

Mandatory – Quality Area 3

PURPOSE

This policy will provide guidelines and procedures to ensure that:

- all people who attend the premises of Hampton Community Kindergarten, including employees, children, parents/guardians, students, volunteers, contractors and visitors, are provided with a safe and healthy environment
- all reasonable steps are taken by the Approved Provider, as the employer of staff, to ensure the health, safety and wellbeing of employees at the service.
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- **REVIEW DATE**
- This policy has been reviewed in October 2016 and is due for review October 2019.

POLICY STATEMENT

1. VALUES

Hampton Community Kindergarten has a moral and legal responsibility to provide a safe and healthy environment for employees, children, parents/guardians, students, volunteers, contractors and visitors. This policy reflects the importance Hampton Community Kindergarten places on the wellbeing of employees, children, parents/guardians, students, volunteers, contractors and visitors, by endeavouring to protect their health, safety and welfare, and integrating this commitment into all of its activities.

Hampton Community Kindergarten is committed to ensuring that:

- the management group, staff and volunteers are aware of their health and safety responsibilities as employers, employees and volunteers
- systematic identification, assessment and control of hazards is undertaken at the service
- effective communication and consultation form a fundamental part of the management process to encourage innovative ways of reducing risk in the service environment
- training is provided to assist staff to identify health and safety hazards which, when addressed, will lead to safer work practices at the service
- it fulfils its obligations under current and future laws (in particular, the *Occupational Health and Safety Act 2004*).

2. SCOPE

This policy applies to the Approved Provider, Nominated Supervisor, Certified Supervisor, educators, staff, children, parents/guardians, students on placement, volunteers, contractors and visitors attending the programs and activities of Hampton Community Kindergarten.

3. BACKGROUND AND LEGISLATION

Background

Everyone involved in an early childhood education and care service has a role to play in ensuring the service's operations are safe and without risk to the health and safety of all parties. In Victoria, health and safety in the workplace is governed by a system of laws, regulations and compliance codes that set out the responsibilities of employers and employees to ensure safety is maintained at work.

The *Occupational Health and Safety Act 2004* (OHS Act) sets out the key principles, duties and rights in relation to workplace health and safety. The *Occupational Health and Safety Regulations 2007* specifies the ways duties imposed by the OHS Act must be undertaken and prescribes procedural/administrative matters to support the OHS Act, such as requiring licenses for specific activities, or the need to keep records or notify authorities on certain matters¹.

The legal duties of an **employer** under the OHS Act are:

¹ WorkSafe Victoria: www.worksafe.vic.gov.au

- to provide and maintain a workplace that is safe and without risk to the health of employees. This responsibility extends to contractors for routine tasks over which the employer has management. For contractors completing non-routine tasks, the employer must ensure that the service's daily operations and layout do not pose unreasonable risks
- to ensure other individuals, such as families and visitors, are not exposed to health and safety risks arising from the organisation's activities
- to consult with employees about OHS matters that will, or will likely, affect employees directly, including identifying hazards and assessing risks, and making decisions about risk control measures.

The OHS Act places the responsibility on **employees** for:

- taking care of their own safety and the safety of others who may be affected by their actions
- co-operating with reasonable OHS actions taken by the employer, including following guidelines, attending OHS-related training, reporting incidents, co-operating with OHS investigations, encouraging good OHS practice with fellow employees and others at the service, and assisting the employer with conducting OHS inspections during operating hours
- not interfering with safety equipment provided at the service, such as fire extinguishers.

Legislation and standards

Relevant legislation and standards include but are not limited to:

- *Accident Compensation Act 1985*, as amended 2007
- *AS/NZS 4804:2001 and 4801:2001 Occupational health and safety systems*
- *Education and Care Services National Law Act 2010*
- *Education and Care Services National Regulations 2011*
- *National Quality Standard*, Quality Area 2: Children's Health and Safety
 - Standard 2.3: Each child is protected
 - Element 2.3.1: Children are adequately supervised at all times
 - Element 2.3.2: Every reasonable precaution is taken to protect children from harm and any hazard likely to cause injury
- *National Quality Standard*, Quality Area 3: Physical Environment
 - Standard 3.1: The design and location of the premises is appropriate for the operation of a service
 - Element 3.1.1: Outdoor and indoor spaces, buildings, furniture, equipment, facilities and resources are suitable for their purpose
 - Element 3.1.2: Premises, furniture and equipment are safe, clean and well maintained
- *National Quality Standard*, Quality Area 7: Leadership and Service Management
 - Standard 7.1: Effective leadership promotes a positive organisational culture and builds a professional learning community
- *Occupational Health and Safety Act 2004*
- *Occupational Health and Safety Regulations 2007*

The terms defined in this section relate specifically to this policy. For commonly used terms e.g. Approved Provider, Nominated Supervisor, Regulatory Authority etc. refer to the *General Definitions* section of this manual.

Duty of care: A common law concept that refers to the responsibilities of organisations to provide people with an adequate level of protection against harm and all reasonable foreseeable risk of injury. In the context of this policy, duty of care refers to the responsibility of education and care services to provide children, staff, students, volunteers, contractors and anyone visiting the service with an adequate level of care and protection against reasonable foreseeable harm and injury.

Hazard: An element with the potential to cause death, injury, illness or disease.

Hazard identification: A process that involves identifying all foreseeable hazards in the workplace and understanding the possible harm that each hazard may cause.

Hazard management: A structured process of hazard identification, risk assessment and control, aimed at providing safe and healthy conditions for employees, contractors and visitors while on the premises of Hampton Community Kindergarten or while engaged in activities endorsed by Hampton Community Kindergarten.

Harm: Includes death, or injury, illness (physical or psychological) or disease that may be suffered by a person as a consequence of exposure to a hazard.

Material safety data sheet: Provides employees and emergency personnel with safety procedures for working with toxic or dangerous materials. The data sheet includes all relevant information about the material such as physical properties (e.g. melting/boiling point, toxicity and reactivity), health effects, first aid requirements and safe handling procedures (e.g. personal protective equipment, safe storage/disposal and management of spills).

OHS committee: A committee that facilitates co-operation between an employer and employees in instigating, developing and carrying out measures designed to ensure the health and safety of employees in the workplace.

Risk: The chance (likelihood) that a hazard will cause harm to individuals.

Risk assessment: A process for developing knowledge/understanding about hazards and risks so that sound decisions can be made about the control of hazards. Risk assessments assist in determining:

- what levels of harm can occur
- how harm can occur
- the likelihood that harm will occur.

Risk control: A measure, work process or system that eliminates an OHS hazard or risk, or if this is not possible, reduces the risk so far as is reasonably practicable.

4. SOURCES AND RELATED POLICIES

Sources

- *Early Childhood Management Manual*, KPV
- *Getting into the Act*, WorkSafe Victoria
- *Getting help to improve health and safety*, WorkSafe Victoria
- *Guide to the OHS Act 2004*, WorkSafe Victoria
- *Managing safety in your workplace*, WorkSafe Victoria
- OHS in Early Childhood Services (KPV): www.ohsinecservices.org.au
- WorkSafe Victoria: www.worksafe.vic.gov.au

Service policies

- *Child Safe Environment Policy*
- *Code of Conduct Policy*
- *Emergency and Evacuation Policy*
- *Incident, Injury, Trauma and Illness Policy*
- *Participation of Volunteers and Students Policy*
- *Privacy and Confidentiality Policy*
- *Staffing Policy*

PROCEDURES

Daily, quarterly and annual checks assist in discharging the responsibilities listed below, and are attached to this document. Many additional worksheets, templates and guides, including those focussing on manual handling, are available at www.ohsinecservices.org.au for the committee and staff to use.

The Approved Provider is responsible for:

- providing and maintaining a work environment that is safe and without risks to health (OHS Act: Section 21). This includes ensuring that:

- there are safe systems of work
- all plant and equipment provided for use by staff, including machinery, appliances and tools etc., are safe and meet relevant safety standards
- substances, and plant and equipment, are used, handled, and stored safely
- material safety data sheets are supplied for all chemicals kept and/or used at the service (refer to www.ohsinecservices.org.au)
- there are adequate welfare facilities e.g. first aid and dining facilities etc.
- there is appropriate information, instruction, training and supervision for employees
- (Note: *This duty of care is owed to all employees, children, parents/guardians, volunteers, students, contractors and any members of the public who are at the workplace at any time*)
- ensuring there is a systematic risk management approach (refer to www.ohsinecservices.org.au) to the management of workplace hazards. This includes ensuring that:
 - hazards and risks to health and safety are identified, assessed and eliminated or, if it is not possible to remove the hazard/risk completely, effectively controlled
 - measures employed to eliminate/control hazards and risks to health and safety are monitored and evaluated regularly
- ensuring regular safety audits of the following:
 - indoor and outdoor environments
 - all equipment, including emergency equipment
 - playgrounds and fixed equipment in outdoor environments
 - cleaning services
 - horticultural maintenance
 - pest control
- monitoring the conditions of the workplace and the health of employees (OHS Act: Section 22)
- protecting other individuals from risks arising from the service's activities, including a working bee etc., or any activity that is ancillary to the operation of the service e.g. contractors cleaning the premises after hours (OHS Act: Section 23)
- providing adequate instruction to staff in safe working procedures, and informing them of known hazards to their health and wellbeing that are associated with the work that they perform at the service
- ensuring that all plant, equipment and furniture are maintained in a safe condition
- developing procedures to guide the safe use of harmful substances, such as chemicals, in the workplace
- ensuring that OHS accountability is included in all position descriptions
- allocating adequate resources to implement this policy
- displaying this policy in a prominent location at the service premises
- ensuring the physical environment at the service is safe, secure and free from hazards for children (refer to *Child Safe Environment Policy*)
- implementing/practising emergency and evacuation procedures (refer to *Emergency and Evacuation Policy, forthcoming*)
- implementing and reviewing this policy in consultation with the Nominated Supervisor, educators, staff, contractors and parents/guardians
- identifying and providing appropriate resources, induction and training to assist educators, staff, contractors, visitors, volunteers and students to implement this policy
- ensuring the Nominated Supervisor, educators, staff, contractors, volunteers and students are kept informed of any relevant changes in legislation and practices in relation to this policy
- consulting appropriately with employees on OHS matters including:
 - identification of hazards
 - making decisions on how to manage and control health and safety risks
 - making decisions on health and safety procedures
 - making regular time to meet and consider OHS issues
 - proposed changes at the service that may impact on health and safety
 - establishing health and safety committees

- notifying WorkSafe Victoria about serious workplace incidents, and preserving the site of an incident (OHS Act: Sections 38–39)
- holding appropriate licenses, registrations and permits, where required by the OHS Act
- attempting to resolve OHS issues with employees or their representatives within a reasonable timeframe
- not discriminating against employees who are involved in health and safety negotiations
- allowing access to an authorised representative of a staff member who is acting within his/her powers under the OHS Act
- producing OHS documentation as required by inspectors and answering any questions that an inspector asks
- not obstructing, misleading or intimidating an inspector who is performing his/her duties.

The Nominated Supervisor is responsible for:

- ensuring that all educators/staff are aware of this policy, and are supported to implement it at the service
- organising/facilitating regular safety audits of the following:
 - indoor and outdoor environments
 - all equipment, including emergency equipment
 - playgrounds and fixed equipment in outdoor environments
 - cleaning services
 - horticultural maintenance
 - pest control
- ensuring that all cupboards/rooms are labelled accordingly, including those that contain chemicals and first aid kits, and that child-proof locks are installed on doors and cupboards where contents may be harmful
- ensuring the physical environment at the service is safe, secure and free from hazards for children (refer to *Child Safe Environment Policy*)
- ensuring that all equipment and materials used at the service meet relevant safety standards
- ensuring the service is up to date with current legislation on child restraints in vehicles if transporting children
- implementing and practising emergency and evacuation procedures (refer to *Emergency and Evacuation Policy*)
- implementing and reviewing this policy in consultation with the Approved Provider, educators, staff, contractors and parents/guardians
- identifying and providing appropriate resources and training to assist educators, staff, contractors, visitors, volunteers and students to implement this policy
- keeping up to date and complying with any relevant changes in legislation and practices in relation to this policy.

Certified Supervisors and other educators/staff are responsible for:

- taking care of their own safety and the safety of others who may be affected by their actions
- co-operating with reasonable OHS actions taken by the Approved Provider, including:
 - following OHS rules and guidelines
 - helping to ensure housekeeping is of the standard set out in service policies
 - attending OHS training as required
 - reporting OHS incidents
 - co-operating with OHS investigations
 - encouraging good OHS practices with fellow employees and others attending the service
 - assisting the Approved Provider with tasks relating to OHS, such as conducting OHS inspections during working hours
- not interfering with safety equipment provided by the Approved Provider
- practising emergency and evacuation procedures (refer to *Emergency and Evacuation Policy*)

- ensuring the physical environment at the service is safe, secure and free from hazards for children (refer to *Child Safe Environment Policy*)
- maintaining a clean environment daily, and removing tripping/slipping hazards as soon as these become apparent
- ensuring the service is up to date with current legislation on child restraints in vehicles if transporting children
- implementing and reviewing this policy in consultation with the Approved Provider, Nominated Supervisor, educators, staff, contractors and parents/guardians.

Students on placements, volunteers, contractors and parents/guardians at the service are responsible for:

- being familiar with this policy
- co-operating with reasonable OHS rules implemented by the service
- not acting recklessly and/or placing the health and safety of other adults or children at the service at risk.

EVALUATION

In order to assess whether the values and purposes of the policy have been achieved, the Approved Provider will:

- welcome feedback from everyone affected by the policy regarding its effectiveness, particularly in relation to identifying and responding to occupational health and safety issues
- monitor the implementation, compliance, complaints and incidents in relation to this policy
- keep the policy up to date with current legislation, research, policy and best practice
- revise the policy and procedures as part of the service's policy review cycle, or as required
- notify parents/guardians at least 14 days before making any changes to this policy or its procedures (Regulation 172(2)).

ATTACHMENTS

- 1 Daily checklist
- 2 Quarterly checklist
- 3 Annual checklist
- 4 Chemical Assessment and Register (Parts A and B)

AUTHORISATION

This policy was adopted by the Approved Provider of Hampton Community Kindergarten on 14 October 2013.

REVIEW DATE: SEPTEMBER 2016

outstanding corrective action required and how many daily checklists have been completed since last meeting.

Attachment 2 Checklist – Term _____, 20__

To be completed 2 weeks prior to working bee by OHS Officer

PART 1 – Internal	Yes	No	Comments
Floors, aisles and exits			
Entrances and ramps in good order			
Entrances, doorways and ramps kept free of obstructs			
Mats provided at entrances for wiping feet			
Floor coverings in good order			
Floors level, without cracks, dips or holes			
Floors clean and not slippery			
Security			
Locks on all external doors			
Doorbell working			
Bathroom & Toilets			
Bathrooms and toilet areas cleaned Regularly			
Housekeeping			
Work surfaces are clean and tidy			
Separate rubbish and recycling bins			
Tables are clean			
Materials and equipment stored in keeping with WHS policy			
Staff provided with protective equipment (eg disposable gloves)			
WHS folder accessible			
Toys and equipment are clean			
Kitchen			
Cooking facilities are kept clean and in good working order			
Workbenches and appliances are kept clean			
Fridge is cleaned at end of each term			
Children allowed in kitchen only under supervision			
Exhaust fan is functional and clean			
Provision of fire blanket			
Emergency Management			
Fire drill instructions are displayed prominently			
Extinguishers are in place, recently serviced and clearly marked for type of fire			
Exit doors are easily opened from inside			
Emergency lighting is readily available and operable (e.g. torch)			
Windows have no broken panes			
Ladders and steps are stored in a proper place			
Ladders and steps are free of defects (e.g. broken or missing rungs etc.)			
All chemicals are clearly labelled			
All chemicals are stored in locked cupboard			
Equipment not in use is properly stored			
Electrical equipment has been checked and tagged			
Use of extension leads, double adaptors and power boards is kept to a minimum			
There are power outlet covers in place			

Staff have current approved first aid qualifications and training			
First aid cabinet is clearly marked and accessible only to staff			
Cabinet is fully stocked and meets Australian standards (see list inside door)			
Current emergency telephone numbers are displayed			
There is an adequate supply of SPF 30+ broad spectrum, water-resistant sunscreen provided for use by children and staff between 1st September and 30 April.			

PART 2 – EXTERNAL	Yes	No	Comments:
Entrances and exits are clearly marked			
Exterior lights work at entrance	?		
Walls, gates and fences in good order without gaps or protrusions and do not have footholds for climbing			
Pathways are free of raised curbs, pot-holes, tree branches and other hazards			
Steps and changes of levels are clearly indicated			
Children's play equipment			
Childproof locks fitted to gates where needed			
Adequate tanbark in fall zone area			
Equipment is free from protruding bolts, nails or splinters			
Equipment is checked regularly to ensure it is safe and in good repair - refer to log			
Sandpit is clean and raked and covered when children are not attending kindergarten			
Sandpit is covered overnight			
Storage			
Storage shed is kept tidy			
Trolley is available for heavy/awkward equipment (eg wooden stove)			
Maintenance			
Chemicals are locked in second storage shed (MSDS supplied for each hazardous substance)			
Gardens maintained, bushes trimmed			
Paths swept free of natural hazards			
Play area is free of sharp objects (nails, glass, wood splinters etc)			

Date:

Completed by:

Attachment 3 Annual OHS and other hazards checklist

To be undertaken once annually by the OHS sub-committee (staff and parents) and reported to the Committee. A copy is to be filed in the Work Health and Safety folder.

This checklist is based on www.ohsinecservice.org.au (KPV and Workcover) OHS Annual Checklist, and the Hampton Community Kindergarten Incident, Injury, Trauma and Illness Policy (Attachment 2 – sample Hazard checklist).

Date (month, year):

Question / check	Yes	No	Comments
Is OHS accountability in all position descriptions?			
Do induction procedures include OHS and have they been followed?			
Look at training register and discuss whether everyone is up to date, and any requirements.			
When were emergency and evacuation procedures practised during the year for each kinder group and each staff member? Do staff know fire drills and emergency evacuation procedures?			
Are there any concerns about equipment or furniture maintenance or other areas?			
How and when do you inform staff about safe working procedures, and get their input?			
Have staff been informed about any changes to OHS policy?			
Are quarterly safety audit results being reported to Committee?			
Check the file of daily safety check reports – are the checks being done, dated and filed?			
Check that there are procedures for use of chemicals, manual handling and other high risk activities, and staff are informed about these			
Does Committee consider OHS / risks in activities like working bees and for contract cleaners?			
Are the staff responsibilities under the OHS policy displayed in a prominent location for staff?			
Are there adequate resources to implement the OHS policy?			
If there has been a serious incident, significant OHS negotiations, OHS inspection or other significant OHS issue in the past year, did Committee and Staff meet their responsibilities under the policy?			
Do the OHS sub-committee or Nominated Supervisors have any other OHS issues to raise with the			

committee?			
Manual handling – are work bench heights and storage adequate? Is storage designed to minimise lifting problems?			
Trolleys and other devices are used to move heavy items.			
Heavy items are stored so they can be lifted safely			
Adult sized chairs are provided where required, and workstations are set up safely.			
Work practices avoid the need to sit or stand for long periods of time.			
Is lighting in each room adequate, and without glare, and windows clean? Is there plenty of natural lighting?			
Electrical items – plugs sockets switches and leads are safe, and there is minimal use of powerboards and double adaptors.			
Infection control procedures are in place			
Security lighting is installed in building and outside entrance.			
Are ladders and steps a good design, and used when they ought to be?			
Material Safety Data Sheets (MSDS) are provided for all hazardous substances			
Sun protection policy is being promoted and followed, for safety of children and staff.			

Any further comments?

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.....

.....

Completed by

(name/s)

(position/s)

Provided to Committee on (date):.....

Please file completed assessment in the Work Health and Safety folder.

Attachment 4 Chemical Assessment and register²

CHEMICALS/SUBSTANCES CHECKLISTS

Recommended Instructions

- 1 Employer to complete this template in consultation with relevant employees whenever there are chemicals stored or to be used that may need review. Note that the *OHS Act 2004* defines substances as 'Any natural or artificial substance, whether in the form of a solid, liquid, gas or vapour'. This is not limited to hazardous substances or dangerous goods. A hazardous substance is defined as a substance that has the potential to harm human health. A dangerous good is defined as a substance that is classified on the basis of immediate physical or chemical effect.
- 2 Only chemicals/substances that could foreseeably cause injury or illness need to be assessed rigorously with the checklists below.
- 3 Consistent with the Hazard Management Steps or Processes, outlined in Section 9.5, above, some methods that should be considered when identifying tasks involving use of chemicals/substances are:
 - Looking at injury records to identify tasks where chemical use is occurring.
 - Consulting with the employees and health and safety representatives about tasks that involve use of chemicals.
 - Observing the tasks, recording the observations and what we know about how tasks involving chemicals.
- 4 The *OHS Regulations 2007* require the employer, in consultation with employees who complete tasks using such items to use this assessment template, or have equivalent processes in place to reduce the risk of chemical related injuries, whenever:
 - There is a proposed alteration to objects or to systems of work that include change in the place where tasks using chemicals (or related to chemical storage) are undertaken
 - Before a chemical used for another purpose
 - New or additional information available to employer
 - Chemical related injury/illness in a workplace
 - After notifiable incident to Worksafe Victoria (Part 5 of the Act)
 - For any other reason, if risk control measures not adequate
 - Request from HSR (reasonable grounds).
- 5 Ensure corrective action is tracked in employer monthly meetings.
- 6 Where the employer is not sure of what to do, please follow guidance in Service OHS Issue Resolution Procedure.

² Source: Attachment 99 (part A) and (part B) from www.ohsinecservices.org.au (Early Learning Association)

ATTACHMENT 4 CHEMICALS (HAZARDOUS SUBSTANCES/DANGEROUS GOODS) REGISTER

Hampton Community Kindergarten, 1A Myrtle Road, Hampton VIC 3188

Roles and names of persons compiling register:

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(Ideally a Committee Centre of Management representative should be involved in this, as well as an employee representative)

Product Name	For what purpose is this chemical used?	Is this a Hazardous Substance?	Is this a Dangerous Goods?		Material Safety Data Sheet (MSDS)		Risk Assessment	
		Yes/No	Yes/No	DG Class	Yes/No	Issue Date*	Yes/No	Is D

Next date for review of register:

* All hazardous substances/dangerous goods must have an up-to-date MSDS no more than five years old.
The MSDS should state that the product is hazardous or, in the case of dangerous goods the DG Class.

CHEMICALS (HAZARDOUS SUBSTANCES/DANGEROUS GOODS/OTHER) ASSESSMENT

Job/activity description: Work area description:

Chemical substance/goods	Description of use (list tasks carried out and equipment used)	Routes of exposure (inhalation, ingestion, eye/skin contact, injection)	Current safety measures/risk controls	Is there a risk to health?	
				Yes/No/Not sure	Give reasons

Reported health effects/impacts/incidents:

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Comments:

.....

Assessors (must include an employer

.....

or management representative)

Name and signature

Date

Name and signature

Date

Authorised by (must be an experienced employer representative familiar with

this Early Childhood Management Manual)

.....

Name and signature

Date