



OCCUPATIONAL HEALTH AND SAFETY POLICY

Mandatory – Quality Area 3

PURPOSE

This policy will provide guidelines and procedures to ensure that:

- all people who attend the premises of Jack & Jill Beaumaris Kindergarten, including employees, children, parents/guardians, 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

1. VALUES

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

Jack & Jill Beaumaris Kindergarten 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.

2. SCOPE

This policy applies to the Approved Provider, Persons with Management or Control, Nominated Supervisor, Persons in day-to-day Charge, staff, contractors, volunteers, students on placement, parents/guardians, children and others attending the programs and activities of Jack & Jill Beaumaris Kindergarten including during offsite excursions and activities.

3. 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 2007* specifies 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 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
- co-operating with reasonable OHS actions taken by the employer, including following guidelines, attending OHS-related training, reporting incidents, co-operating 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* (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*
 - 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*

The most current amendments to listed legislation can be found at:

- Victorian Legislation – Victorian Law Today: <http://www.legislation.vic.gov.au/>
- Commonwealth Legislation – ComLaw: <http://www.comlaw.gov.au/>

4. DEFINITIONS

The terms defined in this section relate specifically to this policy. For commonly used terms e.g. Approved Provider, Nominated Supervisor, Regulatory Authority etc. refer to the *General Definitions* section of this manual.

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 Jack & Jill Beaumaris Kindergarten or while engaged in activities endorsed by Jack & Jill Beaumaris Kindergarten.

Harm: Includes death, or injury, illness (physical or psychological) or disease that may be suffered by a person as a consequence of exposure to a hazard.

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

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.

Risk: The chance (likelihood) that a hazard will cause harm to individuals.

Risk assessment: A process for developing knowledge/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.

5. SOURCES AND RELATED POLICIES

Sources

- *Early Childhood Management Manual*, ELAA



- *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 (ELAA): www.ohsinecservices.org.au
- WorkSafe Victoria: www.worksafe.vic.gov.au

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*
- *Road Safety and Safe Transport Policy*
- *Staffing Policy*

PROCEDURES

The Approved Provider 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
 - Safety data sheets are supplied for all chemicals kept and/or used at the service (refer to: www.ohsinecservices.org.au)
 - 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: www.ohsinecservices.org.au) 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/risk completely, effectively controlled
 - measures employed to eliminate/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/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/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/her duties.

The Nominated Supervisor is responsible for:

- ensuring that all educators/staff are aware of this policy, and are supported to implement it at the service



- organising/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/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 (refer to *Road Safety and Safe Transport Policy*)
- 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/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.

Other educators/staff are responsible for:

- taking care of their own safety and the safety of others who may be affected by their actions
- co-operating with reasonable OHS actions taken by the Approved Provider, 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
 - co-operating 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 the Approved Provider
- 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/slipping hazards as soon as these become apparent
- keeping up to date with current legislation on child restraints in vehicles if transporting children (refer to *Road Safety and Safe Transport Policy*)



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

Students on placements, volunteers, contractors and parents/guardians at the service are responsible for:

- being familiar with this policy
- co-operating 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.

EVALUATION

In order 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
- notify parents/guardians at least 14 days before making any changes to this policy or its procedures (Regulation 172(2)).

ATTACHMENTS

Attachment 1: Procedures to guide safe use of harmful substances

Attachment 2: Working Bees and Safety

Attachment 3: Daily Hazard Checklist - sample

Attachment 4: Term/Annual Hazard Checklist - sample

Attachment 5: WorkSafe definitions and register of hazardous substances and dangerous goods

AUTHORISATION

This policy was adopted by the Approved Provider of Jack & Jill Beaumaris Kindergarten on 16TH July 2019

REVIEW DATE: JULY 2021



ATTACHMENT 1: PROCEDURES TO GUIDE SAFE USE OF HARMFUL SUBSTANCES

- Wherever possible, harmful substances will only be used if a safer alternative is not suitable/available
- Wherever possible, harmful substances will only be used at times when children are not in attendance at the kindergarten
- Harmful substances will, at all times, be stored appropriately (e.g. clearly labelled and in storage with child proof locks)
- Prior to the use of any harmful substances, staff/parents will consult the SDS (material safety data sheet) to ensure appropriate handling and use
- Following use of any harmful substances, all instructions and material safety recommendations will be adhered to, to ensure safe cleanup and storage.



ATTACHMENT 2: WORKING BEES AND SAFETY

Working Bees

Working bees are an important part of Jack and Jill's volunteer maintenance program. At the same time, they need to be well managed to ensure the safety of volunteers, to ensure the most effective use of the volunteer labour and resources

Aims:

To conduct effective, time efficient, enjoyable and safe volunteer working bees in order to maintain our grounds.

Implementation:

- Working bees are the responsibility of Kindergarten Management Committee, and therefore must be approved by Committee prior to their advertisement.
- In approving working bees Committee must provide full details regarding date, time, tasks to be completed, equipment to be used, any special skills required, first aid access, person in charge, anticipated numbers of attendants and their safety
- Working bees must be coordinated on the day by a clearly recognisable 'person in charge' (usually the Maintenance Co-ordinator).
- The person in charge will require all volunteers to sign the visitors register before commencing any work.
- The tasks to be completed will be clearly explained to volunteers, and no volunteer will be asked to carry out any task that is unsafe, requires specialist training that they do not possess, or that they are uncomfortable doing.
- Safety equipment such as closed shoes, goggles, gloves and ear protection must be used.
- Sunscreen and water will also be readily available for all workers.
- The person in charge will make sure that they constantly monitor the work being conducted with the view to ensuring the safety and comfort of the workers, and the quality of the work.
- The working bee must be alcohol free
- Use of ladders will be limited to <2m and only then employing safe practices such as firm flat ground etc (see attachment 1)
- If children are onsite, they must be closely monitored. Committee will decide prior to the day whether children should be in attendance at all if certain higher risk tasks are to be completed and they will communicate this decision clearly to the kindergarten community



ATTACHMENT 3: DAILY HAZARD CHECKLIST - SAMPLE (REFER TO HAZARD CHECKLIST FOLDER)

	Checked	Action required?
Playground free of rubbish and other material (include fence line)		
Sandpit (rake clear of all foreign matter e.g. glass, faeces)		
Paths and paving are free of any slipping hazards (e.g. sand, water, leaves)		
Blocks stacked safely		
Spider check		
Procedures in place for spills and hazards of products used for the day		
All emergency exits are open and clear		
Toilets/bathrooms clean and working		
Hazardous materials all out of reach/locked away		
Splinters/nails etc protruding from equipment		
Entrances, paths and doorways are clear		
Floor coverings clean and in good order		
Disposable gloves available		
Paper towel available		
Lighting adequate		
Door locks sound		
Window locks/latches sound		
Secure places for staff to keep personal items		
Blinds working and cords safe		
Power outlet covers are in place		
Exits marked		
Knives etc cannot be in reach by children		
Liquid soap at all basins (children and adults)		
Kitchen benches clear		
Children fall of >50cm need impact absorbing materials		
Playground has branches, debris etc cleared		



ATTACHMENT 4: TERM/ANNUAL HAZARD CHECKLIST

Term/Annual Hazard Checklist SAMPLE (REFER TO HAZARD CHECKLIST FOLDER)

Door mats are provided and in good condition
Door locks sound
Window locks/latches sound
Key register up to date
Alarm functioning
Smoke detectors (batteries)
Electrical appliances, leads and cords checked for safety
Toys washed
Fire extinguishers serviced
Fridge/freezer cleaned
Anti slip surfaces required anywhere
Children fall of >50cm need impact absorbing materials
All play equipment checked (check joins etc)
Step ladders are supplied and used by staff wherever necessary
Storage sheds are clean and tidy
Equipment stored between knee height and shoulder height (wherever appropriate/ possible)
SDS sheets stored safely in cupboard
Emergency evacuation/lockdown drills performed
Emergency Kit has been reviewed
Emergency phone lists/details have been updated/entered
Emergency numbers are displayed near phone and are current
Lunch and drinks trolleys are working and safe
Staff workstations are ergonomically friendly



ATTACHMENT 5: WORKSAFE DEFINITIONS AND REGISTER OF HAZARDOUS SUBSTANCES AND DANGEROUS GOODS

Hazardous substances are classified only on the basis of health effects (whether they be immediate or long term), while dangerous goods are classified on the basis of immediate chemical or physical effects such as fire, explosion, corrosion or poisoning (affecting environment or people).

Note: Hazardous or Dangerous chemicals should be avoided whenever possible. If required, should be stored in the outside shed at Jack and Jill Beaumaris Kindergarten and not used in the presence of children. If used dangerous or hazardous substances are used, parents/staff should ensure they have read the SDS prior to use and should know routes of exposure, safety measures required and report any incidents (such as spills).

For latest Chemical Register and SDS's refer to folder in kitchen