

Reviewed:	March 2014
Reviewed	Dec 2013
First issued	Replaces OHS Congregational Policy

Work Health and Safety Church Council and Congregation Policy

Scope of policy	Councils of Uniting Church or South Australia Congregations: Personnel as defined in A Foreword - Workplace Policies & Procedures
	Uniting Church or South Australia Presbytery and Synod: please refer to WHS Corporate Policy for your work environments.

Policy Statement

The *//insert congregation name//* Uniting Church (UC), Church Council is committed to providing and maintaining a safe, healthy and productive workplace for workers and other persons involved in our congregation's activities.

Our safe workplace will be achieved in accordance with the *Work Health and Safety (WHS) Act 2012 (SA)* (WHS Act).

Policy Scope

This policy is intended to guide individual church councils and congregations in their compliance with the WHS Act. The scope of this policy includes the work and workplace activities conducted by church councils and their congregations. It is also intended to include wherever workers of *//insert congregation name//* Uniting Church Council and its Congregation conduct work on its behalf. The scope of this policy extends to cover WHS issues in relation to church owned premises, buildings and contents, equipment and vehicles. Responsibility for monitoring compliance with the WHS Act in congregations rests with their respective Church Councils.

This policy is not intended to guide WHS compliance in the wider Uniting Church of South Australia Presbytery and Synod or its associated workplaces.

The Uniting Church of South Australia (UCSA) as a whole and each of the individual councils of the church are unincorporated associations. An unincorporated association is also a Person Conducting a Business or Undertaking (PCBU) for the purposes of the WHS Act. The Uniting Church of South Australia Presbytery and Synod considers that each of its individual church council's and their associated congregations form separate and distinct PCBUs for the purposes of the WHS Act.

For the purposes of this policy; the term '**other person**' means a visitor, congregation member or anyone else who could be affected by *//insert congregation name//* UC Church

Council or Congregation activities who is not conducting work, in any capacity, on its behalf.

A '**worker**' is a person who is conducting work, in any capacity (whether paid or not), for [//insert congregation name//](#) UC Church Council or Congregation and includes an employee, contractor or sub-contractor, a labour hire worker, an out worker, an apprentice or trainee, a student gaining work experience or volunteer.

An officer is defined below in the section '**Officers' and the WHS Act**. Without limiting this definition, an Officer of [//insert congregation name//](#) UC Church Council and Congregation may include its Minister and/or Pastor, Chairperson and Secretary of Church Council or Church Treasurer.

Policy

Introduction

Through this policy [//insert congregation name//](#) UC Church Council and Congregation is committed to ensuring that, as far as is reasonably practicable, all workers and other persons are protected from physical and psychological injury and uncontrolled risk to their health and safety whilst conducting work on behalf of the council and congregation. The Officers of [//insert congregation name//](#) UC Church Council and Congregation recognise that the health, safety and welfare of workers and other persons is its primary duty of care and all other operational or logistical priorities are subordinate to it.

Policy Application

A safe, healthy and productive workplace will be achieved by striving to continually improve our safety management systems and practices in order to comply with the WHS Act. As far as reasonable practicable, [//insert congregation name//](#) UC Church Council and Congregation will achieve many positive outcomes, including the following:

- A safe, healthy and productive workplace;
- Safe systems of work;
- Machinery, equipment, facilities and substances that are fit for purpose and without uncontrolled risk to workers;
- Information, instruction, training and supervision, appropriate to their work, necessary to ensure that workers and other persons are protected from injury and uncontrolled risks to their health;
- Effective consultation with relevant workers and other duty holders on issues that directly affect their health and safety at work;
- Local reporting of all workplace safety incidents, injuries and illnesses including statutory reporting to the WHS Regulator if required;
- Local recording of incidents, and where appropriate, investigation of workplace safety incidents if required; and
- Involvement in rehabilitation measures for workers who suffer work-related injuries and/or illness if required.

//insert congregation name// UC Church Council and Congregation acknowledges the need to manage work health and safety through an effective safety management system that will be developed and implemented using the following strategies:

- Conducting our activities in compliance with the WHS Act;
- Using a framework of policy, procedures and practices that ensure that //insert congregation name// UC Church Council and Congregation is compliant with the duties and obligations of a Person Conducting a Business or Undertaking (PCBU) under the WHS Act;
- Commitment and the proactive involvement of **Officers and workers** in achieving compliance with the WHS Act;
- Responsibilities of all Officers, workers and other relevant persons are to be clearly established for the work, health and safety of persons under their control;
- Effective consultation with directly affected workers and other duty holders;
- Clearly defined and assigned roles, responsibilities and procedures for achieving //insert congregation name// UC Church Council and Congregation safety aims and objectives;
- Officers, workers and other persons, where applicable, will be provided with role appropriate, adequate training, instruction and information to enable them to fulfil their responsibilities; and
- The adequate provision of resources including human, logistical and financial in order to conduct our workplace activities free from the uncontrolled risk of injury or harm to workers or other persons.

Officers and the WHS Act

The *WHS Act* defines an 'Officer' to have the same meaning as contained in the Corporations Act 2001 (Cth) (*Corps Act*). The *Corps Act* speaks of officers of unincorporated associations, in the following terms:

'Officer' of an entity that is neither an individual nor a corporation means:

- (a) *[partners in partnership]; or*
- (b) *An office holder of the unincorporated association if the entity is an unincorporated association; or*
- (c) *A person:*
 - i. *Who makes, or participates in making, decisions that affect the whole, or a substantial part, of the business of the entity; or*
 - ii. *Who has the capacity to affect significantly the entity's financial standing*

The WHS Act requires Officers to exercise 'due diligence' and undertake all reasonable steps to ensure that //insert congregation name// UC Church Council and Congregation discharges its duties and obligations under the WHS Act.

Roles and Responsibilities

//insert congregation name// UC Church Council and Congregation's PCBU Duties

//insert congregation name// UC Church Council and Congregation, as the PCBU, has a primary duty of care to ensure, so far as is reasonably practicable, the health and safety of workers and other persons while conducting work for it or otherwise involved in or impacted on by its activities. This duty involves taking action to eliminate risks to health and safety in the workplace or where this is not possible to take reasonable steps to minimise those risks.

Officers Duties

It is the duty of //insert congregation name// UC Church Council and Congregation's Officers to ensure that the PCBU complies with its duties and obligations under the WHS Act. In complying with this duty Officers will ensure effective implementation of this policy.

Officers will:

- Understand and execute their duties in accordance with the WHS Act;
- Undertake due diligence and take reasonable steps to ensure the //insert congregation name// UC Church Council and Congregation discharges its duties and obligations to provide a safe, healthy and productive workplace for its workers and other persons;
- Will ensure that //insert congregation name// UC Church Council and Congregation complies with its duty to consult, cooperate and coordinate its work activities with other duty holders where relevant;
- Will ensure that //insert congregation name// UC Church Council and Congregation complies with its duty to consult workers in the required way, when necessary, in accordance with the WHS Act;
- Will ensure that WHS matters are a standing agenda item on all meetings of the //insert congregation name// UC Church Council
- Ensure that adequate resources are made available to meet work, health and safety aims and objectives;
- Ensure that //insert congregation name// UC Church Council and Congregation has adequate resources within its control to put this policy into effect, and that all levels of the Church Council are given the responsibilities and authority necessary to ensure its effective implementation; and
- Ensure that all levels of the Church Council are responsible for and support the effective implementation of this work, health and safety policy.

In summary Officers:

- Are accountable under the WHS Act to ensure //insert congregation name// UC Church Council and Congregation meets its safety obligations to workers and other persons;
- They have the appropriate levels of authority and delegation to use //insert congregation name// UC Church Council and Congregation resources to achieve compliance with the WHS Act;
- Determine how WHS matters are managed by //insert congregation name// UC Church Council and Congregation at its workplace; and
- Review, consider, evaluate and take appropriate action on safety performance issues identified through local consultation and by other reported means.

//insert congregation name// **UC Church Council and Congregation Workers**

The term 'worker' is defined in the *WHS Act* and includes an employee, contractor or subcontractor or an employee thereof, an employee of a labour hire company assigned to work for //insert congregation name// UC Church Council and Congregation, an out worker, an apprentice or trainee, a student on work experience, a volunteer of a person of a prescribed class.

Workers who conduct work in any capacity for //insert congregation name// UC Church Council and Congregation will take reasonable care to:

- Follow safe and healthy work practices;
- Report hazards in the workplace and make recommendations to management on how to reduce the level of risk;
- Avoid adversely affecting their own health and safety and that of any other person through any act or omission at work, or by the consumption of alcohol or drugs;
- Make proper use of available safety procedures, safety devices and personal protective equipment;
- Comply with any reasonable instruction from an UCSA in relation to health & safety;
- Not to (or cause another worker or other person to) interfere with, remove, displace or render ineffective any safeguard, safety device, personal protective equipment or other appliance or work system provided for protection; except when necessary as part of an approved maintenance, repair or emergency procedure;
- Assist accident investigators or workplace inspectors;
- Report accidents, injuries and "near miss" incidents to their Manager/Supervisor immediately; and
- Actively support the safety consultation process.

Consultation, Coordination & Cooperation with Workers & Other Duty Holders

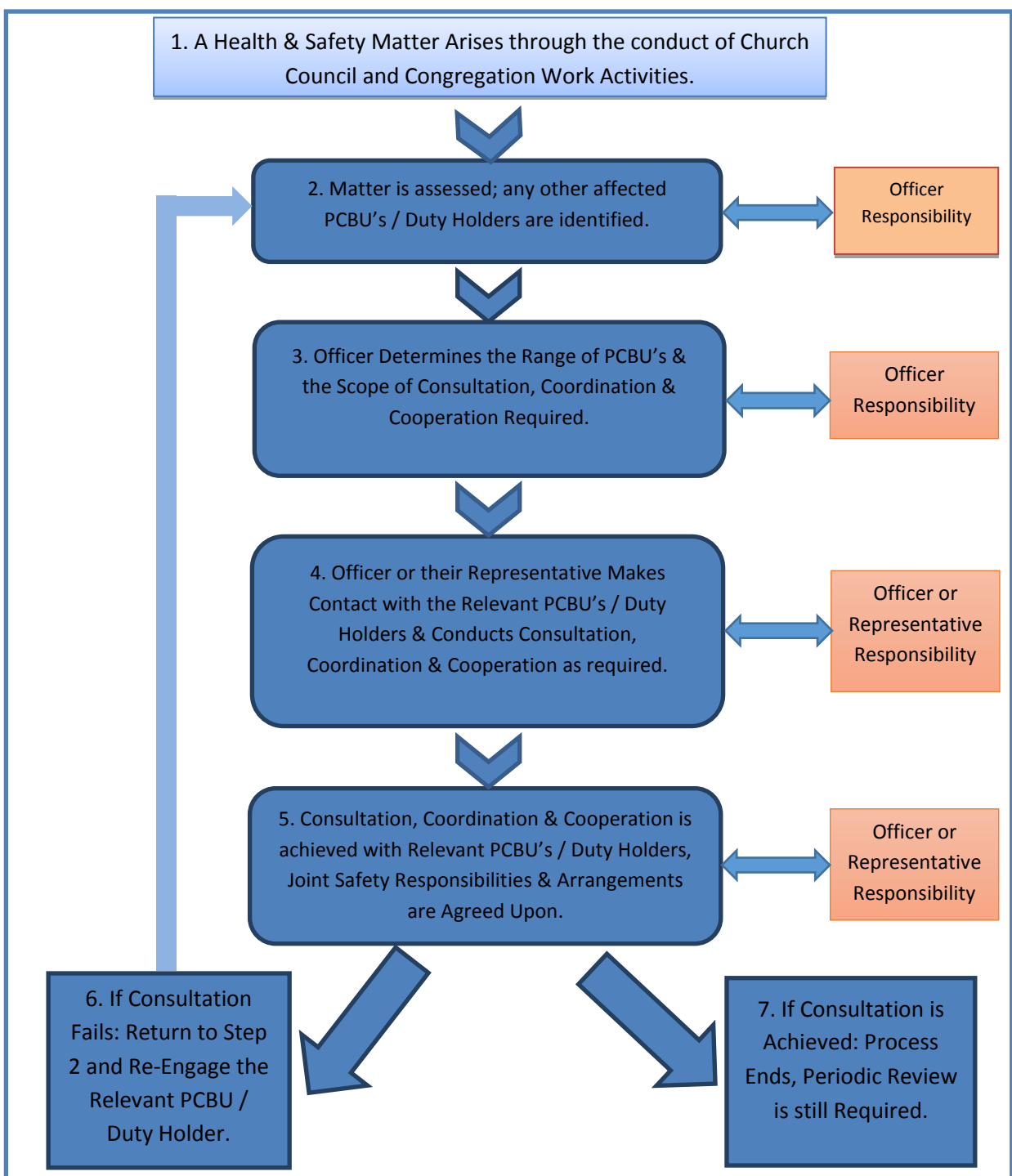
Where //insert congregation name// UC Church Council and Congregation work or operational activities impacts on another *WHS Act* duty holder(s), it will, as far as reasonably practicable, consult, co-operate and co-ordinate activities with those duty holder(s) in relation to the relevant matter.

//insert congregation name// UC Church Council and Congregation's Officers are responsible for ensuring that processes for consultation regarding health and safety matters are in place and functioning. This will ensure that workers and other persons are actively participating and assisting the Church Council to discharge this duty. Key to this is the Officers responsibility to ensure that *WHS* matters are a standing agenda item on all meetings of the //insert congregation name// UC Church Council.

Where a health and safety matter arises that directly affects workers, //insert congregation name// UC Church Council and Congregation will, as far as reasonably practicable, conduct consultation with those workers. In pursuing best practice Church Council are committed to encouraging consultation between the council, workers and other persons on health and safety issues.

//insert congregation name// UC Church Council and Congregation - External Process - Consultative Process for WHS Consultation, Coordination & Cooperation with Other Duty Holders

When external WHS consultation, co-operation and co-ordination is required with another PCBU or duty holder the following seven (7) step process will apply.



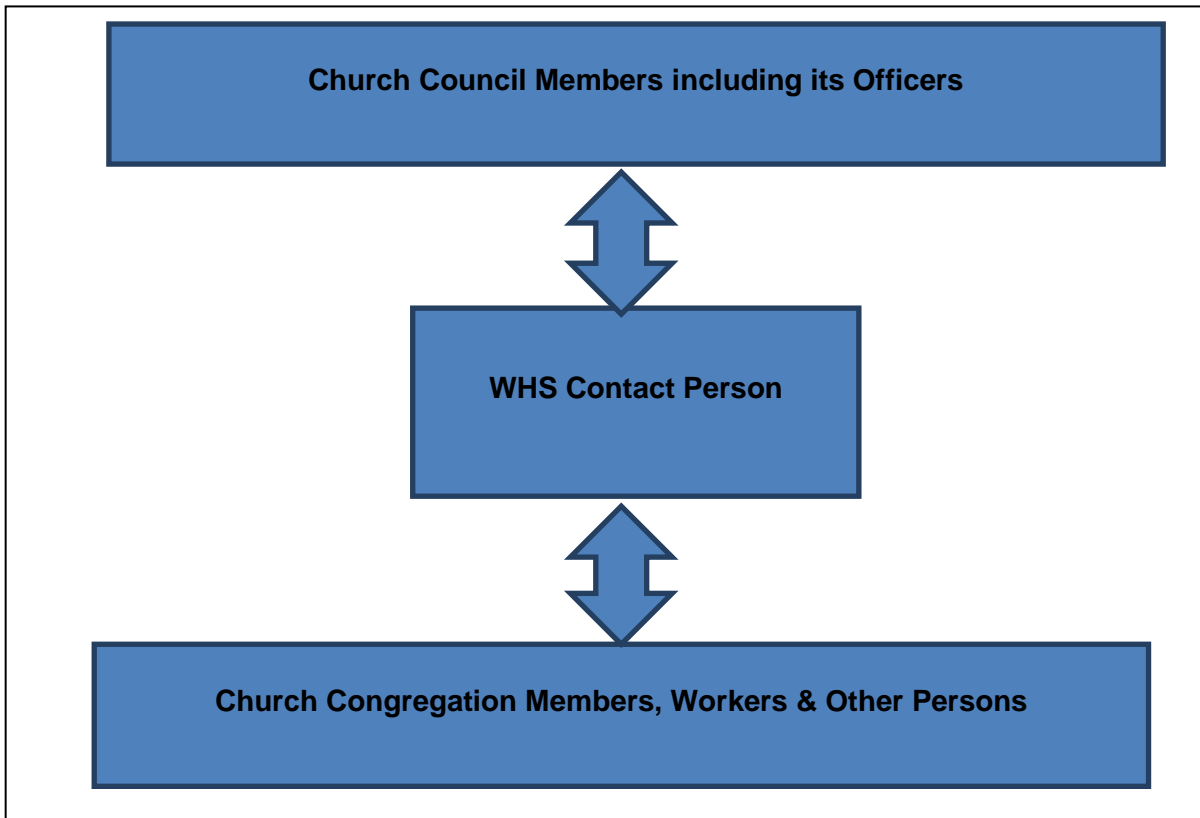
The model recognises that when consultation, co-operation and co-ordination is required the officer is responsible for initiating the consultation, co-operation and co-ordination process (personally or through a representative).

//insert congregation name// UC Church Council and Congregation - Internal WHS Consultative Process with Workers & Other Persons

The //insert congregation name// UC Church Council and Congregation’s internal consultative structure will consists of:

- WHS issues being maintained as a standing agenda item on all meetings of the Church Council;
- //insert congregation name// UC Church Council and Congregation shall appoint a suitable person from the Congregation or Church Council as the WHS contact person;
- The WHS contact person’s task will be to bring WHS issues from workers or other persons to the notice of the church council for action by its officers; and
- They will also be responsible for reporting the outcome of those issues back to the relevant congregation members.

The Internal WHS Consultation Process



The //insert congregation name// UC Church Council and Congregation comprises the Council's Officers and may include workers and/or other persons as required.

Role and Responsibilities

In respect of WHS Consultation, Cooperation and Coordination the Church Council and its Officer's role will be to:

- Review all risks and hazards identified by the WHS Contact Person or other persons;
- Action immediately any issue of a critical, exceptional or outstanding nature or any matter that may be considered to present further risk or potential harm to any workers or other person;
- Identify and assess the need for instruction, training and supervision of workers or other relevant persons;
- Consult with workers and other duty holders on matters which directly affect work health and safety;
- Ensure all hazards in the workplace are identified;
- Ensure all risks are assessed arising from those hazards;
- Ensure measures are implemented to eliminate or control those risks and these controls are reviewed as needed; and
- Ensure that WHS matters are a standing agenda item on all meetings of the //insert congregation name// UC Church Council.

WHS Contact Person

//insert congregation name// UC Church Council and Congregation shall appoint a WHS Contact Person. That person is the conduit for health and safety matters between workers, other persons and Church Council.

Role and responsibilities

WHS Contact Person will:

- Regularly consult with workers and other relevant persons on matters which directly affect their health, safety and welfare;
- Convey any observed, identified or reported upon hazards to the attention of the Church Council; and
- Report back outcomes and resolutions to relevant persons.

Policy Implementation

This policy is to be implemented through //insert congregation name// UC Church Council and Congregation by its Officers, workers and others relevant persons.

This policy is supported by, including but not limited to:

- Emergency procedures as determined by //insert name congregation// UC
- Uniting Church SA Incident Management Policy and associated documents
- Uniting Church SA Hazard Management Policy and associated documents

- Uniting Church SA Workplace Bullying & Harassment Policy
- Uniting Church SA Sexual Harassment Policy
- Uniting Church SA Manual Handling Policy

This policy will be reviewed by //insert name// UC Church Council and Congregation every two years or in light of any changes to the workplace or legislation, or on an as needs basis.

Dissemination of Policy

A copy of this policy will be made available to all //insert congregation name// UC Church Council and Congregation's Officers, workers and congregational members where required. A copy is to be placed in a prominent position in all main areas of the //insert congregation name// UC Church Council and Congregation's workplaces.

The intent of the policy will be explained to each new Officer or worker at their induction and to other persons as necessary.