

1. SCOPE

This policy always applies to all councillors when undertaking their roles as elected officers of Waratah-Wynyard Council. Councillors within this context include the Mayor and Deputy Mayor. This policy applies to councillors as individuals in the workplace and as office holders with legal responsibilities for work health and safety. Health and safety matters include those relating to hazards, risks, and incidents, and their physical and as well as psychological consequences on individuals or the community.

The Chief Executive Officer has specific responsibilities to create a safe workplace under the Work Health and Safety Act 2012, and other legislation and is so empowered to take certain actions that may impact on the ability of councillors to perform functions in a particular way, consistent with those responsibilities.

Nothing in this policy changes or detracts from the operation of other provisions in the Councillor Code of Conduct.

The Chief Executive Officer from time to time, in consultation with councillors, can make minor changes to this policy to reflect contemporary best practice.

2. PURPOSE

Waratah-Wynyard Council is committed to providing and maintaining a safe and healthy environment for all persons associated with its operations, including councillors, employees, contractors, volunteers, residents, and visitors. This applies to our work areas and our community spaces.

Our commitment is based on the principle that work health and safety is the most important of all our business objectives, the recognition that workplace injuries can be prevented, that everyone in the organisation should have clearly defined work health and safety responsibilities, and that meeting this commitment through the management of our stakeholder relationships is important.

The Work Health and Safety Act 2012 applies to council and councillors. Councillors have a role in:

- protecting their own and others' health and safety in the workplace
- taking all reasonably practicable measures through the Chief Executive Officer to ensure a safe workplace.

The purpose of this policy is to:

- outline councillors' responsibilities under the Work Health and Safety Act 2012
- set out councillors' and the organisation's obligations in respect of work health and safety
- provide guidance to councillors on how to respond in various scenarios with health and safety implications that may arise in a work setting.

3. POLICY STATEMENT

Councillors have agreed, through their Code of Conduct, that Council is committed to providing and maintaining a safe workplace for all and recognises that the provisions of the *Work Health and Safety Act 2012* apply to Council and councillors.

4. RESPONSIBILITIES

Each councillor has agreed that they understand that work health and safety is a shared responsibility.

- Responsibilities relating to this policy are as follows:
- Councillors will:
- Make themselves familiar with the provisions of this policy, raise any concerns or questions about the policy's coverage or application and comply with this policy and associated reporting procedures.
- Take reasonable care to protect their own health and safety, as well as the health and safety of others in the workplace.
- Attend and participate in all required training, to maintain understanding of the duties and obligations imposed by the Work Health and Safety Act 2012 and their application to the broad range of activities undertaken by Council.
- Participate where required in the resolution of safety issues.
- Consider any health and safety implications when making Council decisions.

Waratah-Wynyard Council will:

- As far as reasonably practicable, provide a safe workplace that is without risks to the health of councillors performing their duties in the role of councillor, by ensuring appropriate systems and policies are in place to manage those risks.
- Proactively monitor the workplace to identify hazards, assess risks and implement control measures where it is reasonably practical to do so.
- Take all reasonable steps to ensure organisational compliance to the organisation's work health and safety policies and the continuous improvement of the WHS Management System
- Provide training opportunities to assist councillors to achieve and maintain understanding of the duties and obligations imposed by the Work Health and Safety Act 2012 and their application to the broad range of activities undertaken by Council.

5. INCIDENT AND HAZARD REPORTING PROCEDURES

All hazards, near misses and incidents that occur because of councillors conducting the business of Council, acting as a representative of Council, including as part of attending Council related functions, during or outside normal Council hours, must be reported.

In most cases where councillors notice something unsafe, it will be appropriate for them to notify the Chief Executive Officer or a Director. They will be required to complete a hazard/incident report in accordance with Council's relevant policy and procedure.

An incident investigation and risk assessment may be undertaken and documented, including any actions to be taken to control the risk.

If the issue relates to potential psychological injury arising from disrespectful conduct under the Councillor's Respectful Conduct Policy, the issue must be reported to the Chief Executive Officer.

If the Chief Executive Officer has serious concerns about a risk to the health and safety of a councillor, councillors, Council staff or the community, the Chief Executive Officer has overall accountability to take appropriate action to ensure the safety of all.

Depending on the issue, the Chief Executive Officer will notify the councillor of the outcome of a reported hazard or incident once addressed.

6. LEGISLATIVE REQUIREMENTS/TERMINOLOGY:

- Local Government Act 1993
- Anti-Discrimination Act 1988
- Work Health and Safety Act 2012
- Age Discrimination Act 2004 (Cth)
- Disability Discrimination Act 1992 (Cth)
- Racial Discrimination Act 1975 (Cth)
- Sex Discrimination Act 1984 (Cth)
- Workplace Gender Equality Act 2012 (Cth)
- At the Waratah-Wynyard Council, the title Chief Executive Officer is a term of reference for the General Manager as appointed by Council pursuant to section 61 of the Local Government Act 1993; and carries the same meaning for the purposes of the Local Government Act 1993 and all other legislation administered by or concerning the Council.