

Work Health Safety and Environmental Management Policy and Procedure

1.0 Purpose

The purpose of this policy is to ensure the health, safety, and wellbeing of staff, participants, and all individuals involved in SilaCa Tasmania Pty Ltd's operations. We are committed to proactively identifying and managing risks associated with our work and support activities. This includes allocating the necessary resources and processes to eliminate or minimise health and safety risks to the greatest extent possible.

SilaCa Tasmania Pty Ltd is dedicated to ensuring that the safety, dignity of risk, and wellbeing of participants are integrated into all our work health and safety practices. We are also committed to participant safeguarding, ensuring risks affecting both participants and workers are identified, reported, and managed according to NDIS requirements.

2.0 Scope

The policy applies to all staff, and their advocates or families involved in SilaCa Tasmania Pty Ltd's operations.

3.0 Policy

SilaCa Tasmania Pty Ltd is committed to promoting and maintaining the highest standards of health, safety, and wellbeing for all individuals within the workplace, including staff, participants, and others. Our approach to Work Health and Safety (WHS) aims to provide a safe and healthy environment for everyone involved.

All work health and safety practices at SilaCa Tasmania Pty Ltd align with the NDIS Code of Conduct, ensuring that participants' dignity, choice, and control are respected while managing risks to their safety and wellbeing. Our WHS risk management procedures are in line with NDIS safeguarding duties, ensuring that participants are protected from harm, while also supporting their autonomy and decision-making.

SilaCa Tasmania Pty Ltd will comply with all relevant NDIS regulations, including the Incident Management and Reportable Incidents Rules, to ensure the protection and safety of workers, participants, and others involved in our services.

The organisation will provide the necessary resources to meet the legal and regulatory requirements related to workplace health and safety. SilaCa Tasmania Pty Ltd will regularly review and update our practices to foster continuous improvement, ensuring that our workplaces remain safe, healthy, and free from risks.

3.1 Statement of injury management and return to work

SilaCa Tasmania Pty Ltd is committed to:

- establishing and reviewing the return-to-work program that is consistent with the injury management program to ensure injured workers return to work in a timely and safe manner
- managing all claims and the return to work of employees injured in the workplace
- establishing individualised injury management plans according to legislative requirements, as outlined in the policy and procedures
- consulting with employees and other stakeholders on health and safety issues
- complying with relevant work health and safety legislation and regulations and other associated legislation
- providing and maintaining equipment and appropriate personal protective equipment for the safety of our employees
- providing employees with information, training and supervision, as necessary, to enable them to work in a safe manner and without risks to health
- documenting, investigating and reviewing incidents
- displaying, documenting and distributing this Work Health Safety and Environmental Management Policy and Procedure and all other associated documentation in the workplace, including the return-to-work program
- maintaining the required insurance cover
- appointing a designated person to manage all claims for workers' compensation, occupational rehabilitation and return-to-work programs
- outlining the roles and responsibilities of all relevant parties in the return-to-work process
- regularly reviewing workers' compensation claims

3.2 Environmental management

Management will endeavour to minimise our environmental impact in the following areas:

- reduction of waste generated
- unnecessary energy consumption

SilaCa Tasmania Pty Ltd will actively take part in the following:

- identifying waste streams and options for effective waste management
- reviewing purchasing behaviour, e.g. buying recycled materials; reducing waste; using less harmful/volatile chemicals

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- improving storage, e.g. reducing the quantity of waste and spills, reducing odours by keeping containers closed
- conserving energy, e.g. installing eco-friendly lights, turning lights off when not needed, purchasing energy-efficient emergency equipment and using greener fuel sources
- conserving water, e.g. installing water-saving accessories, repairing leaks
- preserving waterways, e.g. marking and protecting storm-water drains
- creating an emergency plan and spill response
- improving education and awareness
- notifying relevant authorities in the event of a major environmental impact

3.3 Incident management

Incident management is integral to the SilaCa Tasmania Pty Ltd's planning processes. All stakeholders are encouraged to raise any concerns regarding risk, incidents or safety. Support delivery issues, and their contributing factors, are identified and utilised as SilaCa Tasmania Pty Ltd's performance measures:

- SilaCa Tasmania Pty Ltd management is ultimately accountable for incident management throughout our service and support provision. Participants and/or their representatives must be informed of incidents impacting them, with support provided as required
- Our organisation reinforces our accountability by using governance structures, including policy, performance management and delegations, and defines the acceptable level of risk for the organisation

The Manager is responsible for:

- overseeing the incident management system, including monitoring, reviewing and reporting on its effectiveness
- managing, reviewing and implementing the contingency disaster plan, including establishing and maintaining all service agreements
- implementing incident management processes
- advising results and analysis of incident investigations
- evaluating and documenting actual and potential risks with a formal risk assessment
- ensuring all staff within SilaCa Tasmania Pty Ltd have a responsibility to identify and minimise risks in service delivery

Figure 1. Incident management process



3.3.1 Responding and reporting obligations

- SilaCa Tasmania Pty Ltd has a responsive risk management hazard, incident and accident reporting system
- All incidents of any nature are a matter of concern and, as such, should be recorded using incident and hazard reports
- All notifiable incidents are reported to state WorkCover authorities, the coroner (if required) and the NDIS Commission through the portal as per regulatory requirements
- Details of incidents will be documented through the incident management system

NDIS Reportable Incidents will be managed in accordance with the NDIS (Incident Management and Reportable Incidents) Rules 2018. All reportable incidents, including serious injuries, abuse, neglect, and unauthorised restrictive practices, must be reported to the NDIS Commission within required timeframes (generally within 24 hours for critical incidents).

External Reporting Options

If any staff member, participant, advocate, or family member is not satisfied with how an incident, risk, or hazard has been managed internally, or if they are concerned about participant safety, they can report concerns externally to ensure independent oversight. External reporting options include:

- NDIS Quality and Safeguards Commission - for concerns related to participant safety, dignity of risk, or reportable incidents (1800 035 544 or www.ndiscommission.gov.au)
- Safe Work Australia / State Work Health and Safety Regulator - for workplace safety concerns or unresolved WHS risks
- Other relevant regulators (e.g., Public Guardian, Human Rights Commission) if applicable to the situation
- SilaCa Tasmania Pty Ltd will provide support and information to any person who wishes to access external reporting

3.3.2 Documentation

- All information is gathered regarding privacy and confidentiality, recorded comprehensively and stored securely
- The incident report is for the use of the Manager only, as it will contain identifying information. The minimum information required includes a description of the event, damage, injuries, reporting requirements, parties/persons involved and recommendations. Reportable Incidents documentation will be held for seven (7) years. Where children are involved, records will be kept as per state requirements
- When discussing the incident findings and recommendations in a meeting, care must be taken not to minute any identifying information

3.3.3 Evaluation and feedback

- Staff involved in the incident will be advised of the findings and recommendations of the investigation
- Information will be reported through the meeting system
- SilaCa Tasmania Pty Ltd may trend incidents, accidents and critical events
- Reviews of policy, procedure and equipment may occur because of an incident or accident

3.3.4 Support for stakeholders

- Any staff member, participant or visitor involved in or affected by an incident is offered support

3.4 Manual handling

- SilaCa Tasmania Pty Ltd has a Manual Handling Policy and Procedure, and all staff are instructed in this procedure at induction and as required
- Maintenance of the participants' independence by encouraging mobility is a priority
- The manual handling needs of participants are assessed and documented on entry to SilaCa Tasmania Pty Ltd
- Manual handling is a component of the education and training program
- Staff members have instructions on the correct manual handling and lifting techniques
- All staff members are assessed on their manual handling techniques regularly during induction
- All manual handling injuries and incidents are reviewed, risk assessments are conducted, and strategies are implemented to control risks
- Risk identification, assessment and control are carried out in consultation with staff
- Incidents, accidents and hazards identified from manual handling activities are reported through the communication meeting and other associated meetings, as deemed by management as required
- Appropriate equipment is provided so manual handling activities can be safely executed

- According to infection control guidelines, personal manual handling equipment such as 'slide sheets'
- The Manager will ensure that the general layout of the workplace is conducive to the safe handling of participants and the safe use of equipment

3.5 Infection Control

All infection control measures will comply with the NDIS Commission infection control guidelines, including management of communicable diseases (e.g., COVID-19, influenza).

SilaCa Tasmania Pty Ltd will follow and inform staff of any health orders (e.g. use of PPE – gloves and masks). Staff must train in how infectious agents spread, including

- breathing in airborne germs – coughs or sneezes release airborne pathogens, which are then inhaled by others
- touching contaminated objects or eating contaminated food – the pathogens in a person's faeces may be spread to food or other objects if their hands are dirty
- skin-to-skin contact – the transfer of some pathogens can occur through touch or by sharing personal items, clothing or objects
- contact with body fluids – pathogens in saliva, urine, faeces or blood can be passed to another person's body via cuts or abrasions or through the mucus membranes of the mouth and eyes (better health)

Staff must follow infection control guidelines set out in our practice guides and policies. Infection control measures will include protecting participants, particularly those with complex health needs, by ensuring that staff follow NDIS guidelines for infection prevention and take participant-specific risks into account in planning and service delivery.

3.6 Work health and safety consultation

SilaCa Tasmania Pty Ltd will establish and maintain systems for work health and safety consultation to enable staff to contribute to the decision-making process regarding matters that affect their health, safety and welfare at work. The intended outcomes of this policy include:

- prevention of risk of injury to workers and others
- consultation with workers regarding the risk management process
- reduction of social and financial costs of work health and safety hazards
- establishment and maintenance of safe systems of work
- regulatory compliance maintenance
- prompt consultation on work health and safety matters, taking into consideration the level of risk involved in any specific issue
- training is updated according to current work health and safety regulatory requirements and made available to staff

Work health and safety (WHS) consultations will consider participants' rights and needs, including environmental safety and infection control. Participants and their representatives will be involved in discussions on WHS risks and emergency planning.

The Board of Directors and Management Team will review serious incidents, WHS risks, and trends in incidents and hazards quarterly as part of their governance role. This ensures that the organisation's duty of care under the NDIS Practice Standards and WHS legislation is upheld, and that systemic risks are identified and addressed

3.6.1 Nature of consultation

The purpose of the work health and safety consultation with staff is to:

- share health and safety information
- provide a reasonable opportunity to:
 - express their views
 - raise work health and safety issues
 - contribute to the decision-making process
- consider the opinions of staff members
- promptly inform staff of any future outcomes

Participants and their representatives will be included in WHS consultations where their environment, care, or safety may be impacted, to ensure participant voice is incorporated in safety planning and risk management.

3.6.2 When a consultation is required

Consultation is required when:

- identifying and assessing risks to health and safety
- deciding ways to eliminate or minimise those risks
- deciding on the adequacy of facilities for worker welfare
- proposing changes that may affect the health and safety of workers

3.6.3 Work health and safety resolution

- Staff are to be consulted on proposed changes to the work environment, equipment, policies, protocols and procedures that may affect their health and safety
- Information on hazards, work health and safety activities, and achievements will be disseminated to staff through staff meetings, memos, etc

- A staff member may approach the Manager to bring forward issues in the workplace
- The Manager will attempt to resolve the issue locally
- SilaCa Tasmania Pty Ltd will always make a reasonable effort to achieve a timely, final and effective resolution of work health and safety matters

Work-related problems, concerns or complaints concerning work health and safety will be managed following our Human Resource Management Policy and Procedure.

Only after reasonable efforts have been made to resolve the issue can the parties seek the assistance of an appropriate workplace health and safety inspector. This right arises whether all or only one party has made reasonable efforts to resolve the work health and safety issue; a party's unwillingness to resolve the issue would not prevent an inspector from being called in.

The inspector's role is to assist in resolving the issue, which could involve the inspector providing advice or recommendations or exercising any of their compliance powers, e.g. issuing a notice.

Even if an inspector has been requested to assist in resolving a work health and safety issue, a worker's rights to cease unsafe work remain under the Work Health and Safety Act 2011 model.

When an issue is resolved, the issue's details and resolution will be written and recorded to all parties' satisfaction as soon as reasonably practicable:

- Worker/s affected by the issue will be informed of the agreement's details between the parties
- A copy of the issues' resolution agreement may be forwarded by any of the parties involved or SilaCa Tasmania Pty Ltd that represents the party

3.7 Workplace incidents

SilaCa Tasmania Pty Ltd will:

- hold current workers' compensation insurance policy that covers all workers
- notify a worker of any workplace incidents, as per legislative requirements
- make suitable duties available to injured workers
- maintain a record of wages according to regulatory requirements
- maintain a register of workplace-related injuries and illnesses
- forward any workers' compensation payments to injured workers
- avoid dismissing an injured worker because of their injury within six months of the injury or illness occurring and the injured worker's incapacity to work
- maintain a register of acceptable modified duties
- prepare an offer of modified duties in writing and provide these to the injured worker and healthcare practitioner
- educate staff about the causes of the injury and subsequent risk

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- keep associated records as required. All WHS and incident-related records will be maintained for at least 7 years, and longer when required
- ensure all staff are aware of responsibilities and rights concerning return to work through training and education
- manage disputes according to regulatory requirements

3.7.1 Notification of injuries

- The Manager will be notified of all injuries as soon as possible
- All injuries are to be recorded
- The workers' compensation agent will notify of any injuries within 48 hours
- Workers will be notified immediately of any serious incidents involving a fatality or a serious injury or illness

3.7.2 Recovery

- The Manager will ensure that the injured worker receives appropriate first aid and medical treatment as soon as possible
- The injured worker must nominate a treating doctor responsible for the medical management of the injury and plan a return to work

3.7.3 Return to work

The Manager will:

- arrange a suitable person to explain the return to work process and the injury management plan to the injured worker
- ensure the injured worker's right to the confidentiality of medical information
- ensure no information will be used to discriminate against the injured worker
- provide mechanisms to communicate across cultures, including ethnicity, gender and age
- ensure all return-to-work plans are completed within the legal time frames
- prepare the return to work plans based on the advice of the staff member's own treating health practitioner/doctor and the workplace rehabilitation provider
- follow the relevant legislation and the agreed consultation procedures
- create availability of suitable work where possible when a staff member's injury does not allow a return to immediate pre-injury duties (these suitable duties shall be made available temporarily)
- maintain contact and communication with an injured staff member during the period of incapacity and absence from work
- ensure the confidentiality of the injured staff member's information and records

Before returning to work, staff may be required to undergo re-assessment of their NDIS Worker Screening clearance if the incident or injury could impact their ability to safely support participants.

3.8 Work health and safety management program

The work health and safety management program consists of a set of activities, policies and procedures that are updated, as required, which relate to all aspects of work health and safety, including:

- work health and safety training and education
- work design, workplace design and standard/safe work procedures
- emergency procedures
- provision of work health and safety equipment, services and facilities
- workplace inspections and evaluations
- reporting, recording and reviewing incidents, accidents, injuries and illnesses
- hazard identification activities
- equipment assessment procedures and practices
- participant risk assessment procedures and practices
- staff risk assessment procedures and practices
- provide information on work health and safety to staff, participants and their families
- implement safe manual handling procedures and safe work procedures

All WHS management programs will be consistent with NDIS Practice Standards (Provider Governance and Operational Management) and will incorporate participant-specific risk management.

3.9 Education/training

Every staff member will receive emergency training at least annually. Education/training will always be conducted by appropriately authorised and skilled personnel. Within seven days of commencing employment, each new employee will be provided instructions regarding the following:

- Identify and minimise hazards in/around a participant's home and workplace
- procedures to be followed in an emergency

Mandatory annual training includes WHS, infection control, incident management, participant safeguarding, and NDIS Code of Conduct.

3.10 Hazard identification and risk management

Management actively encourages reporting hazards and promotes a positive and timely response; staff and contractors are informed of hazard identification mechanisms. On identification and reporting of a hazard, staff members and subcontractors will:

- take immediate action to minimise the hazard(s), where possible

- report immediately to the person in charge when the action is beyond role limitations, and the hazard poses a high risk
- record the hazard according to the organisation's hazard reporting requirements

Hazard identification and risk management will also address participant-specific risks, including risks arising from environmental factors, infection control breaches, and worker conduct. All hazards impacting participants will be managed under both WHS legislation and NDIS safeguarding requirements.

Identified hazards are reported and reviewed using SilaCa Tasmania Pty Ltd's continuous improvement and risk management processes (see the Risk Management Policy and Procedure and the Continuous Improvement Policy and Procedure).

3.11 Risk management

SilaCa Tasmania Pty Ltd considers risk management fundamental to good management practice. Effective risk management will contribute to the achievement of SilaCa Tasmania Pty Ltd's strategic and operational objectives and goals. Risk management must be an integral part of SilaCa Tasmania Pty Ltd's decision-making and must be incorporated within the strategic and operational planning processes, at all levels, across SilaCa Tasmania Pty Ltd.

SilaCa Tasmania Pty Ltd will maintain strategic and operational risk management plans. Management is committed to ensuring all staff are provided with adequate guidance and training on risk management principles and their responsibilities to implement risk management effectively.

SilaCa Tasmania Pty Ltd will regularly review and monitor the implementation and effectiveness of the risk management process, including developing an appropriate risk management culture across our organisation.

4.0 Definitions

Term	Definition
Bullying	Bullying is "unreasonable and inappropriate workplace behaviour that may intimidate, offend, degrade, insult or humiliate an employee (or another person), in front of others, including physical or psychological behaviours."

Term	Definition
Clinical risk management	Clinical risk management is an approach to improving the quality of care that emphasises identifying circumstances that put participants at risk of harm and then acting to prevent, control or accept those risks. The aim is to improve the quality of care for participants and reduce risks for care providers.
Dangerous goods	Those substances that give rise to an immediate physical effect, such as fire, explosion, and vapour release, are defined under Work Health Safety legislation.
Dangerous incident	A dangerous incident means an incident in a workplace that exposes a worker or any other person to a serious risk to a person's health or safety emanating from immediate or imminent exposure to: (a) an uncontrolled escape, spillage or leakage of a substance (b) an uncontrolled implosion, explosion or fire (c) an uncontrolled escape of gas or steam (d) an uncontrolled escape of a pressurised substance (e) electric shock (f) the fall or release from a height of any plant, substance or thing (g) the collapse, overturning, failure or malfunction of, or damage to, any plant that is required to be authorised for use following the regulations (h) the collapse or partial collapse of a structure (i) the collapse or failure of an excavation or of any shoring supporting an excavation (j) the inrush of water, mud or gas in workings in an underground excavation or tunnel (k) the interruption of the main system of ventilation in an underground excavation or tunnel (l) any other event prescribed by the regulations but does not include an incident of a prescribed kind
Due diligence	Where a PCBU (person conducting a business or undertaking) has a health and safety duty, an officer of the PCBU is required to exercise 'due diligence to ensure the PCBU meets that duty. Due diligence means taking a reasonable step to: • gain and update knowledge of WHS matters

Term	Definition
	• understand the nature of the business, undertaking's operations and the general hazards and risks involved • ensure the PCBU has appropriate resources for eliminating/minimising risks and that these resources are used • ensure the PCBU has processes for receiving, reviewing and responding to information about incidents, hazards and risks • ensure the PCBU implements processes for complying with their duties, such as: - o consultation - o provision of training and instruction - o reporting of notifiable incidents
Environment	Components of the earth, including: • land, air and water • any layer of the atmosphere • any organic or inorganic matter and any living organism • human-made or modified structures and areas and includes interacting natural ecosystems
Hazard	Hazards are something with the potential to cause injury, illness or disease.
Hazardous substances	Those substances can cause detrimental health effects, such as damage to the respiratory tract, skin, and eyes (including carcinogens) and are defined as such under WHS legislation.
Health and Safety Representative (HSR)	Members of a workgroup elect the HSR person within the PCBU or across several businesses (e.g. multiple workplaces) to represent that workgroup during consultation on work health and safety issues.
Health and Safety Committee (HSC)	A PCBU must establish an HSC requested by the HSR or a minimum of 5 or more workers at the workplace or the PCBUs own initiative. The HSR can be a member of the HSC if they consent.
Incident	Incidents can be either an event or a near miss, including care complications, accidents, and side effects. A common feature is that incidents are potentially harmful.
Notifiable incident	A notifiable incident is defined as: • death of a person

Term	Definition
	- serious injury or illness of a person - dangerous incident - abuse or neglect of a person - unlawful sexual or physical contact or assault of a person - sexual misconduct committed against, or in the presence of, a person - unauthorised use of a restrictive practice concerning a person
Person conducting a business or undertaking (PCBU)	A person or entity that conducts the business or undertaking alone or with others, whether or not the business or undertaking is conducted for profit or gain.
Officer of the PCBU	A person who makes or participates in decisions that affect the business or undertaking's whole or a substantial part.
Personal protective equipment (PPE)	Personal protective equipment (PPE) is defined as safety clothing or equipment for specified circumstances or areas where the nature of the work involved or the conditions under which people work requires wearing or using for personal protection to minimise risk.
Reasonably practicable	Taking all steps, a duty holder reasonably considered the cost of eliminating or minimising the risk and whether this cost far exceeds the level of risk reduction.
Risk	The chance of something happening that will impact the services SilaCa Tasmania Pty Ltd provides is measured in terms of likelihood and consequences.
Risk analysis (Incident)	Analysing the seriousness of the event's consequences and its likelihood or frequency of occurring again provides a Category Code (CAT), generating a numerical rating that guides appropriate action.
Risk identification	Data sources that assist identification of risk include Coroners' reports, clinical indicators, variance analysis, incident reporting, complaints and other feedback.
Risk register	All levels of SilaCa Tasmania Pty Ltd are responsible for continually monitoring the strategic risk profile. A risk register identifies major risks for SilaCa Tasmania Pty Ltd, indicating if existing controls or management systems are in place to manage that risk.

Term	Definition
Risk treatment	Risk can be avoided, controlled, retained or eliminated. Two major approaches to control risk are reducing risk before it arises (in essence, proactive system design, e.g. Work Health Safety Risk Management Site for Safe Work Method Statement, equipment maintenance) or reducing the risk after the problem arises (countermeasures or barriers such as increased training).
Safety Data Sheet (SDS)	Information containing data regarding the properties and effects must be provided by the manufacturer, supplier or importer of the hazardous substance/dangerous goods. SDS must be current – within five years of the issue date and meet specific legislated format requirements.
Serious injury or illness	Serious injury or illness of a person means an injury or illness requiring the person to have: (a) immediate treatment as an in-patient in a hospital (b) immediate treatment for: (i) the amputation of any part of his or her body (ii) a serious head injury (iii) a serious eye injury (iv) a serious burn (v) the separation of his or her skin from an underlying tissue (vi) a spinal injury (vii) the loss of a bodily function (viii) serious lacerations (c) medical treatment within 48-hours of exposure to a substance and any other injury or illness prescribed by the regulations but does not include an illness or injury of a prescribed kind.
Worker	Anyone who is carrying out work, in any capacity, for a PCBU, including direct employees, contractors and subcontractors and their employees, labour-hire employees engaged in working in the business or undertaking, outworkers, apprentices, trainees and students on work experience and volunteers.
Work group	A workgroup is the people represented by the HSR, such as a specific department, shift (e.g. day/night shift), location or type of worker. Workgroups are determined by negotiation between the PCBU and workers (and their representatives if required).

Term	Definition
Work health and safety	The main objective of the model Work Health and Safety Act is to 'provide for a balanced and nationally consistent framework to secure the health and safety of workers and workplaces'.
Workplace	A workplace is where work is carried out for a business or undertaking, including where a worker goes or is likely to be while at work.

5.0 Related documents

- Complaints and Feedback Form
- Anonymous Complaint and Feedback Form
- Complaints Compliments and Feedback Register
- Continuous Improvement Policy and Procedure
- Contingency Emergency and Disaster Plan
- Emergency Plan – Waste Disposal
- Emergency Plan
- Hazard Report Form
- Incident Investigation Form
- Incident Investigation Form Final Report
- Incident Report
- Incident Register
- Personal Emergency Preparation Plan
- Position Descriptions
- Return to work program documents
- Staff Training Record
- Staff Training Plan
- Risk Management Policy and Procedure

6.0 References

- NDIS (Quality and Safeguards Commission) 2018
- Safe Work Australia National Code of Practice
- Work Health and Safety Act 2011 (Commonwealth)
- NDIS (Incident Management and Reportable Incidents) Rules 2018
- NDIS Code of Conduct
- NDIS Worker Screening Rules 2018
- NDIS COVID-19 Provider Guidelines