



**GLAMORGAN  
SPRING BAY  
COUNCIL**

Glamorgan Spring Bay Council

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# **Work Health & Safety Policy**

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Version [2.0]

Adopted: **25 February 2025**  
Minute No.: **35/25**

## Document Control

<b>Work Health &amp; Safety Policy</b>	
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<b>Responsible Officer</b>	General Manager
<b>Department responsible for policy development</b>	Governance
<b>Related policies</b>	<p>This Policy should be considered in the context of the following policies and procedures:</p> <ul style="list-style-type: none"> <li>• Code of Conduct</li> <li>• Communications</li> <li>• Disciplinary Policy</li> <li>• Fitness for Work</li> <li>• Issue Resolution</li> <li>• Performance Management</li> <li>• Workplace Behaviour</li> <li>• Family and Domestic Violence</li> </ul>
<b>Publication of policy</b>	Council Intranet with hard copy available from Manager on request.

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# 1 Introduction

## 1.1 Applicable Laws

All laws in connection with the carrying out of work or the Workplace including:

- Australian Human Rights Commission Act 1986 (Cth)
- Fair Work Act 2009 (Cth)
- Local Government Act 1993 (TAS)
- Work Health & Safety Act 2012 (TAS)
- Work Health and Safety Regulations 2022
- Workers Rehabilitation & Compensation Act 1988 (TAS)
- Child and Youth Safe Organisations Act 2023
- Fair Work Act 2009
- Fair Work Regulations 2009
- Family Violence Act 2004
- Relationship Act 2003

## 1.2 Definitions

Council

- Glamorgan Spring Bay Council

Councillor

- An elected member of Council meeting the definition of a 'councillor' as defined under section 3 of the Local Government Act 1993 (TAS).

Employee

- A person who carries out work for Council as an employee of Council.

General Manager

- The general manager of Council as appointed under section 61 of the Local Government Act 1993 (TAS).

Infringing Workplace Behaviour

- Any act or omission, which amounts to a breach of any Council policy, contractual obligation or misconduct at common law.

Manager/Supervisor

- A person at the Workplace who is appointed to a position that has management/supervisory responsibilities for others or their appropriately nominated or authorised delegate.

Officer

- an officer within the meaning of section 9 of the Corporations Act 2001 of the Commonwealth other than a partner in a partnership; or
- an officer of the Crown within the meaning of section 247 of the Work Health and Safety Act 2012 (Tas); or
- an officer of a public authority within the meaning of section 252 of the Work Health and Safety Act 2012 (Tas)
- other than an elected member of a local authority acting in that capacity (which includes a Councillor)

Other Persons at the Workplace

- Any person at the Workplace who is not a Worker including councillors, and visitors to worksites.

Policy

- This Work Health & Safety Policy including the 'Authority and Application'

Worker

- A person who carries out work in any capacity for Council, including work as:
- an Employee;
- a contractor or subcontractor;
- an employee of a contractor or subcontractor;
- an employee of a labour hire company who has been assigned to work at Council;
- an outworker;
- an apprentice or trainee;
- a student gaining work experience;
- a volunteer; or
- a Councillor.

#### Workplace

- A place where work is carried out for Council.

### 1.3 Training

Council will provide all persons covered by this Policy with appropriate training so they are made aware of their responsibilities and obligations under the Policy.

### 1.4 Amendment

The General Manager, as the person having management or control of a workplace (S20.) retains the sole discretion to vary, terminate or replace this Policy from time to time. The General Manager with Senior Officers of council will consult workers and other persons in the workplace before amendments are made and will notify and train as necessary, those the amendments apply to.

### 1.5 Interpretation of Policy

- a. The singular includes the plural and vice versa.
- b. A reference to any legislation includes all delegated legislation made under it and amendments, consolidations, replacements or re-enactments of any of them.
- c. A reference to policy or procedure means any approved policies or procedures of Council unless otherwise stated.
- d. 'Including' and similar expressions are not words of limitation.
- e. A reference to a document (including this document) is to that document as amended, novated or replaced unless otherwise stated.
- f. Where a word or expression is given a particular meaning, other parts of speech and grammatical forms of that word or expression have a corresponding meaning.
- g. Examples used in this Policy are for illustrative purposes only and are not intended to be exhaustive and depending on the circumstances may or may not amount to Infringing Workplace Behaviour.
- h. Unless expressly provided for this Policy is not in any way incorporated as part of any enterprise agreement and does not form part of any Employee's contract of employment and any applicable enterprise agreement or contract of employment will prevail over this Policy to the extent of any inconsistency.
- i. It is not intended that this Policy impose any obligations on the Council or those covered by it that are unreasonable or contrary to the operation of Applicable Laws. Any obligation, direction, instruction or responsibility imposed by this Policy must be carried out in a manner

that an objective third party would consider to be fair and reasonable taking into account and in the context of all the relevant Applicable Laws, operational and personal circumstances.

Questions relating to the interpretation, application or enforcement of this Policy should be directed to a person's Manager/Supervisor.

## 1.6 Reporting of Breaches

Persons covered under paragraph 4 (Coverage) must reasonably report breaches of Infringing Workplace Behaviour as follows:

For breaches by

- a. an Employee; Worker (other than a Councillor or General Manager), or Other Person at the Workplace the report must go to the reporting person's applicable Manager/Supervisor;
- b. the General Manager; the report must go to the Mayor (or if unavailable to the next appropriately delegated Councillor);
- c. a Councillor; the report must go to the Mayor (or if unavailable to the next appropriately delegated Councillor); and/or
- d. the Mayor; the report must go to the Deputy Mayor (or if unavailable to the next appropriately delegated Councillor); and

as otherwise required or permitted by Applicable Laws.

## 1.7 Breach of Policy

Persons covered under paragraph 4 (Coverage) who engage in Infringing Workplace Behaviour may (as is appropriate and as applicable) be subject to appropriate disciplinary action in accordance with Disciplinary Policy and Procedure (Employees), Councillor's Code of Conduct complaint process (Councillors), or removal from the Workplace or termination of services (Workers [other than Employees] and Other Persons at the Workplace). Infringing Workplace Behaviour may also amount to breaches of Applicable Laws:


- a. exposing individuals to legal proceedings; and
- b. making Council vicariously liable for conduct of others

# Work Health & Safety Policy

## 2 Purpose

The aims of this Policy are to:

- a. recognise Council's commitment to its primary duty of care under the Work Health & Safety Act 2012 (TAS).
- b. recognise Council's commitment to providing a safe and healthy workplace for Workers and Other Persons at the Workplace whose health or safety could be at risk through our work;
- c. create an environment where workers are encouraged and supported to raise health and safety issues and help to reduce and manage them;
- d. ensure that workers are engaged and consulted with to ensure hazards are identified and risks associated with them removed or reduced;
- e. direct and guide Workers and Other Persons at the Workplace regarding action considered reasonably practicable to protect health and safety;
- f. provide a fair and flexible approach to work health and safety activities which take into consideration the individual, operational and environmental circumstances;
- g. operate with any Applicable Laws or policies and procedures;
- h. comply with Applicable Laws through implementing:
  - i. appropriate plans, policies, procedures and programs to support and implement this Policy;
  - ii. measurable safety performance objectives and targets;
  - iii. training on health and safety matters relevant to Council work;
  - iv. induction programs;
  - v. consultation, cooperation and coordination processes;
  - vi. adequate resources;
  - vii. monitoring, reviewing and verification of Council systems; and
  - viii. corrective action where it is identified that the acts or omissions of persons are putting themselves or others at risk.

(Acting) General Managers Signature: .....  .....

Adopted: **25 February 2025**

## 3 Responsibilities

### 3.1 Managers and Supervisor

Managers and supervisor will ensure, as far as reasonably practicable, the health safety of:

- All workers engaged, or caused to be engaged by Council;
- All workers whose activities in carrying out work are influenced or directed by us;
- Other people, by ensuring they are not put at risk from work carried out as part of our business undertakings

Management will also:

- Provide and maintain a work environment free from risks to health and safety;
- Provide and maintain safe plant (equipment), structures and safe systems of work;
- Ensure the safe use, handling and storage of plant (equipment), structures and substances;
- Provide adequate facilities for the welfare of workers carrying out work;
- Provide any information, training, instruction or supervision that is necessary to protect all people from risks to their health and safety arising from work activities;
- Ensure the health of workers and the conditions at the workplace are mentioned for the purpose of preventing illness and injury of workers arising from our business; and
- Consult with works on all matters relating to health and safety.

### 3.2 Workers

While at work, our workers must:

- Take reasonable care for their own health and safety;
- Take reasonable care that what they do, or what they do not do, does not adversely affect the health and safety of other people;
- Comply (so far as they are reasonably able to) with any reasonable instruction given by management;
- Cooperate with any reasonable policy and procedure for work health and safety that has been communicated to them;
- Not misuse or interfere with anything provided for work health and safety;
- Report all incidents and near misses immediately, no matter how trivial;
- Engage in consultation with management to identify, assess and control hazards and effectiveness of such controls; and
- Report all known or observed hazards to their supervisor or manager.

## 4 Coverage

This Policy covers and applies to Workers and Other Persons at the Workplace in relation to all work, health and safety matters.

## 5 Requirements

- a. Workers and Other Persons at the Workplace must comply with this Policy.
- b. Workers and Other Persons at the Workplace are required to meet their duty of care obligations and to be accountable for their own safety and the safety of others at the Workplace.
- c. Workers and Other Persons at the Workplace (unless otherwise notified in writing) are required to adhere to lawful and reasonable directions, policies and procedures regarding compliance with this Policy and health and safety generally.
- d. Managers/Supervisors are required to:
  - i. promote this Policy within their area of responsibility;
  - ii. take reasonable steps to ensure that any potential breaches of this Policy are identified, taken seriously and acted upon appropriately; and
  - iii. where applicable, if and as Officers, meet their due diligence obligations.