Rationale:
• This policy recognises that the health and safety of all staff, students and other personnel within Torquay College is the responsibility of School Council.
• In fulfilling this responsibility the school has a duty to provide and maintain so far as is practicable a working environment that is safe and without risks to health and includes:
  • Providing and maintaining safe equipment and systems of work;
  • Making and monitoring arrangements for the safe use, handling, storage and transport of goods and substances;
  • Maintaining the school environment in a safe and healthy condition;
  • Providing adequate facilities to protect the welfare of all staff and students;
  • Providing information, training and supervision for all staff and students enabling them to work in a safe and healthy manner.
• The School Council is responsible for the implementation and monitoring of this policy. The Health and safety duties of management at all levels will be detailed, and school procedures for training and back-up support should be followed. In fulfilling the objectives of this policy, management is committed to regular consultation with staff to ensure that the policy operates effectively and that health and safety issues are regularly reviewed.

Duties:
• Recognising the hazards occurring in the workplace of a school, the Torquay College School Council will take every practicable step to provide and maintain a safe and healthy work environment for all staff and students. To this end:

Management
  o is responsible for the effective implementation of the Torquay College health and safety policy;
  o must observe, implement and fulfil its responsibilities under the Acts and Regulations which apply to DET schools;
  o must ensure that the agreed procedures for regular consultation between management and those with designated and elected health and safety responsibilities are followed;
  o must make regular assessments of health and safety performance and resources in cooperation with those with designated and elected health and safety functions;
  o must ensure that all specific policies operating within this school – fire and explosion, purchasing, dangerous goods, noise, training, first aid and systems of work – are periodically revised and consistent with school health and safety objectives;
  o must provide information, training and supervision for all staff and students in the correct use of equipment and substances used throughout the school;
  o must be informed of incidents and accidents occurring on the school premises or to staff and students so that health and safety performance can accurately be gauged. (School procedures to be followed).
Staff and Students

- have a duty to take the care of which they are capable for their own health and safety of others in the school workplace;
- should comply with the safety procedures and directions agreed between School Council, Risk Management and school staff with nominated health and safety functions;
- must not wilfully interfere with or misuse items of facilities provided in the interests of health, safety and welfare of school staff and students; and
- must, in accordance with agreed school procedures for accident and incident reporting, report potential and actual hazards to their nominated health and safety representatives.

The policy will be regularly reviewed in the light of legislation and school changes. School Council seeks co-operation from all staff and students in realising our health and safety objectives and creating a safe school environment. All staff and students will be advised, in writing of agreed changes and arrangements for their implementation.

Roles and Responsibilities:
The object of health and safety legislation is to secure a safe and healthy work environment, and to eliminate, at the source, risks to the health, safety and welfare of persons at their workplace. Legislation also aims to provide for the involvement of employees and employers in the formulation and implementation of health and safety standards.

All employees should familiarise themselves with their legal obligations and responsibilities and what the consequences are for breaching the law. The full requirements for each workplace manager and employees are contained in the Occupational Health and Safety Act 1985.

The Act sets out the duties binding on both employers and employees.
For the purpose of the Act employer duties are delegated to the principal of the school.
In a school, the School Council shares responsibility with the principal for the overall safety and maintenance of the school’s facilities and the provision of resources to establish and maintain safe learning environments.

The most relevant sections of the Act in relation to duties include:

Section 21 – Duties of the employer
The principal has primary responsibility for providing and maintaining a safe and healthy workplace for employees. This includes
• Maintaining safe systems of work
• Safe use, handling and storage of plant and substances
• Employing or engaging suitably qualified person/s to provide specific advice regarding health and safety
• Monitoring conditions in the workplace
• Providing adequate information, instruction training and supervision to employees to enable them to perform their work in a manner that is safe and without risk to health.
• Providing professional development in cyber safety

Section 22 – Duties of employers to non employees
This includes students, contractors and members of the public who come into the school. The duty is not to exposes such people to risks to their health and safety.

Delegation of principal duties to a representative
Whilst the principal for the above duties, some of these duties can be delegated to a member of the management team acting as the principal’s representative. eg vice principal. However, the ultimate responsibility cannot be delegated and still rests with the principal.
Some of the areas where such a “management” representative could help would be to:

- Provide support to the principal by acting as a co-ordinator for any OH&S matters;
- Ensure that effective preventative action is taken to control workplace hazards;
- Ensure that all staff are aware of all relevant OH&S matters;
- Carry out regular inspections of site and maintain records of those inspections in conjunction with the OHS representative;
- Maintain all appropriate OH&S records and see that they are available as required;
- Ensure that all policies and position profiles make mention of OH&S where appropriate;
- Liaise with local authorities regarding emergency management procedures;
- Prepare an annual report for School Council
- Consult and negotiate with the OHS representative regarding OHS issues or concerns.

**Section 25 – Duties of employees**
Employees must take reasonable care of their own health and safety and for the health and safety of others who may be affected by their acts or omissions.

**Section 26 – Provisions for dealing with health and safety issues**
The employer or the employer’s representative and the health and safety representative for the work group (employers) have a duty to attempt to resolve any issue concerning health and safety in accordance with the relevant agreed procedure or the relevant prescribed procedure.

**Section 31 – Functions of health and safety representative**
The Health and Safety Representative is elected by the employees.
The representative’s functions include:

- Inspecting the whole or any part of the workplace
  - At any time after giving reasonable notice to the principal
  - Immediately in the event of any accident, hazardous situation, dangerous occurrence or immediate risk to the health and safety of any person
- Accompany any inspector during an inspection of the workplace;
- Require the establishment of a health and safety committee with the consent of the employee to be present any interview between any employee and an inspector concerning health and safety.

The principal is required to provide to the health and safety representative any information he/she possesses on the health and safety of the employees or any actual or potential hazards at the workplace. The representative is also entitled to be present any interview concerning health and safety between employer and the employee.

The representative should be permitted to take such time off work with pay as is necessary for performing their function or duties or taking part in any course of training relating to health and safety which is approved by OHSA. Principals shall not prevent or obstruct the attendance of a health and safety representative at such course of training.

**Section 37 – Health and safety committees.**
In certain cases a principal must establish a health and safety committee whose functions are:

- To facilitate co-operation between employers and employees with a view to ensuring the health and safety of the employees;
- To provide employees with information including standards, rules and procedures relating to health and safety which are to be carried out or complied with at the workplace;
- To deal with any other relevant matter as agreed.
Evaluation:
• This policy will be reviewed annually as part of the school’s three-year review cycle.

This policy was last ratified by Torquay College Council in July 2016