

WORK HEALTH & SAFETY POLICY – THE TRAINING GROUND

Title	Work Health & Safety Policy		
		Issue date	20 December 2022
Jurisdiction	Australian Capital Territory	Version	Version 1
Relevant Legislation	Australian Capital Territory: - <i>Work Health and Safety Act 2011 (ACT)</i> - <i>Workers Compensation Act 1951</i>		

A. POLICY PRINCIPLES

1. APPLICATION AND ENFORCEABILITY

1.1 This Policy applies to The Training Ground and to the conduct of Workers, clients and visitors that takes place:

- (a) on work premises; or
- (b) elsewhere where work is performed for the benefit of The Training Ground.

1.2 This Policy:

- (a) is informational in terms of what The Training Ground may do to address the health and safety of Workers, clients and visitors in relation to The Training Ground's business. The Training Ground's core obligations are contained in the Relevant Legislation, not this Policy;
- (b) is directional where it refers to what Workers must do or not do; and
- (c) is not contractually enforceable against The Training Ground.

1.3 Bullying, harassment and discrimination constitute a particular type of work health and safety hazard. The Training Ground's policy in relation to this particular hazard is also contained in the Bullying, Harassment & Discrimination Policy.

B. WORK HEALTH & SAFETY OBLIGATIONS

2. INTRODUCTION

2.1 The Training Ground is committed to protecting the health and safety of all people in the workplace including Workers, clients and all other visitors in relation to The Training Ground's business in accordance with its obligations under the WHS Act.

3. OUR RESPONSIBILITIES

3.1 Under the WHS Act, The Training Ground and officers have a primary duty of care to all persons in relation to the workplace. So far as it is reasonably practicable, The Training Ground strives to:

- (a) provide and maintain a safe work environment that is without risks to health and safety;
- (b) provide and maintain safe plant, equipment, structures and systems of work;
- (c) ensure the safe use, handling, storage and transport of plant, structures and substances;

- (d) provide adequate facilities for the welfare at work of its Workers;
- (e) provide information, training, instruction or supervision that is reasonably necessary to protect its Workers and all persons in The Training Ground's workplace from risks to their health and safety arising through their work; and
- (f) monitor the health of Workers and the conditions at the workplace so as to help prevent illness or injury arising from The Training Ground conducting its business.

3.2 The Training Ground aims to establish and/or maintain its safe and healthy working environment by:

- (a) ensuring that Workers clearly understand The Training Ground's expectations and commitment to workplace health and safety;
- (b) establishing and maintaining a functional WHS Committee;
- (c) fostering open channels of communication between The Training Ground, Workers and the WHS Committee; and
- (d) implementing effective procedures for addressing workplace hazards.

4. YOUR RIGHTS AND RESPONSIBILITIES

4.1 While at work, as a Worker, you must:

- (a) take reasonable care for your own health and safety;
- (b) take reasonable care that your actions or inactions does not adversely affect the health and safety of others;
- (c) report any work health and safety concerns in accordance with clause 8.1 of this Policy; and
- (d) comply with any reasonable instruction that is given by an Officer or manager of The Training Ground to allow The Training Ground to comply with the WHS Act, including by complying with this Policy.

4.2 Workers are encouraged to:

- (a) ask questions;
- (b) raise work health and safety concerns;
- (c) make work health and safety recommendations;
- (d) give regular input and feedback to the WHS Committee or the Officers;
- (e) become involved in evaluation of safety issues by discussing any concerns openly with The Training Ground, the Officers, and the WHS Committee; and
- (f) be a part of the problem solving process.

4.3 A Worker has the right to refuse to work if he or she reasonably believes that the work involves a serious risk to his or her health or safety.

4.4 It is an offence for The Training Ground to discriminate, victimise or otherwise take any adverse action against a Worker:

- (a) who exercises or proposes to exercise the rights set out at clause 4.3;
- (b) who makes a bona fide complaint about a work safety matter; or
- (c) who assists, or proposes to assist, an investigation into work health and safety.

C. WORK HEALTH SAFETY PROCEDURES

5. WHS COMMITTEE: MEMBERSHIP

- 5.1 The Training Ground will establish a WHS Committee to work in consultation with Workers in a manner that best and most conveniently allows the work safety interests of Workers, clients and visitors to be represented and safeguarded.
- 5.2 The Training Ground encourages Workers to participate in and join the WHS Committee. To that end, at least half of its members must be self-nominated and not appointed at the direction of The Training Ground.
- 5.3 The Training Ground will strive to maintain a WHS Committee that is representative of all the employment work groups within the business. Such composition is designed to ensure that any risks that may be unique to one particular work group are able to be identified and brought to the attention of The Training Ground.
- 5.4 The Training Ground will display in the workplace the names and contact details of the WHS Committee members. The Training Ground will notify its workers of any changes, to the composition of the WHS Committee or to the contact details of any member (as may occur from time to time).

6. WHS COMMITTEE: FUNCTIONS

- 6.1 The WHS Committee's main functions are:
 - (a) to facilitate communication and cooperation between The Training Ground, officers and its workers in relation to work health and safety matters;
 - (b) to initiate, develop and carry out measures designed to ensure work health and safety;
 - (c) to assist in developing ideas and procedures relating to work health and safety with a view to improving work health and safety at The Training Ground; and
 - (d) any other functions prescribed by the relevant legislation or agreed between The Training Ground and the WHS Committee.
- 6.2 The WHS Committee will hold meetings at least every three months. In performing this role, the Committee will:
 - (a) communicate with the Workers working in the respective areas, record any concerns which may be raised;
 - (b) consider concerns as raised by Workers, alert The Training Ground to any WHS risks or hazards, and facilitate the implementation of The Training Ground response;
 - (c) advise the Workers of the outcome of the consultation;
 - (d) where appropriate, inspect The Training Ground premises to identify work health and safety risks or hazards, and document the inspection results on a **WHSC Inspection Form** in the form at **Annexure A** to this Policy; and

- (e) report its concerns and activities to The Training Ground, and any other Officers.

D. IDENTIFICATION AND RECTIFICATION OF WHS CONCERNS

7. INTRODUCTION

- 7.1 The first step is to identify the hazard. The second step is to assess and analyse the potential risks from these hazards. From there, it will be necessary to identify and implement appropriate procedures to manage those risks depending on the unique circumstances of the hazard.

8. IDENTIFICATION AND REPORTING REQUIREMENTS

- 8.1 Where any Worker identifies a work health or safety concern, he or she should immediately report it to one of the managers or Officers of The Training Ground, or to a member of the WHS Committee.
- 8.2 If a safety concern is reported to a manager, Officer or the WHS Committee, the recipient will ensure the concern is documented on a **Work Safety Concern Form**, in the form of **Annexure B** to this Policy. The safety concern will be addressed in accordance with the procedures listed at clauses 9 to 11 of this Policy.

9. RECTIFICATION

- 9.1 Following identification of a work health and safety concern, the WHS Committee, in consultation with The Training Ground, will determine the most appropriate course of action to rectify it, and ensure, in so far as is reasonably practicable, that the workplace is rendered safe in the interim period and beyond.
- 9.2 The WHS Committee will promptly notify all relevant Workers of the safety concern and the proposed rectification plan. If necessary, the workstations of Workers working in the vicinity of the safety concern will be temporarily moved, and work practices may be altered to minimise traffic near the safety concern area.
- 9.3 The manner in which a work health and safety concern will be rectified will vary depending on the particular concern. Where possible the risk will be eliminated, and if that is not possible, it will be reduced by a range of strategies, including, but not limited to: training, provision of protective equipment, replacement of plant or equipment, altering work methods, monitoring, Worker discipline, and/or the engagement of a qualified contractor.
- 9.4 All rectification works undertaken will be duly documented on the relevant **Work Safety Concern Form**.

10. RECORD KEEPING

- 10.1 All Work Safety Concern Forms, WHSC Inspection Forms and any other related documents, will be stored by The Training Ground and retained for a period of not less than 5 years.
- 10.2 For the purpose of this provision 'any other related documents' shall include, but are not limited to:
 - (a) any document from a Worker or visitor to The Training Ground's premises regarding workplace health or safety;
 - (b) any receipt, booking confirmation or attendance record of training attended by a Worker with respect to work health or safety following a noted work health and safety concern;
 - (c) minutes of the WHS Committee meetings; and

- (d) any receipt or work order for contractors engaged to rectify a work health and safety concern.

11. DUTY TO NOTIFY REGULATOR OF SERIOUS INCIDENTS

11.1 The Training Ground is required to notify the regulator under the Relevant Legislation immediately upon becoming aware that a notifiable incident has occurred. A notifiable incident can be any of the following:

- (a) a death of a person;
- (b) a serious injury or illness of a person; or
- (c) a dangerous incident.

11.2 The Training Ground must also ensure that, when a notifiable incident has occurred, as far as is reasonably practicable, the site where the incident occurred is not disturbed until an inspector arrives at the site or at any earlier time that the inspector directs.

E. WORKERS COMPENSATION

12. COVERAGE

12.1 The WC Act relates to the compensation of Workers for injuries arising out of or in the course of their employment.

12.2 Under the WC Act, The Training Ground may be liable to pay compensation to a Worker who sustains any work-related illness or disease. A Worker may be entitled to compensation for any personal injury or disease that occurs, or is aggravated:

- (a) during the course of employment;
- (b) by any incident arising out of employment; or
- (c) on a journey travelling to or from work.

13. EMPLOYER OBLIGATIONS

13.1 Under the WC Act, The Training Ground is required to:

- (a) take out and hold current a workers compensation insurance policy to cover all Workers to whom the WC Act applies;
- (b) display a notice containing a summary of The Training Ground Workers compensation insurance policy;
- (c) comply with their insurer's injury management program;
- (d) display a notice outlining the requirements under the WC Act for making Workers compensation claims, including the name of its insurer;
- (e) provide an accident report form for the reporting of accidents and injuries within the workplace;
- (f) maintain a Register of Injuries that contains information on the reporting of accidents and injuries within the workplace, including the name and address of the injured Worker, the cause of the injury, the date and time the injury happened, the name and address of the employer and the name and address of the treating doctor;

- (g) establish and display a Return to Work Program in consultation with Workers, an approved rehabilitation provider and unions;
- (h) provide specific information to insurers; and
- (i) make compensation claim forms available to Workers.

14. WORKER OBLIGATIONS

14.1 Injured Workers also have obligations under the WC Act. These include notifying The Training Ground as soon as possible of an injury or illness and taking all reasonable steps to return to work as soon as possible.

14.2 Workers must also participate in and cooperate with any relevant personal injury plan.

F. DISCIPLINARY SANCTIONS

15. MISCONDUCT

15.1 A breach of this Policy may amount to employee misconduct attracting a range of disciplinary sanctions, including but not limited to:

- (a) a requirement to attend counselling or training;
- (b) a formal warning noted on the Worker's personnel file;
- (c) the requirement to make verbal or written apology; and/ or
- (d) termination of employment.

15.2 The Training Ground's Underperformance & Misconduct Policy sets out The Training Ground's policy in relation to misconduct.

G. DICTIONARY

16. DEFINITIONS

16.1 In this Policy, words defined in the Relevant Legislation have the meaning given by that legislation, a number of which are set out in broad terms below (underlined). All other words have the following meanings:

- (a) **The Training Ground** means The Training Ground Pty Ltd ACN 662 023 609
- (b) **officer** has the same meaning of that word in section 9 of the *Corporations Act 2001* (Cth) and includes:
 - (i) a director or secretary of the corporation;
 - (ii) a person who makes or participates in making decisions that affect the whole, or a substantial part of the business entity or the business entity's financial standing;
 - (iii) a partner in the partnership;
 - (iv) an office holder of the unincorporated association.
- (c) **Policy** means this Work Health & Safety Policy;

- (d) the **Relevant Legislation** means the legislation defined in the table at the front of this Policy;
- (e) the **WC Act** means the *Workers Compensation Act 1951* (ACT)
- (f) the **WHS Act** means the *Work Health and Safety Act 2011* (ACT);
- (g) the **WHS Committee** means the Work Health & Safety Committee;
- (h) **Worker** or **you** means a person who carries out work in any capacity for The Training Ground including work as:
 - (i) an employee;
 - (ii) a contractor or subcontractor;
 - (iii) an employee of a contractor or subcontractor;
 - (iv) an employee of a labour hire company who has been assigned to work for The Training Ground;
 - (v) an outworker;
 - (vi) an apprentice or trainee;
 - (vii) a student gaining work experience;
 - (viii) a volunteer; or
 - (ix) a commission agent, meaning a person who does work for another person as the agent of that other person and who is remunerated, whether in whole or in part, by commission.