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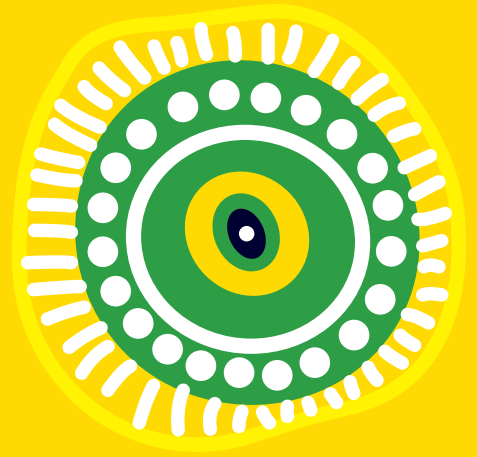
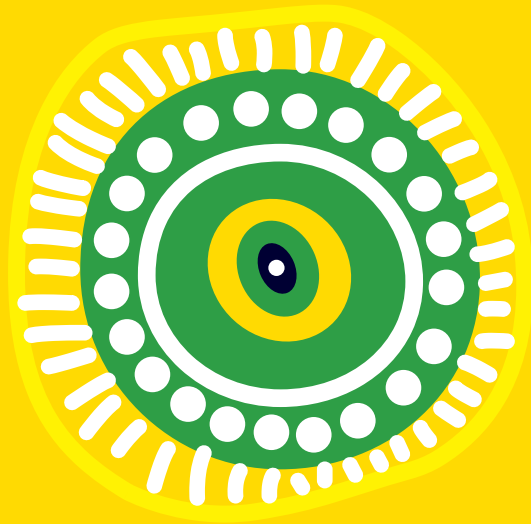


Australian Government
Australian Sports Commission

Work Health and Safety Policy

Version 3.0

Prepared By
WHS and Injury Management
May 2024



Australian Sports Commission Acknowledgement of Country

The Australian Sports Commission (ASC) acknowledges the Traditional Custodians of the lands where its offices are located, the Ngunnawal people and recognise any other people or families with connection to the lands of the ACT and region, the Wurundjeri Woi-wurrung people of the Kulin Nation, the people of the Yugambeh Nation and the Gadigal people of the Eora Nation.

The ASC extends this acknowledgment to all the Traditional Custodians of the lands and First Nations Peoples throughout Australia and would like to pay its respects to all Elders past, present and future.

The ASC recognises the outstanding contribution that Aboriginal and Torres Strait Islander peoples make to society and sport in Australia and celebrates the power of sport to promote reconciliation and reduce inequality.



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Document Change Control

Version	Date	Owner	Approved by	Brief Description of Changes
3.0	May 2024	People and Culture	ASC Executive Committee	- A general review to align the Policy with legislation and Audit standards and outcomes.
2.0	September 2021	People and Culture	General Manager People and Culture	<ul style="list-style-type: none"> - Addition of definitions and references to source documents. - Removal of Line Manager and Supervisor responsibilities. - Changes made to documents format and structure. - Addition of information on Corporate Citizens.



1. Purpose

- 1.1. As a Commonwealth entity, the Australian Sports Commission (ASC), must comply with the Work Health and Safety Act 2011 (WHS Act), the Work Health and Safety Regulations 2011 (WHS Regulations), the Codes of Practice they enable, and any duties as prescribed by these documents.
- 1.2. The Policy describes the ways in which the ASC upholds its legislated duties with respect to its business and undertaking and outlines the ASC's expectations for its workers in relation to WHS.
- 1.3. The Policy underpins the ASC's WHS Management System (WHSMS) and is supported by the WHS Risk Management Procedure and Incident and Hazard Management Procedure.

2. Scope

- 2.1. The Policy applies to all 'workers' as defined in section 7(1) of the WHS Act.
- 2.2. This Policy will also apply to anyone seconded to the ASC from another organisation for the term of the secondment, including any extensions,
- 2.3. The Policy is applicable to all ASC sites, including as far as is reasonably practicable, those located internationally.
- 2.4. ASC workers located internationally are expected to adhere to both Australian and international WHS legislation. If the duties or practices differ, workers must adhere to the legislation that imposes the higher WHS standard.

3. Statement of Intent

- 3.1. The ASC and its Executive Committee are committed to meeting their legislated duties and to ensuring the physical and psychological health, safety, and wellbeing of workers through provision of:
 - safe workplaces, plant, equipment, and systems of work,
 - adequate instruction, training, and supervision,
 - appropriate mechanisms for genuine consultation on WHS matters and dissemination of WHS information, and
 - effective policies and procedures for the management of WHS risks.
- 3.2. It is the intention of the ASC and the Executive Committee to implement a WHSMS that eliminates, reduces, and prevents harm and that enables continuous WHS improvement.

4. Principles

- 4.1. WHS is everyone's responsibility.
- 4.2. The ASC expects that all work duties are performed in a manner that safeguards the health, safety and wellbeing of yourself and others.



5. Roles and Responsibilities

- 5.1. Table 1. Reflects the roles and responsibilities as prescribed within WHS legislation, with respect to the ASC’s operating environment.
- 5.2. An individual may have more than one role and therefore, more than one set of responsibilities (i.e. a Health and Safety Representative is also a worker).
- 5.3. All roles will be held accountable for upholding their responsibilities.
- 5.4. Non-compliance with the responsibilities prescribed by this Policy may be considered a breach of the ASC Code of Conduct, and result in sanctions up to and including termination.
- 5.5. In some instances, non-compliance with prescribed responsibilities may also be considered as a Category Offence resulting in penalties as prescribed by the WHS Act and WHS Regulations.

Table 1. WHS Roles and Responsibilities

Role	Responsibilities
<p>Person Conducting Business or Undertaking (the ASC)</p>	<p>A Person Conducting Business or Undertaking (PCBU) must as far as is reasonably practicable:</p> <ul style="list-style-type: none"> • ensure the health and safety of workers and others in the workplace, • ensure the health and safety of other persons is not put at risk from work carried out as part of its operations, • provide and maintain a work environment that is without risks to health and safety, • provide and maintain safe plant and structures, • provide and maintain safe systems of work, • ensure the safe use, handling and storage of plant, structures, and substances, • provide adequate facilities for the welfare of workers, • provide information, training, instruction, and supervision, and • monitor the health of workers and the conditions of our workplaces.
<p>Officers (ASC8s, ASC9s and the CEO)</p>	<p>An Officer of the PCBU must exercise due diligence to ensure the ASC complies with their legislated duties by:</p> <ul style="list-style-type: none"> • acquiring and keeping up-to-date knowledge of WHS matters, • gaining an understanding of the ASCs operations and the hazards and risks associated with those operations, • ensuring appropriate resources and processes are available and used to eliminate or minimise risks to health and safety from work carried out, • ensuring there are appropriate processes for receiving and considering information regarding incidents, hazards and risks and responding in a timely way to that information, • ensuring there is a process implemented for complying with any WHS duty or obligation, and • verifying the provision and use of the resources and processes referred to above.



Workers and Visitors	<p>A worker or visitor must:</p> <ul style="list-style-type: none"> • take reasonable care for their own health and safety, • take reasonable care that their acts or omissions do not adversely affect the health and safety of other persons, • comply, so far as the worker is reasonably able, with any reasonable instruction that is given by the PCBU, and • co-operate with the WHS policies and associated procedures.
Workers with Management Responsibilities	<p>Managers must:</p> <ul style="list-style-type: none"> • understand, promote, and comply with WHS policies and procedures, • provide WHS communications to their workers, • ensure all workers receive WHS training and education, as required for their roles, and • demonstrate commitment to WHS and safe work practices by setting the example and demonstrating a responsible attitude towards WHS matters.
Health and Safety Representative (HSR)	<p>A HSR should:</p> <ul style="list-style-type: none"> • represent workers, • monitor the measures taken by the ASC to comply with its duties, • investigate complaints from members of their work group relating to WHS, • inquire into anything that appears to be a risk to the health or safety of workers in their work group, • consult with their work group on WHS matters, and • undertake Workplace Inspections at the direction of the WHS and Injury Management Team.

6. Consultation, Representation and Communication

- 6.1. The ASC acknowledges that the effective management of WHS matters requires consultation, representation, and communication from all stakeholders.
- 6.2. The ASC will ensure workers are represented and consulted on WHS matters.

Consultation

- 6.3. Under sections 46 and 47 of the WHS Act, the ASC has a duty to consult with other duty holders and workers about WHS matters.
- 6.4. The ASC will consult with workers and other duty holders when:
- identifying hazards and assessing risks to health and safety arising from the work carried out or to be carried out by the ASC,



- making decisions about ways to eliminate or minimise those risks,
 - making decisions about the adequacy of facilities for the welfare of workers,
 - proposing changes that may affect the health or safety of workers, and/or
 - making decisions about WHS related procedures.
- 6.5. The ASC will use the WorkSafe Committee as the conduit for consultation with workers about WHS matters.
- 6.6. The ASC may also use other forums as conduits for consultation, including the Staff Consultative Group (SCG), Diversity, Equity, and Inclusion Network and Child Safe and Finance, Audit and Risk (FAR) Committees.
- 6.7. The WorkSafe Committee operates in accordance with the Terms of Reference.
- 6.8. The ASC will consult with other duty holders via the predetermined procedure outlined in their agreement with the ASC.

Representation

- 6.9. ASC workers will be represented by the Health and Safety Representative (HSR) in their Designated Work Group (DWG).
- 6.10. DWG are established to ensure HSRs can represent those with shared WHS matters due to the risks associated with the work performed, working environment and geographic location.
- 6.11. The ASC and HSRs, at any time, can negotiate and agree on variations to the composition of a DWG to represent workers more effectively. ASC workers will be notified of any agreed on variations.
- 6.12. HSRs will represent their DWG for a period of three years, unless they cease work in the DWG, are removed or disqualified.

Communication

- 6.13. The ASC is committed to ensuring all workers are kept informed about WHS matters that may affect them at work.
- 6.14. The ASC will use internal mechanisms, such as the Intranet, Microsoft Teams, Managers and WorkSafe Committee Members, as a means to communicate with all workers on WHS matters.
- 6.15. WHS Policies, Procedures and Legislation will be available via the WHS Intranet and where relevant, on the Australian Institute of Sport (AIS) website.
- 6.16. The WHS and Injury Management Team can be contacted regarding WHS matters at any time via email at whs@ausport.gov.au.

7. Training and Instruction

- 7.1. The ASC will ensure all workers are provided with WHS instruction and training to enable their safe performance of their duties.
- 7.2. All WHS training is funded by the ASC and attendance will be considered worktime, therefore attendees will be paid at the rate they would have received if they had performed their normal duties.
- 7.3. All ASC workers will be provided with general WHS training and instruction via induction and the mandatory eLearning program.
- 7.4. The ASC Executive Committee will be required to undertake Officer due diligence training upon commencement and on an annual basis.



- 7.5. Contractors and Consultants engaged by the ASC are provided site-specific WHS instruction via the mandatory site induction.
- 7.6. If WHS training needs are identified via consultation with workers or during an investigation, this will be coordinated by the WHS and Injury Management Team.

Required Formal WHS Training

- 7.7. In some instances, formal WHS training is a requirement of a workers' role. If a role has been identified to require formal WHS training, it will be outlined in the Job Description.
- 7.8. The Business Area will be responsible for:
 - funding the training,
 - ensuring the training is undertaken by a competent person with appropriate knowledge, skills, and experience,
 - maintaining training records, and
 - implementing a training plan to facilitate the upkeep of any associated qualification.

Training for WHS Corporate Citizens

- 7.9. HSRs, First Aid Officers (FAOs), and Workplace Support Officers (WSOs) are required to undergo training to complete their role as a WHS Corporate Citizen at the ASC.
- 7.10. Training for WHS Corporate Citizens will be facilitated by the WHS and Injury Management Team, upon appointment into the role.
- 7.11. HSR training will be undertaken in accordance with the requirements of the WHS Act.
- 7.12. An initial Comcare approved course of training for five days, and
 - one day of refresher training each year, with the entitlement to the first refresher training commencing one year after the initial training.
- 7.13. A request for training will be facilitated within three months of the request being made.
- 7.14. If a dispute arises regarding HSR training, either party may request that an Inspector be called to determine the matter.

8. Incident Notification

- 8.1. All WHS incidents, in the workplace or otherwise related to work, must be reported in Noggin as soon as possible post-incident.
- 8.2. All ASC workers and visitors must report incidents they are involved in or have been witness to.
- 8.3. The WHS Incident and Hazard Management Procedure supports the WHS Policy and outlines the process for notification and management of incidents and hazards at the ASC.

Notifiable Incidents

- 8.4. The ASC is required to notify Comcare of incidents resulting in a death or serious injury or illness or those categorised as a dangerous incident, immediately after becoming aware the incident occurred.
- 8.5. As far as is reasonably practicable, the site where the incident occurred should not be disturbed unless disturbance:
 - assists the injured,



- removes the deceased,
- is essential to making the site safe or minimises the risk of further incidents,
- is associated with Police investigation, or
- has been approved by the Inspector.

9. Risk Management

- 9.1. The WHS Act requires the elimination of risks to health and safety, and if it is not reasonably practicable to eliminate risks, that those risks be minimised so far as is reasonably practicable.
- 9.2. The [WHS Risk Management Procedure](#) supports the WHS Policy and provides a robust process for the management of WHS risks at the ASC.

10. Issue Resolution

- 10.1. A WHS issue arises when there is dispute regarding proper management of WHS risks or where its management contravenes the WHS Act or WHS Regulations.
- 10.2. The ASC takes a cooperative and consultative approach to the resolution of WHS issues, prioritising timely and effective resolution.
- 10.3. WHS issue resolution should, where possible, include cooperation and consultation between the WHS and Injury Management Team, the relevant Manager and/or Officer, HSR and workers.
- 10.4. All reasonable efforts must be made to resolve all WHS issues informally, as this provides the timeliest resolution. If informal avenues fail, the WHS Act provides for formal resolution actions.
- 10.5. A HSR is not personally liable for anything done or omitted to be done in good faith when exercising their powers for performing their functions under the WHS Act, including during WHS issue resolution.

Inspections and Investigations

- 10.6. At request, Comcare can appoint an Inspector to assist with the formal resolution of WHS issues.
- 10.7. An Inspector may provide a recommended resolution and/or exercise their compliance powers, including issuing a Provisional Improvement Notice (PIN).
- 10.8. An Inspection or Investigation can also be initiated by Comcare, where an incident notification or information from a member of the public highlights a WHS issues.

Provisional Improvement Notices (PINs)

- 10.9. A PIN is a written direction to remedy or prevent a contravention or breach of the WHS Act or WHS Regulations.
- 10.10. A PIN can be issued by Comcare or a trained HSR.
- 10.11. A copy of the PIN will be displayed in a prominent place near the work that is affected by the notice.
- 10.12. The ASC must comply with the PIN within the timeframe specified in the notice.
- 10.13. If the ASC disputes the PIN, Comcare can appoint an Inspector to review. However, the PIN is maintained until such time as a decision is made by the Inspector.



Right to Cease Work

- 10.14. HSRs may direct workers to cease work without attempting to resolve the issue if there is a serious and immediate risk to health and safety.
- 10.15. HSRs may direct workers to cease work without attempting to resolve the issue if there is a serious and immediate risk to health and safety.
- 10.16. The HSR should consult with the WHS and Injury Management Team and the relevant Officer before issuing a direction to cease unsafe work if time permits. If not, the HSR must inform these stakeholders immediately after issuing the direction.
- 10.17. A worker can also cease, or refuse to carry out work, if there is a reasonable concern that the work would pose a serious risk to their health or safety.

11. Monitoring and Evaluation

- 11.1. The ASC’s Key Performance Indicators (KPIs) are used to assess the performance and effectiveness of our WHS Management System (WHSMS) practices and identify areas for improvement.
- 11.2. KPIs will be reported annually to the ASC Executive Committee and FAR Committee.
- 11.3. The WHSMS will also be monitored and evaluated against relevant data obtained from internal and external feedback mechanisms, including staff surveys and complaints processes.

Key Performance Indicators

Table 2. The ASC’s WHS KPIs

Name	Description	Responsible Stakeholders
Incident and Hazard Response	<ul style="list-style-type: none"> • All incidents and hazards reported are responded to proportionately and closed in Noggin. 	<ul style="list-style-type: none"> • WHS and Injury Management • Incident Owners • Officers
	<ul style="list-style-type: none"> • A notification is made to Comcare immediately after becoming aware a notifiable incident occurred on all occasions where this is required. 	<ul style="list-style-type: none"> • WHS and Injury Management
Risk Management	<ul style="list-style-type: none"> • Two Workplace Inspections are completed for each Designated Work Group (DWG) per calendar year. 	<ul style="list-style-type: none"> • Health and Safety Representatives (HSRs)
	<ul style="list-style-type: none"> • WHS Risk Registers are reviewed by Officers and endorsed by the CEO, once per calendar year. 	<ul style="list-style-type: none"> • Officers and CEO
	<ul style="list-style-type: none"> • The Shared WHS Risk Register is reviewed by the Officers and endorsed by the CEO, once per calendar year. 	



<p>Consultation</p>	<ul style="list-style-type: none"> • Four WorkSafe Committee Meetings are held per calendar year. 	<ul style="list-style-type: none"> • WorkSafe Committee
<p>Training</p>	<ul style="list-style-type: none"> • All WHS Corporate Citizens have completed the required training and maintained the required qualification. 	<ul style="list-style-type: none"> • WHS Corporate Citizens
<p>Policy</p>	<ul style="list-style-type: none"> • WHS Policies and Procedures have been revised: <ul style="list-style-type: none"> ○ in line with their pre-determined review schedules, ○ when there has been a change in the operations of the ASC, ○ where a process has been deemed ineffective, and ○ in the event of changes to applicable legislation. 	<ul style="list-style-type: none"> • WHS and Injury Management



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