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| Approved by Board |  |
| To be Reviewed on or before |  |

# WORKPLACE HEALTH AND SAFETY (WHS) POLICY

**Rationale**

# Introduction

# The Flying Fruit Fly Circus (FFFC) commits to provide a safe and healthy environment for employees, students, contractors and the public for work and study by fully integrating health and safety into all its operations and activities, through continual improvement and by requiring leadership in safety.

# A safety management system will be implemented based on the systematic identification, assessment and control of risk and hazards. Effective communication and consultation form a fundamental part of this management process, encouraging innovative means of reducing risk in the work environment.

# Training and information will be provided to assist staff and students to identify health and safety hazards, leading to safe work practices within the FFFC environment and beyond. This policy reflects the value FFFC places on its people by endeavouring to protect their health, safety and welfare at all times.

## Purpose

The purpose of this policy is to ensure:

# Statutory requirements are fulfilled. In particular, the provisions of the relevant workplace health and safety legislation applicable to FFFC and its operations are satisfied and all relevant codes of practice are adopted and accepted as the minimum standard.

# Adequate instruction is given to employees and students in safe working procedures and that they are informed of any hazard to their well-being and health which may be known to be associated with the work in which they are involved.

# Plant, equipment and workplaces are maintained in a safe condition and that all necessary personal protective devices are provided.

# Procedures are established and control is maintained in the workplace over harmful substances, air pollution, noise and radiation (including the storage, use and disposal of harmful substances).

# This Policy applies to all sites where FFFC is performing work and covers all activities and services.

## Policy

# Consultation Procedure

1. FFFC will consult with staff so far as is reasonably practicable, on issues that may directly affect their health, safety and welfare.
2. Managers and supervisors must, so far as is reasonably practicable, involve staff and/or a health and safety representative in all processes and decisions affecting the health and safety of their staff. In particular, consultation will occur when:
   1. Developing or changing workplace procedures or processes that may impact upon health and safety of staff.
   2. Proposing changes to equipment, plant, substances, established work practices or other things used in or affecting the workplace.
   3. Deciding on the adequacy of facilities for staff or designing facilities for staff.
   4. Developing or changing workplace health and safety policies and procedures.
   5. Carrying out inspections or other activities involved in the identification or assessments of hazards or risks.
   6. Making decisions about how risks or hazards are controlled.
   7. Developing procedures regarding staff consultation, the resolution of WHS issues, the monitoring of the health of staff and workplace conditions and the provision of information and training to staff.
3. FFFC will maintain consultative structures and processes to ensure that staff are consulted on matters affecting their workplace health, safety and welfare.
4. FFFC will develop and maintain, as needed, additional consultative processes for dealing with specific workplace health and safety issues.

# ****Issue Resolution****

1. **Immediate Safety Hazards:** 
   1. In the case of an immediate safety hazard the employee will inform the Technical Manager or most senior manager, who should call an immediate halt to the work whilst the issue is being investigated.
   2. In the event that the Technical Manager or most senior manager fails to agree about the degree of risk present or is unavailable, the employees must withdraw from the alleged hazard having due regard to the health and safety of others.
   3. The employee or a designated staff representative will then inform the Technical Manager of the actions that have been taken pending a full investigation.
   4. If, however, the employee or representative and the Technical Manager cannot satisfactorily resolve the issue at the local level and the representative believes that the issue should be pursued, the matter should be referred to the Executive Director/CEO.
   5. Work will not resume until it has been agreed that the hazard has been controlled and no longer presents an unacceptable risk to the safety and health of employees.
   6. Alternative duties may be found for those members of staff affected, but no pay will be lost in the event of a demonstrated safety hazard having been detected.
2. **Non-Immediate Safety Hazard**
   1. A staff member or student raises the issue with the Technical Manager.
   2. If, however, the matter is not satisfactorily resolved, it should be referred to the Executive Director/CEO.
   3. If further escalation is required to resolve the matter, it should be referred to the Board.
   4. Where previous consultation has not produced a satisfactory resolution to the issue, one or all parties may refer to Workcover NSW.
   5. Any party who requests Workcover NSW to mediate on an issue are required to notify the other parties of their intention either in person or in writing prior to doing so.
   6. All parties will be bound by any directions handed down by Workcover NSW

**Forms:**

Incident Report Form

**Responsibilities for Implementing Workplace Health and Safety**

1. **Executive Director**

The Executive Director/CEO of the FFFC is responsible for ensuring that:

* 1. Adequate budgetary provision is made to comply with WHS standards to meet policy objectives; and
  2. WHS implications of all new work processes and building alterations are fully assessed prior to implementation.

1. **Technical Manager**
   1. The Technical Manager is responsible to the Executive Director/CEO, for planning, implementing and maintaining workplace health and safety standards and practices in all areas and activities under their control, including activities conducted on sites other than FFFC Headquarters at 605 Hovell Street, Albury NSW.
   2. The Technical Managers’ responsibilities include the need consider the welfare of and to provide a healthy and safe environment for staff, students, visitors and contractors and to ensure that the standards and practices adopted conform to statutory requirements and the provisions of FFFC policy. In particular, it is their role to:
      1. Consult with staff to develop, WHS policies and procedures reflecting and extending on the FFFC WHS policy as it pertains to their areas of responsibility.
      2. Familiarise themselves with the current New South Wales Workplace Health and Safety Act and in particular with those sections relating to employer responsibilities and the powers and rights of health and safety representatives, by attendance at relevant WHS training courses or by other means.
      3. Deal with health and safety issues raised by employees in accordance with the procedures set out in the FFFC WHS Policy – Issue Resolution.
      4. Consult with the relevant health and safety representatives, where practicable, on all changes that may affect the workplace health and safety of staff, students, visitors or contractors.
      5. Ensure that workplace health and safety appears on the agenda of departmental or equivalent meetings.
      6. Ensure that all staff, students, visitors, and contractors receive a safety induction that includes information pertaining to emergency response procedures and personnel.
      7. Ensure that staff, students, contractors, and visitors receive the appropriate induction - information, instruction, and training - necessary for them to perform work safely and information on the hazards to which they are exposed.
      8. Ensure that the WHS implications of all new work and building alterations are fully assessed at the planning stage.
      9. Ensure that the health and safety implications of new equipment and new materials are fully assessed prior to purchase, including reference to the FFFC New Equipment Purchasing Procedure.
      10. Ensure that adequate financial provisions are made for workplace health and safety equipment and materials and the maintenance of workplace health and safety standards.
      11. Ensure that hazard identification and risk assessment procedures are developed, documented and maintained for the use, handling, storage, transport and disposal of equipment, materials and substances and that appropriate risk controls are implemented and maintained.
      12. Ensure that the facilities and equipment provided are safe and suitable for the types of work to be carried out and that healthy and safe work methods are developed and adopted.
      13. Ensure that appropriate records are maintained in relation to all of the above.
      14. Counsel staff in safety compliance as required.
2. **Engagement of Contractors**
   1. When engaging independent contractors, their employees or volunteers, they are to be regarded as employees of the organisation in terms of responsibility for WHS. FFFC staff who engage or manage contractors are therefore responsible for the health and safety of the contractor and the contractor’s employees, in relation to all matters over which FFFC has control.
   2. Contractors, their employees and volunteers shall receive an appropriate safety induction which includes incident reporting procedures and information on site specific hazards.
   3. The equipment and materials used by contractors must be safe and are used in a manner that does not pose a risk to the contractors or to staff, students and visitors.
   4. The Contractors must use appropriate personal protective equipment and safety equipment at all times.
   5. The Contractors must use safe work methods at all times
   6. All Contractors must have statutory workers compensation and liability insurance.
3. **Employees and Students**

Every member of the FFFC has both a moral and a legal responsibility for ensuring that his or her own work environment is conducive to good workplace health and safety practice by:

* 1. Taking action to eliminate, avoid or minimise hazards.
  2. Complying with all workplace health and safety instructions, policies and procedures.
  3. Making proper use of all safety devices and personal protective equipment.
  4. Complying with the instructions given by emergency response personnel such as emergency wardens and first aiders.
  5. Not wilfully or negligently placing at risk the health and safety of any person at the workplace.
  6. Seeking information or advice where necessary before carrying out new or unfamiliar work.
  7. Maintaining dress standards appropriate for the work being done. Appropriate protective clothing and footwear must be worn at all times.
  8. Being familiar with emergency and evacuation procedures including the location of emergency equipment.

1. **Safety Committee**

**FFFC will maintain a company Safety Committee comprising of, but not limited to, the Executive Director, Technical Manager, Master Trainer, Rigger and Production Safety Officer that will:**

* 1. **Meet a minimum of once every fortnight.**
  2. **Review incident/injury reports, any current safety issues and recommend and implement appropriate actions.**
  3. **Discuss any Workplace Health and Safety and Workcover matters.**
  4. **Plan maintenance and rigging work.**
  5. **Review staff training and development opportunities.**
  6. **Ensure safety matters are fully considered for performances and touring productions.**
  7. **Prepare safety reports for the Board.**
  8. **Ensure policies and procedures are compliant with current legislation.**

1. **Workplace Health and Safety Policies on Specific Issues**

Policies, procedures and supporting guidelines on specific workplace health and safety issues, consistent with the principles set out in this general Policy, will be issued as appropriate.

**Incident Reporting and Control**

1. **Serious Incident / Dangerous Occurrence**
   1. If a person becomes aware of a Serious Incident or a Dangerous Occurrence the person is required to notify the Technical Manager immediately.
   2. If the Technical Manager is not available, the person should notify the most senior manager on site.
   3. The Technical Manager will, immediately on receiving notification of the incident, determine the extent of the threat/risk posed to staff, students and visitors, and take appropriate action to contain such threat.
   4. The Technical Manager will contact appropriate emergency services as required.
2. **Preserving the Scene:**
   1. The Technical Manager will ensure that the site of the incident is not disturbed, for the purposes of potential investigation, until:
      1. A member of the emergency services arrives and assesses the environment.
      2. However, a site may be disturbed for the purpose of:
      3. Protecting the health or safety of a person.
      4. Aiding an injured person involved in an incident.
      5. Taking essential action to make the site safe or to prevent a further occurrence of an incident.
3. **Notification to Workcover NSW:** 
   1. The Technical Manager will, where appropriate, notify Workcover NSW of the occurrence of a notifiable incident in accordance with the requirements of the current New South Wales Workplace Health and Safety Act.
4. **All Other Incidents, Hazards and Near Misses:** 
   1. **Incident Reporting** 
      1. The person who was involved in the incident or the person’s representative is required to complete an Incident Report Form and forward it to the Technical Manager within 48 hours of the incident.
   2. **Containing Hazards**
      1. Immediately on receiving notification of the incident, the Techncial Manager will determine the extent of the immediate threat posed to staff, students and visitors, and take appropriate action to contain any immediate threat to the safety of people.
      2. The action to contain the hazard shall not be delayed until the Incident Report Form is received.
      3. Containment of the hazard may require contacting external or emergency services to and assist in the isolation of persons from the hazard.
   3. **Incident Investigation and Control Selection**
      1. The Technical Manager will investigate the incident within 48 hours of being notified of the incident.
      2. The incident investigation will focus on identifying the hazards of the incident, risk level associated with the hazard, and developing measures to ensure the incident is not repeated.
   4. **Documentation of Incident Investigation and control selection** 
      1. The Technical Manager will record the outcomes of the incident investigation and risk control action on the Incident/Hazard Report form.
      2. The original Incident/Hazard Report form will be sent to the Executive Director within 48 hours of the incident being notified to the Technical Manager.
      3. The Technical Manager shall retain a copy of the completed Incident/Hazard Report form.
      4. The Technical Manager must report to the person involved in the incident any action being taken in relation to the incident.
   5. **Control Implementation**
      1. FFFC will remain responsible for the implementation of the risk controls selected and documented.
      2. The Technical Manager will take such action as appropriate to ensure that the hazards associated with the incident are controlled and the risk of recurrence of a similar incident is minimised.
   6. **Monitor and Review** 
      1. The Technical Manager will determine, in consultation with the relevant people that the implemented controls have been effective.
      2. If the hazards associated with the incident have not been adequately controlled, further action will be required.
   7. **Registration of Incident Report and Acknowledgment sent to injured person.**

The Executive Director, on receipt of the incident report will:

* + 1. Log the incident report.
    2. Send an acknowledgment of receipt of notification of injury to the injured party if applicable.
    3. Follow up on the progression of any action being undertaken from time to time as appropriate.
    4. Keep a copy of the Incident Report Form for a minimum of 5 years.

1. **Unresolved Issues:** 
   1. FFFC’s WHS Policy – Issue Resolution process may be initiated if the above requirements have not been met and attempts to rectify the situation have not been successful.

# Forms**:**

Incident Report Form

# FFFC WHS Policy Responsibilities

## Managerial Responsibility

* Executive Director/CEO
* Technical Manager

## Other Responsibility

* All FFFC employees.