements and safe handling procedures.

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.

Psychological Hazards: means any factor or factors in the work design, systems, management, carrying out of work or personal or work-related interactions that may arise in the working environment and may cause an employee to experience one or more negative psychological responses that create a risk to their health and safety.

SOURCES & RELATED POLICIES

SOURCES

- Compliance code: Hazardous manual handling: www.worksafe.vic.gov.au
- Early Childhood Management Manual, ELAA
- WorkSafe Victoria, Early Childhood Education and Care: Safety basics: www.worksafe.vic.gov.au
- Risk Assessment and Management Tool, ACECQA: www.acecqa.gov.au
- WorkSafe Victoria: www.worksafe.vic.gov.au
- WorkSafe Victoria. Compliance Code, Psychological Health: www.worksafe.vic.gov.au
- WorkSafe Victoria: Guide to Incident Notification: www.worksafe.vic.gov.au
- WorkSafe, Report an incident: www.worksafe.vic.gov.au/report-incident

RELATED POLICIES

- Child Safe Environment and Wellbeing
- Code of Conduct
- Emergency and Evacuation
- eSafety for Children
- Incident, Injury, Trauma and Illness
- Information and Communication Technology
- Mental Health and Wellbeing
- Occupational Violence and Aggression
- Participation of Volunteers and Students
- Prevention of Harassment and Bullying
- Privacy and Confidentiality
- Road Safety Education and Safe Transport
- Safe Use of Digital Technologies and Online Environments
- Staffing
- Tobacco, E-Cigarettes, Alcohol and other Drugs

EVALUATION

To assess whether the values and purposes of the policy have been achieved, we will:

- seek feedback from all parties affected by the policy regarding its effectiveness
- 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 all stakeholders affected by this policy at least 14 days before any significant change is made to the policy or its procedures, unless a lesser period is necessary due to risk (*Regulation 172 (2)*).

ATTACHMENTS

NIL

AUTHORISATIONS

This policy was adopted by the approved provider of Denzil Don Kindergarten on 31/05/2026.

REVIEW DATE: 31 / MAY / 2028