



WORK HEALTH AND SAFETY AND OCCUPATIONAL HEALTH AND SAFETY

Background Information

What is Work Health and Safety (WHS) and Occupational Health and Safety (OHS)?

It involves the management of risks which create a threat to the health and safety of everyone at your club.

Everyone has the right to be safe. Those that conduct a business or undertaking (organisations and clubs) and workers of those clubs (including volunteers), are more than likely going to have legislative obligations under each state and territory WHS and OHS Acts (laws). Failure to meet these obligations under law can result in significant penalties for organisations, clubs and individuals.

How do we know if we have obligations?

If your sporting organisation or club employs paid workers, under WHS/OHS legislation it is commonly referred to as a Person conducting a business or undertaking (**PCBU**). Under WHS/OHS laws, a PCBU has responsibilities and a legal 'duty of care' to workers (paid and voluntary), to protect the health and safety of people affected by the activities of the club. This includes people who work for your club casually, part-time, full-time, permanently, volunteers or outworkers, plus members of the public while they are in the club.

If your club does not employ any paid workers (only volunteers), your club is classified as a volunteer association. It does not have any responsibilities of a PCBU under WHS/OHS laws. Volunteers who work for volunteer associations (e.g. local clubs) that have an affiliation to state and national organisations (who are PCBUs) are covered under the act through affiliation to these organisations. This means that PCBUs must ensure the health and safety, so far as reasonably practicable, of those volunteers when they are carrying out volunteer work or the volunteers have duties as workers in relation to the work they are carrying out for the State or National Organisations.



CASE STUDY 1

Volunteering for a volunteer organisation

Michael is elected treasurer of the local sporting club. The club was established in 2001 and is operated by a group of volunteers. The committee meets regularly. Occasionally the club pays a handyman to maintain the building donated to them which they operate in. The handyman isn't employed by any members of the club. As the group of volunteers do not employ others to operate their club and they all work together for a community purpose, they are classified as a volunteer association. This means Michael and the sporting club do not have any duties under the WHS/OHS Act.

CASE STUDY 2

Volunteering for a PCBU

Michael is appointed treasurer of the club. The club was established and incorporated in 2001 and is operated by paid employees and volunteers. The club employs someone to manage the club's accounts and another to manage the office on a part-time basis. As the club employs people, it has duties as a PCBU under the WHS/OHS Act. It also means Michael has duties as a worker under the WHS/OHS Act.

What are the PUCB obligations under the law?

Under WHS/OHS laws, a PCBU must eliminate health and safety risks so far as is reasonably practicable. If eliminating risks is not possible, then risks must be minimised so far as is reasonably practicable.

In short your organisation or club must provide, so far as is reasonably practicable:

- a safe workplace and safe ways of working
- equipment, tools and machinery in a safe condition
- safe and hygienic facilities, including toilets, eating areas and first aid
- information, training and supervision to all workers, including volunteers
- a process for consulting with workers and keeping them informed and involved



Here are some simple steps to improve WHS/OHS at your organisation or club.

1. Commit to WHS/OHS

- Ensure that everyone's responsibilities are clearly understood and acted upon
- Ensure that manager/s and leaders at your organisation or club lead by example
- Promote safety as a high priority across your organisation or club
- Develop a WHS policy
- Build the safety culture by being be proactive, get safety on a meeting agenda
- Ensure the board or committee understand their WHS duties
- Understand where to source help and more information.

HELPFUL LINKS

[Safework Australia](#)
[Safework NSW](#)
[Worksafe Victoria](#)
[Workplace Health and Safety Queensland](#)
[WorkSafe WA](#)
[SafeWork SA](#)
[WorkSafe Tasmania](#)
[NT Worksafe](#)
[WorkSafe ACT](#)
[International Tennis Federation \(ITF\)](#)
[Sport Australia](#)

- [FairWork Australia](#)
- [Australia Human Rights Commission](#)
- Local councils
- Australian Standards
- Industry standards
- Manufactures specifications
- Fair Work Australia
- [Safety Data Sheets](#) (Chemicals and Substances)

2. Plan the work and process

Safety is simple. It involves thinking about the activities that occur in your organisation or club. You can then identify the hazards, assess the risks and identify the tasks and procedures to control risks. The process is commonly referred to as undertaking a risk assessment.

3. Consultation

Under WHS laws, a PCBU must talk to its workers, including volunteers about health and safety issues.



4. Develop procedures using consultation and risk assessment

Developing WHS/OHS procedures for your club will help identify hazards in your workplace and assess and control any risks to health and safety in consultation with your workers. Clubs may end up with a broad WHS policies and procedures such as:

- Emergency plans
- First aid plans
- Grounds and courts checklist
- Incident management plans
- Handling chemicals
- Maintenance, service and repair plans
- Disability and mobility impairment plans
- Access and egress plans
- Consultation and communication plans

Each WHS/OHS policies and procedure will be different, depending on the activities of your club.

5. Notifiable Incidents

Your club is required to let your state or territory WHS/OHS regulator know if any notifiable incidents occur as a result of the work of your organisation or club as soon as it is reasonably able.

A notifiable incident is a serious incident that relates to the work the organisation carries out and involves:

- the death of a person
- the serious injury or illness of a person
- a dangerous incident.

To determine if an incident which occurs is considered notifiable, refer to the specific state and territory regulators links provided under Step 1. What is notifiable varies from jurisdiction to jurisdiction.

6. Information, Instruction, training and supervision

You must provide information, instruction, training and supervision relating to WHS/OHS for your workers, including to volunteers (and particularly if they are new to your sport or club).

Using the procedures developed in Step 4, your club informs workers about hazards in their roles and workplace and how to perform their tasks safely. The outcomes of the previous steps along with safe work procedures can be used as a training tool and for case studies. Committees should ensure that:

- all workers are inducted
- all workers are trained in safe work procedures
- all workers understand procedures and demonstrate they can perform the tasks safely.



7. Monitor and review

Review the steps you have taken to manage WHS/OHS in your workplace and check that control measures are working as planned.

Adjust your program to address any workplace or legislative changes. Subscribing to your state or territory regulator is a great way to keep up to date with legislative changes and new compliance obligations.



7 STEPS AS AN EXAMPLE – FIRST AID

Step 1 – The organisation or club has in excess of 1500 members. The committee are all volunteers, however the club does employ a person to run the club and maintain the facilities. The organisation or club has obligations as a PCBU and must adhere to the laws in that jurisdiction with regard to providing immediate medical treatment in the event of an accident or emergency (First Aid).

Step 2 – Determine what the legal requirements in your state or territory are, but researching the Code of Practice / Compliance Code published by your respective regulator (i.e. WorkSafe Victoria). Within this [Code of Practice / Compliance Code](#) will be mandatory obligations, with other first aid arrangements required based on an assessment of your organisation or club risk assessment.

Step 3 – Consult with employees, club members, committee members and other on what arrangements could be put in place. Value their contribution and thoughts, because this will deliver the best policy, procedure and first aid arrangements for the organisation or club.

Step 4 – develop the first aid procedures based on the organisation or club context through risk assessment.

Not every organisation or club will be the same, locations are different, members are different, facilities are different for example. Start by assessing the:

- likely injury or illness's which could occur (use past incidents if it helps)
- the type, severity and likelihood of it occurring
- the facilities, equipment, training and maintenance required

Continuously review the arrangements put in place through steps 3 & 4 and make changes as circumstances change.

Step 5 – If an incident or injury occurs you have statutory obligations to maintain records. In certain situations the incident or injury could be serious and considered a Notifiable Incident. If in doubt always check with your respective regulator in each state or territory.

Step 6 – Having established procedures, determined requirements, consulted stakeholders one of the most critical things to get right is the information, instruction and training to those responsible for administering the process or providing the first aid treatment. Information, instruction and training should be delivered in accordance with regulatory requirements and to a satisfactory standard or qualification.

Step 7 – Monitor and review requires the establishment of standardised and frequent review. It could be an annual review of the first aid policy and procedure by the organisation or club committee (or delegate), standardised maintenance service and repair of first aid equipment, cleaning of first aid facilities, scheduled training and re-fresher training for first aiders to maintain their qualifications.