

2.19 Work Health & Safety policy

The Work Health and Safety policy (hereafter ‘the Policy’), ensures the LECC is committed to providing a safe, equitable and productive working environment for all employees and others affected by the work of the LECC.

The LECC is also committed to providing a supportive environment for employees injured at work, ensuring effective treatment and management of the return to work process. For further information, please see the Return to Work policy.

Document Control

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V0.4	17/02/2017	Submitted for Executive approval
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1. Definitions

CEO	Chief Executive Officer
Commission	Law Enforcement Conduct Commission
LECC	Law Enforcement Conduct Commission
Officer	<p>A person who makes decisions, or participates in making decisions, which affect the whole, or a substantial part, of a business or undertaking or has the capacity to significantly affect the financial standing of the business or undertaking. If a person is responsible only for implementing those decisions, they are not considered an officer.</p> <p>You are considered to be an officer if you are:</p> <ul style="list-style-type: none"> • An officer within the meaning of section 9 of the Corporations Act 2001 • An officer of the Crown within the meaning of section 247 of the Work Health and Safety (WHS) Act 2011 • An officer of a public authority within the meaning of section 252 of the WHS Act.
Person conducting a business or undertaking (PCBU)	This term essentially replaces the former definition of employer in previous OHS legislation. A person conducts a business or undertaking either alone or with others, and it can be for profit or gain.
WHS	Work Health and Safety
WHSMS	Work Health and Safety Management System
Worker	<p>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:</p> <ul style="list-style-type: none"> • An employee, or • A contractor or subcontractor, or • An employee of a contractor or subcontractor, or • An employee of a labour hire company who has been assigned to work in the person's business or undertaking, or • An apprentice or trainee, or • A student gaining work experience, or • A volunteer, or • A person of a prescribed class (e.g. Commissioners, Council Assisting, Associates).

2. LECC Values

The LECC values of trust, integrity, accountability, service, and collaboration are the basis of a values-led workplace culture. The Commission requires your behaviour and conduct to comply with the LECC's Code of Ethics and Conduct.

3. Know your responsibilities

3.1 LECC

Under the Work Health and Safety Act 2011, the LECC is considered a 'Person Conducting a Business or Undertaking' (PCBU) and the CEO has ultimate responsibility for LECC's Work Health and Safety (WHS) performance and for ensuring the WHS management system (WHSMS) is operating effectively.

3.2 Officers

LECC Commissioner's and CEO, as decision makers for the whole or a substantial part of the organisation, are considered 'Officers' under the Work Health and Safety Act 2011 and are responsible for managing work health and safety risk and exercising WHS due diligence, by taking reasonable steps to:

- Acquire and keep up to date knowledge of WHS risk management matters.
- Gain an understanding of the nature and operations of the LECC and generally of the hazards and risks associated with those operations.
- Ensure that the LECC has available for use, and uses, appropriate resources and processes to eliminate or minimise risks from work carried out as part of its conduct.
- Ensure that the LECC has appropriate processes for receiving and considering information regarding incidents, hazards and risks and responding in a timely way to that information.
- Ensure that LECC has, and implements, processes for complying with any duty or obligation under the relevant provisions of applicable legislation.
- Verify the provision and use of the resources and processes designed to achieve these due diligence requirements.

Managers are accountable for managing WHS risk within their area of responsibility through:

- The elimination of risk.
- Managing risk to a level that is as low as reasonable practicable if elimination is not reasonably practicable.

3.3 Workers

A worker is someone who carries out work in any capacity for a PCBU and includes an employee, Council Assisting, Commissioners, labour hire staff, volunteers, apprentices, work experience students, subcontractors and contractors (and their employees).

While at work, a worker must:

- Take reasonable care for his or her own health and safety.
- Take reasonable care that his or her 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 to allow the person to comply with the Work Health and Safety Act 2011.
- Co-operate with any reasonable policy or procedure of the PCBU relating to health or safety at the workplace that they have been made aware of.

3.4 Visitors

Visitors to LECC workplaces have WHS responsibilities and must take reasonable care for their own safety and that of others in the workplace. Visitors and others must:

- Comply with any reasonable work health and safety instructions at the workplace.
- Take reasonable care to not put themselves or others at risk.
- Report any hazards / potential hazards to the person facilitating their visit.

4. WHS commitments and aims

The LECC is committed to:

- Ensuring the highest standards of WHS in all its work locations and operations.
- Maintaining a WHSMS that provides workers and other persons with the highest level of protection, as is reasonably practicable, against harm to their health, safety and welfare from hazards and risks arising from work or from specified types of substances or plant.

The LECC will aim to:

- Comply with WHS legislation, Australian Standards and relevant codes of practices.
- Maintain its WHS management systems.
- Integrate WHS into all planning activities and operations.
- Design and deliver quality WHS training packages and programs.
- Regularly monitor and review the effectiveness and relevancy of WHS policy, programs and performance through WHS mechanisms.
- Establish measurable objectives and targets to ensure continued WHS improvement.

5. Resources

- LECC Code of Ethics and Conduct
- [Work Health and Safety Act 2011](#)
- [Work Health and Safety Regulation 2011](#)
- [Workers Compensation Act 1987](#)
- [Workplace Injury Management and Workers Compensation Act 1998](#)
- [Workers Compensation Regulation 2010](#)
- [Codes of practice](#) (various subject titles accessible through SafeWork NSW)

Employees are expected to be aware of the policies, procedures and guidelines that apply to their work. This Policy does not stand alone and must be read in conjunction with all Commission policy, procedures and guidelines.

6. Advice and further information

Contact your manager or the Manager Human Resources for further clarification and information.

7. Monitoring and review

The Policy will be reviewed in accordance with the policy review schedule specified in the document control metadata and at other times if new information or organisational change warrants an amendment. Scheduled and other revisions of the Policy will be completed in consultation with interested parties to ensure relevance and effectiveness.

Feedback, comments and suggestions about this Policy can be directed to Manger Human Resources.