

OCCUPATIONAL HEALTH & SAFETY

QUALITY AREA 3 & 7 | Version 1.4



PURPOSE

This policy will provide guidelines and procedures to ensure that all people who attend Denzil Don Kindergarten including employees, children, parents/carers, 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

VALUES

Denzil Don Kindergarten has a moral and legal responsibility to provide a safe and healthy environment for employees, children, parents/carers, students, volunteers, contractors and visitors. This policy reflects the importance Denzil Don Kindergarten places on the wellbeing of employees, children, parents/carers, students, volunteers, contractors and visitors, and the ways in which they safeguard their health, safety and welfare, and integrate this commitment into all of its activities.

Denzil Don Kindergarten is committed to ensuring that:

- the management group, staff and volunteers are aware of their health, safety and wellbeing responsibilities as employers, employees and volunteers
- systematic identification, assessment and control of hazards, including psychological health is undertaken
- 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, safety and wellbeing 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 all service staff, students, volunteers, parents/carers, children, and others attending the programs and activities of Denzil Don Kindergarten.

RESPONSIBILITIES	Approved provider and management	Nominated supervisor and persons in day-to-day charge	All service staff	Parents/carers	Contractors, volunteers and students
R indicates legislation requirement					
Providing and maintaining a work environment that is safe and without risks to health, safety and wellbeing (<i>OHS Act: Section 21</i>). This includes ensuring that:	R	Ö			

<ul style="list-style-type: none"> • there are safe systems of work • the design of work enables employees to be engaged in work that is healthy, safe and productive • all equipment provided for staff use including appliances and tools etc., are safe and meet relevant safety standards • substances and equipment, are used, handled, and stored safely • there are adequate welfare facilities e.g. first aid and dining facilities etc. • there is appropriate information, instruction, training and supervision for employees • there are processes in place to identify and respond to psychosocial hazards (<i>see Definitions</i>) <p>This applies to all service staff, children and adults engaging with the service, in any capacity.</p>					
Ensuring staff are consulted during the development and review of this policy and evidence of this consultation process is documented.	R	√	√		√
Ensuring safe work schedules through: <ul style="list-style-type: none"> • providing suitable rest breaks • designing shifts to minimise fatigue • providing for appropriate fatigue recovery • providing sufficient notice of schedule or shift changes in accordance with their employment agreement 	R	R			
Ensuring there is a systematic risk management approach to the management of workplace hazards. This includes ensuring that: <ul style="list-style-type: none"> • Hazards, including psychosocial hazards and risks to health, safety and wellbeing 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, safety and wellbeing are monitored and evaluated regularly <p>Organising/facilitating regular safety audits of the following:</p> <ul style="list-style-type: none"> • indoor and outdoor environments • all equipment, including emergency equipment • playgrounds and fixed equipment in outdoor environments • cleaning services 	R	Ö			
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	R	Ö			
Ensuring the physical environment at the service is safe, secure and free from hazards for everyone at the service (<i>see Child Safe Environment and Wellbeing Policy</i>)	R	Ö	Ö		Ö
Providing systems of work that support psychological health, including clear roles, manageable workloads, appropriate staffing levels, and effective supervision	R	√			
Ensuring that all equipment and materials used at the service meet relevant safety standards and are fit and safe for purpose.	R	Ö	Ö		Ö
Ensuring that all equipment and furniture are maintained in a safe condition (<i>Regulation 103</i>)	R	Ö	Ö		Ö
Ensuring a risk assessment is completed for all equipment and furniture to identify potential occupational health and safety risks associated with the purchase or receipt of donated goods	R	Ö	Ö		Ö

Maintaining a clean environment daily, and removing tripping/slipping hazards as soon as these become apparent	R	Ö	Ö		Ö
Identifying any work involving hazardous manual handling (<i>see Sources</i>) and eliminating the risk, as far as reasonably practicable.	R	Ö	✓		✓
Ensuring the service is up to date with current legislation and best practice on child restraints in vehicles if transporting children (<i>see Road Safety and Safe Transport Policy</i>)	R	Ö			
Monitoring the conditions of the workplace and the health, safety and wellbeing of employees (<i>OHS Act: Section 22</i>)	R	Ö	Ö		Ö
Monitoring psychological health risks through incident reports, absenteeism, staff feedback, and consultation	R	✓	✓		✓
Taking care of their own safety and wellbeing the safety and wellbeing of others who may be affected by their actions	R	Ö	Ö		Ö
Protecting other individuals from risks arising from the service's activities, including holding a fete etc., or any activity that is ancillary to the operation of the service e.g. contractors cleaning the premises after hours (<i>OHS Act: Section 23</i>)	R	Ö	Ö		Ö
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	R	Ö	Ö		
Developing procedures to guide the safe use of harmful substances, such as chemicals, in the workplace	R	Ö			
Ensuring that OHS accountability is included in all position descriptions	R	Ö			
Ensuring this policy is available to employees, parents/carers, students, volunteers, contractors and displayed in a prominent location.	R	Ö			
Allocating adequate resources to implement this policy	R	Ö			
Implementing/practicing emergency and evacuation procedures (<i>see Emergency and Evacuation Policy</i>)	R	Ö	Ö		Ö
Implementing and reviewing this policy in consultation with the nominated supervisor, educators, staff, contractors and parents/guardians	R	Ö	Ö	Ö	Ö
Identifying and providing appropriate resources, induction and training to assist all service staff, contractors, visitors, volunteers and students to implement this policy	R	Ö			
Ensuring all service educators, staff, contractors, volunteers and students are kept informed of any relevant changes in legislation and practices in relation to this policy	R				
Consulting appropriately with employees on OHS matters including: <ul style="list-style-type: none"> • identification of hazards, including psychosocial hazards • making decisions on how to manage and control health, safety and wellbeing risks • making decisions on health, safety and wellbeing procedures • proposed changes at the service that may impact on health and safety • establishing health, safety and wellbeing committees 	R	Ö			
Notifying WorkSafe Victoria about serious workplace notifiable incidents, and preserving the site of an incident (<i>OHS Act: Sections 38–39</i>)	R	Ö			
Ensuring reporting requirements under the <i>Occupational Health and Safety (OHS) Act 2004</i> are made to WorkSafe immediately by phone and within writing by 48 hours (<i>see Sources</i>)	R				

Holding appropriate licenses, registrations and permits, where required by the OHS Act	R	Ö			
Attempting to resolve OHS issues with employees or their representatives within a reasonable time frame	R	Ö			
Not discriminating against employees who are involved in health and safety negotiations	R	Ö			
Allowing access to an authorised representative of a staff member who is acting within their powers under the OHS Act	R	Ö			
Producing OHS documentation as required by inspectors and answering any questions that an inspector asks	R	Ö			
Not obstructing, misleading or intimidating an inspector who is performing their duties.	R	Ö			
Ensuring that all service staff are aware of this policy, and are supported to implement it at the service	R	Ö			
Keeping up to date and complying with any relevant changes in legislation and practices in relation to this policy.	R	Ö	Ö		Ö

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](#) specify 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 [WorkSafe Victoria Compliance Code, Psychological Health](#) provides practical guidance on how employers can meet their duties under the [Occupational Health and Safety Act 2004](#) in relation to psychological health. Compliance with the code supports the prevention of psychological injury through effective risk management.

The legal duties of an employer under the [OHS Act](#) are:

- provide and maintain a working environment for employees that is safe and without risks to their health, including psychological health. This duty includes:
 - providing and maintaining safe systems of work
 - providing information, instruction, training and supervision so employees can perform their work safely and without risks to health
- monitor the conditions of workplaces under the employer's management and control monitor employee health
- consult with employees and any health and safety representatives (HSRs) when doing certain things, for example, identifying hazards or risks and making decisions about measures to control those risks
- attempt to 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 their duties, employers:

- must consult with employees and HSRs to identify or assess hazards or risks to health and safety at a workplace under the employer's management and control, including work-related factors that can cause or contribute to stress
- where a risk has been identified, either eliminate the risk or implement measures to control it so far as is reasonably practicable

- following a report/injury/incident involving stress, need to investigate whether work-related factors contributed
- need to review and revise risk control measures

The definition of 'health' under the *OHS Act* includes 'psychological health', therefore any reference to OHS obligations in relation to the health of employees extends to their psychological health.

Employees have a duty, while at work, to take reasonable care for their own health and safety, and to take reasonable care for the health and safety of people who might be affected by their acts or omissions in the workplace. Employees also have a duty to cooperate with their employer's actions to comply with requirements under the *OHS Act* and *OHS Regulations*.

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
- 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 kinder office.

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
- repeated movements

single or repeated use of high force, where it would be reasonable that the person may have difficulty undertaking it. For example, lifting a heavy object.

- exposure to sustained vibration
- handling live people (including children) or animals
- handling loads that are unstable, unbalanced or hard to hold or grasp

Notifiable Incidents: Employers must notify WorkSafe immediately after becoming aware a [notifiable incident](#) has occurred. Failure to report an incident to WorkSafe is an offence and may result in prosecution.

Psychological Hazards: means any factor or factors in: (a) the work design; or (b) the systems of work; or (c) the management of work; or (d) the carrying out of the work; or (e) 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 AND 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, 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
- notifying all stakeholders affected by this policy at least 14 days before making any significant changes to this policy or its procedures, unless a lesser period is necessary due to risk (*Regulation 172 (2)*).



ATTACHMENTS

- Nil

AUTHORISATION

This policy was adopted by the approved provider of **Denzil Don Kindergarten** on 06/03/2026.

REVIEW DATE: 06 / MARCH / 2028

