

## Procedure

13/9177

# Resolution of Work Health Safety (WHS) Issues Procedure

### Summary

Publication Date	25/11/2014
Review Date	17/11/2017
Related Legislation/Applicable Section of Legislation	<i>Work Health and Safety Act 2012</i> Work Health and Safety Regulations 2012
Related Policies, Procedures, Guidelines, Standards, Frameworks	Work Health Safety and Injury Management Policy
Replaces	OHS&W and Other Related Notices
Policy Officer (Name/Position)	Susan Rose, Principal Safety Consultant
Policy Officer (Phone)	8226 1387
Policy Sponsor (Name/Position)	Voula Panayotopoulos, Director Health and Safety Services
Executive Director Responsible (Name/Position/Office)	Phil O'Loughlin, Executive Director Human Resources and Workforce Development
Applies to	All DECD employees
Key Words	Work Health Safety WHS Issues Concerns Resolution Hazard Management
Status	Current
Approved by	Senior Executive Group
Approval Date	17/11/2014
Version	1

## REVISION RECORD

Date	Version	Revision Description
17/11/2014	1	New procedure in line with new Work Health and Safety Act and Regulations

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## 1. TITLE

Resolution of Work Health and Safety (WHS) Issues

## 2. PURPOSE

The purpose of this procedure is to establish, implement and maintain a process for the timely resolution of WHS issues.

The objective of this procedure is to ensure DECD, its officers and workers comply with all relevant legislation, Australian Standards, approved Codes of Practice and DECD policies, procedures and guidelines relating to the resolution of WHS issues by ensuring:

- WHS issues are reported, investigated and resolved as far as is reasonably practicable, within specified timeframes in accordance with the [DECD Risk Management Policy](#), [DECD Risk Management Framework](#) and [Hazard Management Procedure](#).
- Accountabilities and responsibilities for the resolution of WHS issues are assigned to DECD officers and site managers.
- Consultation occurs with DECD workers, health and safety representatives (HSRs), health and safety committees (HSCs) and other persons in relation to the resolution of WHS issues.
- Consultation, cooperation and coordination occurs with other duty holders with whom DECD shares a duty regarding the resolution of WHS issues.
- Adequate information, training, instruction and supervision are provided to all DECD workers on the resolution of WHS issues.

This procedure supports the [Work Health Safety and Injury Management Policy](#).

## 3. SCOPE

This procedure applies to all workers who are employed by DECD or engaged in activities or services provided at a DECD workplace.

## 4. PROCEDURE DETAIL

### 4.1 Identification of a WHS Issue

4.1.1 When a worker identifies a WHS issue, it is the worker's responsibility to take immediate action to rectify the issue if they are able and competent to do so.

4.1.2 If it is not possible to rectify the WHS issue, the DECD worker must:

- (a) Warn others of the issue and take the necessary steps to prevent harm to others (eg. barricade the area, place warning signs, lock and tag out plant etc).
- (b) Immediately refer the WHS issue verbally to the site manager.
- (c) Consult with the health and safety representative (HSR) (if elected).
- (d) Report the issue in accordance with the [Hazard Management Procedure](#) or [Injury Incident Reporting and Investigation Procedure](#) within **12 hours of the event** if the issue is a hazard or results in an injury.

### 4.2 Resolution of a WHS Issue

4.2.1 The site manager must ensure:

- (a) All identified and reported WHS issues are assessed to determine the level of risk and priority of resolution within the required timeframes in accordance with the [Hazard Management Procedure](#).
- (b) WHS issues that have been assessed as HIGH or EXTREME risk are reported to the relevant Executive Director immediately in accordance with the [DECD Risk Management Framework](#) for inclusion on the DECD Central Office Operational Risk Register for reporting and monitoring to the Senior Executive Group.
- (c) If action cannot be taken to permanently resolve the WHS issue within the required timeframe, temporary risk controls must be implemented in accordance with the hierarchy of risk controls and their effectiveness is monitored in consultation with workers, the HSR and Level 1 HSC.
- (d) Consultation occurs with workers who are directly affected by the WHS issue to ensure their meaningful input into options for resolution prior to implementation. Refer to the WHS Consultation and Communication Procedure.
- (e) WHS issues requiring capital and/or minor works budget are referred to:
  - i. Asset Support Centre, telephone **1800 810 076**.
  - ii. Families SA sites - Property Group (Divisional Services), telephone **8226 6152**.
- (f) Implemented risk controls do not introduce a further hazard into the workplace.
- (g) All temporary risk controls are recorded on the site's Corrective Action Log until permanent controls are implemented.
- (h) All identified risks and permanent risk controls are recorded on the site's Risk Register for monitoring and review by the HSC. Refer to the Hazard Management Procedure.
- (i) The HSR is consulted on all WHS issues that occur within the work group, including but not limited to:
  - i. Any workplace injury incident, including notifiable and dangerous incidents.
  - ii. Any hazardous situations that may affect the health and safety of workers.

4.2.2 The site manager, HSR or DECD worker may consult Health and Safety Services on **8226 7555** for technical advice on the resolution of any WHS issue where required.

4.2.3 The Level 1 HSC is responsible for:

- (a) Monitoring and reviewing the effectiveness of the implemented risk controls.
- (b) Making further recommendations where necessary.
- (c) Ensuring all recommended risk controls recorded on the site's Corrective Action Log are reflected in the minutes of meeting.

#### 4.3 Escalation of an Unresolved WHS Issue

4.3.1 Where a WHS issue has not been resolved by the site manager within the required timeframe in accordance with the [Injury Incident Reporting and Investigation Procedure](#) or [Hazard Management Procedure](#), the HSR may refer the WHS issue to the Level 1 HSC for resolution.

4.3.2 Where issues have been referred to the Level 1 HSC, the HSC must prioritise the issue according to the level of risk and undertake appropriate consultation with the affected workers and other stakeholders.

4.3.3 If the issue remains unresolved, the site manager must escalate the issue to the level 2 HSC for resolution. The Chairperson of the Level 2 HSC must ensure the issue is recorded on the Level 2 Risk Register.

4.3.4 If the issue cannot be resolved the Chairperson of the Level 2 HSC must escalate the issue to the level 3 DECD WHS Consultative Committee for resolution. The Chairperson of the Level 3 DECD WHS

Consultative Committee must ensure the issue is recorded on the Level 3 Risk Register. Refer to Appendix 2 for DECD WHS Consultative and Governance Structure.

- 4.3.5 If the issue cannot be resolved after reasonable efforts have been made to achieve an effective resolution, the Chairperson of the Level 3 DECD WHS Consultative Committee may ask SafeWork SA to appoint an inspector to assist in resolving the issue.

#### 4.4 Management of Unacceptable Risks to Health and Safety

- 4.4.1 Where an unacceptable risk has been determined and the site manager does not have the delegated authority or adequate resources to implement, as reasonably practicable, the most effective risk controls in accordance with the hierarchy of risk controls, temporary risk controls must be implemented immediately to reduce the risk to an acceptable level. The matter must then be referred to the relevant Director and/or Executive Director for a permanent resolution.

- 4.4.2 If the HSR considers there is an immediate threat to the health and safety of a worker in the work group and the degree of risk is such that the worker may be placed in immediate danger, the HSR may direct work to cease until effective risk controls are implemented in accordance with the hierarchy of risk controls.

- 4.4.3 In the event that this action is taken, the HSR must consult with the site manager who must:

- (a) Check that work has ceased.
- (b) Investigate the issue.
- (c) Take reasonably practicable steps to ensure the workplace and / or systems of work are safe before work recommences.
- (d) Seek technical advice from Health and Safety Services on **8226 7555** where appropriate.
- (e) Advise the relevant Director and/or Executive Director.
- (f) Notify the level 1 HSC of the issue.

- 4.4.4 The site manager, HSR or worker may request a SafeWork SA Inspector attend the workplace if they consider an unacceptable risk to health and safety exists and reasonably practicable steps have not been taken to satisfactorily resolve the matter within a reasonable timeframe.

- 4.4.5 Where a workplace does not have an elected HSR, any worker may refer the issue to a HSR from another workplace or a SafeWork SA inspector for resolution.

#### 4.5 Provisional Improvement Notices

- 4.5.1 A HSR may issue a provisional improvement notice (PIN) under s.90 of the WHS Act if the HSR reasonably believes that a site manager or person:

- (a) Is contravening the provisions of the WHS Act.
- (b) Has contravened a provision of the WHS Act in circumstances that make it likely that the contravention will continue or be repeated.

- 4.5.2 The HSR may issue a PIN requiring the site manager or person to:

- (a) Remedy the contravention.
- (b) Prevent a likely contravention from occurring.
- (c) Remedy the things or operations causing the contravention or likely contravention.

- 4.5.3 In accordance with s.100 of the WHS Act, a site manager or person who has been issued a PIN may request SafeWork SA to appoint an inspector to review the notice within 7 days after the PIN has been issued. The operation of the PIN is stayed until the inspector makes a decision on the review.

- 4.5.4 The HSR cannot issue a PIN:
- (a) Unless they have completed a health and safety training course approved by SafeWork SA as prescribed by the WHS Act.
  - (b) Unless the site manager or person has been consulted and given the opportunity to resolve the issue in the first instance.
  - (c) If a SafeWork SA inspector has already issued (or decided not to issue) an improvement notice or prohibition notice in relation to the same matter.
- 4.5.5 After reviewing the PIN, the inspector must confirm the PIN, with or without changes, or cancel the PIN. A PIN that is confirmed by an inspector is taken to be an Improvement Notice issued by the inspector under the WHS Act.
- 4.5.6 In the event that a HSR has issued a PIN, the site manager must ensure a copy of the PIN is prominently displayed at the workplace as soon as practicable.
- 4.5.7 The site manager or person must take all reasonable steps to remedy the contravention or likely contraventions within the stipulated timeframe (which must not be less than 8 days). Where the site manager or person does not have the appropriate financial delegations, authority or resources to remedy the WHS issue within the required timeframe, immediate temporary risk controls must be implemented to minimise the risk and the matter referred to the site manager or Director for resolution.
- 4.5.8 A HSR may at any time:
- (a) Make minor changes to a PIN for clarification, correction of errors or references or to reflect changes of address or other circumstances.
  - (b) Cancel a PIN issued to a person by written notice.
- 4.6 Improvement Notices
- 4.6.1 A SafeWork SA inspector may issue an improvement notice under s.191 of the WHS Act if the inspector reasonably believes that a site manager or person:
- (a) Is contravening the provisions of the WHS Act.
  - (b) Has contravened a provision of the WHS Act in circumstances that make it likely that the contravention will continue or be repeated.
- 4.6.2 The inspector may issue an improvement notice requiring the site manager or person to:
- (a) Remedy the contravention.
  - (b) Prevent a likely contravention from occurring.
  - (c) Remedy the things or operations causing the contravention or likely contravention.
- 4.6.3 The site manager or person to whom an improvement notice is issued must comply with the improvement notice within the period specified in the notice.
- 4.6.4 The site manager or person must take all reasonable steps to remedy the contravention or likely contraventions within the stipulated timeframe. Where the site manager or person does not have the appropriate authority or resources to remedy the WHS issue within the required timeframe, immediate temporary risk controls must be implemented to minimise the risk and the matter referred to the site manager or Director for resolution.
- 4.6.5 An inspector may, by written notice given to the person, extend the compliance period for the improvement notice only if the compliance period has not ended.

#### 4.7 Prohibition Notices

- 4.7.1 A SafeWork SA inspector may issue a prohibition notice under s.195 of the WHS Act if the inspector reasonably believes that:
- (a) An activity is occurring at a workplace that involves or will involve a serious risk to the health or safety of a person emanating from an immediate or imminent exposure to a hazard.
  - (b) An activity may occur at a workplace that, if it occurs, will involve a serious risk to the health or safety of a person emanating from an immediate or imminent exposure to a hazard.
- 4.7.2 The site manager or person must comply with the prohibition notice until the inspector is satisfied that the matters that give or will give rise to the risk have been remedied.

#### 4.8 Non-disturbance Notices

- 4.8.1 A SafeWork SA inspector may issue a non-disturbance notice under s.198 of the WHS Act to the site manager or person with management or control of the workplace if the inspector reasonably believes that it is necessary to do so to facilitate the exercise of his or her compliance powers. A non-disturbance notice may require a site manager to:
- (a) Preserve the site, plant, substance, structure or thing at which a notifiable incident has occurred for a specified period.
  - (b) Prevent the disturbance of a particular site, plant, substance, structure or thing (including the operation of plant) for a specified period that is reasonable in the circumstances.
- 4.8.2 A non-disturbance notice does not prevent any action taken by a site manager:
- (a) To assist an injured person.
  - (b) To remove a deceased person.
  - (c) That is essential to make the site, plant, substance, structure or thing safe or to prevent a further incident.
  - (d) That is associated with a police investigation.
  - (e) For which an inspector has given permission.
- 4.8.3 The site manager must not, without reasonable excuse, refuse or fail to comply with a non-disturbance notice issued by an inspector.
- 4.8.4 The site manager must ensure all injury incidents, including notifiable and dangerous incidents are reported on IRMS or for Families SA sites an ED155FSA Injury Report Form is completed and forwarded to Health and Safety Services within **12 hours of the event** in accordance with [the Injury Incident Reporting and Investigation Procedure](#).

#### 4.9 Reporting Notices

- 4.9.1 In the event that a site manager has been issued with a PIN, improvement notice, prohibition notice or non-disturbance notice, the following must be notified immediately:
- (a) The site manager if the notice has been issued to a person other than the site manager.
  - (b) The relevant Director or Education Director.
  - (c) The relevant Executive Director.
  - (d) The Director, Health and Safety Services on **8226 7555**.
  - (e) The HSR.
  - (f) The level 1 HSC.



4.9.2 Health and Safety Services will ensure all notices are reported to the DECD Work Health and Safety Governance Committee and level 3 WHS Consultative Committee as part of the monitoring and review process.

#### 4.10 Records Management

4.10.1 The site manager must ensure the following records are retained by the site in accordance with the [General Disposal Schedule No. 15](#):

- (a) A copy of any notice issued by a HSR or inspector.
- (b) Details of risk controls or remedial actions taken to comply with any notice including risk assessments, safety operating procedures, training records.
- (c) Copies of level 1 HSC minutes of meetings and agenda.

#### 4.11 Grievance and Complaints Resolution

4.11.1 DECD workers are required to use the [Guide to Resolving Grievances and Complaints for DECS Employees](#) and [DECS Complaints Resolution Procedure](#) for grievances or complaints involving issues such as conflict with others, discrimination, harassment, performance management, unreasonable management practice, conduct and merit selection.

## 5. ROLES AND RESPONSIBILITIES

### 5.1 Work Health and Safety Duties

Refer to 6.1.1 of the [Work Health Safety and Injury Management Policy](#).

### 5.2 Responsibilities

Role	Authority/Responsibility for
Health and Safety Committee (HSC)	<p>In accordance with s.77 of the <i>Work Health and Safety Act 2012</i> (WHS Act), the functions of a health and safety committee are:</p> <ul style="list-style-type: none"> <li>• To facilitate co-operation between DECD and workers in instigating, developing and carrying out measures designed to ensure the workers' health and safety at work.</li> <li>• To assist in developing standards, rules and procedures relating to health and safety to be followed or complied with at the workplace.</li> <li>• Any other functions prescribed by the regulations or agreed between DECD and the committee.</li> <li>• In relation to this procedure HSC may also make recommendations on alternative corrective action to the site manager where necessary. All action is to be recorded in HSC minutes of meeting.</li> </ul>
Health and Safety Representatives (HSRs)	<p>In accordance with s.68 of the WHS Act, Health and Safety Representatives have powers and functions. They are to:</p> <ul style="list-style-type: none"> <li>• Represent the workers in the work group in matters relating to work health and safety.</li> <li>• Monitor the measures taken by DECD in compliance with the WHS Act in relation to workers in the work group.</li> <li>• Investigate complaints from members of the work group relating to work health and safety.</li> <li>• Inquire into anything that appears to be a risk to the health or safety of workers in the work group, arising from the conduct of DECD.</li> </ul>

Officers	Ensure reasonable steps are taken to comply with due diligence requirements under s.27 of the WHS Act in relation to the resolution of WHS issues.
Site Manager	<p>Site managers who have management or control of a workplace must:</p> <ul style="list-style-type: none"> <li>• Comply with all requirements of this procedure.</li> <li>• Ensure all hazards and injury incidents are reported and resolved in the required timeframes in accordance with the <a href="#">Hazard Management Procedure</a> or <a href="#">Injury Incident Reporting and Investigation Procedure</a>.</li> <li>• Report all WHS issues that have been assessed as EXTREME or HIGH risk to the relevant Executive Director immediately in accordance with the <a href="#">Risk Management Framework</a>, for reporting and monitoring to the Senior Executive Group where required</li> <li>• Consult with the HSR on any WHS issue that occurs within the work group.</li> <li>• Ensure DECD workers who are directly affected are given an opportunity to provide input into options for the resolution of a WHS issue.</li> <li>• Ensure implemented risk controls do not introduce a further hazard into the workplace.</li> <li>• Escalate any unresolved WHS issues to the level 1 or 2 HSC in accordance with this procedure.</li> <li>• Refer the WHS issue immediately to the relevant Director or Education Director if they do not have the delegated financial authority or adequate resources to implement the most effective risk controls in accordance with the hierarchy of risk controls.</li> <li>• Comply with all directions issued under a Provisional Improvement Notice, Improvement Notice, Prohibition Notice and/or Non-disturbance Notice within the stipulated timeframe.</li> </ul>
Workers	<p>Must ensure they do not endanger themselves or other persons by:</p> <ul style="list-style-type: none"> <li>• Taking immediate action to rectify a WHS issue, problem or hazard if competent to do so.</li> <li>• If the issue cannot be rectified, report the WHS issue, problem or hazard to the site manager immediately.</li> <li>• Complying with any direction issued under a Provisional Improvement Notice (PIN), Improvement Notice, Prohibition Notice, Non-disturbance Notice.</li> </ul>

## 6. MONITORING, EVALUATION AND REVIEW

- 6.1 This procedure will be subject to review every 3 years by Health and Safety Services, in consultation with the DECD Work Health and Safety Governance Committee and State WHS Consultative Committee or earlier if there has been a change in any legislation.
- 6.2 Site managers must review and evaluate the effectiveness of their WHS issues resolution processes every 12 months. This requirement will be monitored by Health and Safety Services through the WHS Business Manager System. Compliance outcomes will be reported to the DECD Work Health and Safety Governance Committee and State WHS Consultative Committee as part of the WHS&IM Management Review process.
- 6.3 Site managers must ensure that workers, HSRs and others are consulted and provided with any necessary information, training, instruction and supervision to ensure the resolution of WHS issues is undertaken in accordance with the WHS Act.

## 7. DEFINITIONS AND ABBREVIATIONS

Term	Meaning
Accident	Means an incident that causes injury or death.
Compliance period	Means the period stated in the improvement notice under s.192 of the <i>Work Health and Safety Act 2012</i> , and includes that period as extended under this section.
Dangerous Incident (WHS Act)	<p>In accordance with s.37 of the <i>Work Health and Safety Act 2012</i>, a dangerous incident means an incident in relation to a workplace that exposes a worker or any other person to a serious risk to a person's health or safety emanating from an immediate or imminent exposure to:</p> <ul style="list-style-type: none"> <li>• An uncontrolled escape, spillage or leakage of a substance.</li> <li>• An uncontrolled implosion, explosion or fire.</li> <li>• An uncontrolled escape of gas or steam.</li> <li>• An uncontrolled escape of a pressurised substance.</li> <li>• Electric shock.</li> <li>• The fall or release from a height of any plant, substance or thing.</li> <li>• The collapse, overturning, failure or malfunction of, or damage to, any plant that is required to be authorised for use in accordance with the regulations.</li> <li>• The collapse or partial collapse of a structure.</li> <li>• The collapse or failure of an excavation or of any shoring supporting an excavation.</li> <li>• The inrush of water, mud or gas in workings, in an underground excavation or tunnel.</li> <li>• The interruption of the main system of ventilation in an underground excavation or tunnel.</li> <li>• Any other event prescribed by the regulations but does not include an incident of a prescribed kind.</li> </ul>
DECD	The Department for Education and Child Development
Due Diligence	<p>In accordance with s.27 (5) of the <i>Work Health and Safety Act 2012</i>, due diligence includes taking reasonable steps :</p> <p>(a) to acquire and keep up-to-date knowledge of work health and safety matters; and</p> <p>(b) to gain an understanding of the nature of the operations of the business or undertaking of the person conducting the business or undertaking and generally of the hazards and risks associated with those operations; and</p> <p>(c) to ensure that the person conducting the business or undertaking has available for use, and uses, appropriate resources and processes to eliminate or minimise risks to health and safety from work carried out as part of the conduct of the business or undertaking; and</p> <p>(d) to ensure that the person conducting the business or undertaking has appropriate processes for receiving and considering information regarding incidents, hazards and risks and responding in a timely way to that information; and</p> <p>(e) to ensure that the person conducting the business or undertaking has, and implements, processes for complying with any duty or obligation of the person conducting the business or undertaking under this Act; and</p> <p>(f) to verify the provision and use of the resources and processes referred to in paragraphs (c) to (e).</p>
FSA	Families SA
Hazard	A situation or thing that has the potential to harm people, property or the environment.

Improvement Notice	A notice issued by a SafeWork SA inspector in accordance with s.191 of the <i>Work Health and Safety Act 2012</i> .
Incident	An occurrence or event that has caused or could cause harm and includes all injury, illness, hazard and property damage.
IRMS	Incident and Response Management System is a web enabled system accessed via the DECD Application Portal and is designed to facilitate the process for the reporting, recording and investigation of DECD incidents such as injuries, notifiable incidents and crime incidents.
Must	Indicates that a process is a legislative, Australian Standard or DECD specification requirement.
Non-disturbance Notice	A notice issued by a SafeWork SA inspector in accordance with s.198 of the <i>Work Health and Safety Act 2012</i>
Notifiable Incident (WHS Act)	In accordance with s.35 of the <i>Work Health and Safety Act 2012</i> , a notifiable incident means: <ul style="list-style-type: none"> <li>• The death of a person; or</li> <li>• A serious injury or illness of a person; or</li> <li>• A dangerous incident</li> </ul>
Officer	In accordance with s.4 of the <i>Work Health and Safety Act 2012</i> an officer means— <ol style="list-style-type: none"> <li>(a) an officer within the meaning of s.9 of the <i>Corporations Act 2001</i> of the Commonwealth other than a partner in a partnership; or</li> <li>(b) an officer of the Crown within the meaning of s.247; or</li> <li>(c) an officer of a public authority within the meaning of s.252.</li> </ol>
PCBU	Person conducting a business or undertaking and is defined in Section 5 of the <i>Work Health and Safety Act 2012</i> .
Prohibition Notice	A notice issued by a SafeWork SA inspector in accordance with s.195 of the <i>Work Health and Safety Act 2012</i> .
Provisional Improvement Notice	A notice issued by a health and safety representative (HSR) in accordance with s.90 of the <i>Work Health and Safety Act 2012</i> .
Reasonably Practicable	In accordance with s.18 of the <i>Work Health and Safety Act 2012</i> : <p>‘reasonably practicable, in relation to a duty to ensure health and safety, means that which is, or was at a particular time, reasonably able to be done in relation to ensuring health and safety, taking into account and weighing up all relevant matters including—</p> <ol style="list-style-type: none"> <li>(a) the likelihood of the hazard or the risk concerned occurring; and</li> <li>(b) the degree of harm that might result from the hazard or the risk; and</li> <li>(c) that the person concerned knows, or ought reasonably to know, about— <ol style="list-style-type: none"> <li>(i) the hazard or the risk; and</li> <li>(ii) ways of eliminating or minimising the risk; and</li> </ol> </li> <li>(d) the availability and suitability of ways to eliminate or minimise the risk; and</li> <li>(e) after assessing the extent of the risk and the available ways of eliminating or minimising the risk, the cost associated with available ways of eliminating or minimising the risk, including whether the cost is grossly disproportionate to the risk.’</li> </ol>
Risk	Exposure to the chance of injury or loss (impact on the health, safety or wellbeing of a person, or be damaging to property or the environment).

Risk Control	Means taking action to eliminate health and safety risks so far as is reasonably practicable, and if that is not possible, minimising the risks so far as is reasonably practicable. Eliminating a hazard will also eliminate any risks associated with that hazard.
Serious Injury or illness	In accordance with s.36 of the <i>Work Health and Safety Act 2012</i> , a serious injury or illness of a person means an injury or illness requiring the person to have: <ul style="list-style-type: none"> <li>• Immediate treatment as an in-patient in a hospital.</li> <li>• Immediate treatment for: <ul style="list-style-type: none"> <li>- The amputation of any part of his or her body.</li> <li>- A serious head injury.</li> <li>- A serious eye injury.</li> <li>- A serious burn.</li> <li>- The separation of his or her skin from an underlying tissue (such as degloving or scalping).</li> <li>- A spinal injury.</li> <li>- The loss of a bodily function.</li> <li>- Serious lacerations.</li> </ul> </li> <li>• Medical treatment within 48 hours of exposure to a substance, and includes any other injury or illness prescribed by the regulations but does not include an illness or injury of a prescribed kind.</li> </ul>
Site manager	Any person who has the responsibility, management or control of a DECD workplace or work unit. This includes but is not limited to Executive Directors, Education Directors, Directors, Principals, Pre-school Directors, Managers and Supervisors.
WHS Act	<i>Work Health and Safety Act 2012</i>
WHS Regulations	Work Health and Safety Regulations 2012
Worker	s.7 of the <i>Work Health and Safety Act 2012</i> states: A person is a worker if the person carries out work in any capacity for a person conducting a business or undertaking, including work as— <ol style="list-style-type: none"> <li>(a) an employee; or</li> <li>(b) a contractor or subcontractor; or</li> <li>(c) an employee of a contractor or subcontractor; or</li> <li>(d) an employee of a labour hire company who has been assigned to work in the person's business or undertaking; or</li> <li>(e) an outworker; or</li> <li>(f) an apprentice or trainee; or</li> <li>(g) a student gaining work experience; or</li> <li>(h) a volunteer; or</li> <li>(i) a person of a prescribed class.</li> </ol>

## 8. SUPPORTING DOCUMENTS

## 9. REFERENCES

[Work Health and Safety Act 2012](#)

[Work Health and Safety Regulations 2012](#)

[Work Health Safety and Injury Management Policy](#)

[DECD Risk Management Policy](#)

[Risk Management Framework](#)

[Hazard Management Procedure](#)

[Injury Incident Reporting and Investigation Procedure](#)

[DECS Complaint Resolution for Employees Procedure](#)

[Guide to Resolving Grievances and Complaints for DECS Employees](#)

## APPENDIX

Appendix 1 – DECD WHS Consultative and Governance Structure

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