

PURPOSE

This policy will provide guidelines and procedures to ensure that:

- all people who attend the premises of Ascot 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.

POLICY STATEMENT

1. VALUES

Ascot 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 Ascot 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.

Ascot 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*), and that all relevant codes of practice are adopted and accepted as a minimum standard.

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 Ascot 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 matters.

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

- 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* (Vic)
- *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 most current amendments to listed legislation can be found at:

- Victorian Legislation – Victorian Law Today: <http://www.legislation.vic.gov.au/>
- Commonwealth Legislation – ComLaw: <http://www.comlaw.gov.au/>

4. DEFINITIONS

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 [Service Name] or while engaged in activities endorsed by [Service Name].

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.

5. SOURCES AND RELATED POLICIES

- *Early Childhood Management Manual*, ELAA
- *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 (ELAA): 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*
- *Road Safety and Safe Transport Policy*
- *Staffing Policy*

PROCEDURES

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 holding a fete or 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*)
- 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
 - the need for establishing an OHS committee and determining membership of the committee
 - 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 above list of procedures is not exhaustive. Services must develop specific procedures to be followed in managing hazards and issues identified. Such specific issues include chemical management, purchasing of equipment, hazard identification and risk assessment etc. For more information and guidance, refer to: www.ohsinecservices.org.au

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
- ensuring the *Daily Safety Checklist* (Attachment 3) is completed
- 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 (refer to *Road Safety and Safe Transport Policy*)
- 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
- ensuring the *Daily Safety Checklist* (Attachment 3) is completed
- 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
- keeping up to date with current legislation on child restraints in vehicles if transporting children (refer to *Road Safety and Safe Transport Policy*)
- 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:

- regularly seek 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



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- 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

Attachment 1: Term OHS Employer Checklist

Attachment 2: Yearly OHS Employer Checklist

Attachment 3: Daily Safety Checklist (for Nominated Supervisors and Other Educators/Staff)

AUTHORISATION

This policy was adopted by the Approved Provider of Ascot Kindergarten on 20 November 2018.

Review date: Month 2021

Term Employer OHS checklist

Date: _____

Inspected by: _____

Recommended Instructions

- 1 Employer is to complete this review once per term Employer Management meeting, preferably at the first meeting of each term
- 2 Keep an updated record as attachment to relevant meeting minutes and note in the meeting that the review has been completed. Where it has not been completed then note in minutes when this is scheduled to be completed and after consultation with employees, and other persons/parties as required, agree on action parties.
- 3 Where the employer is not sure of what to do, please follow guidance in Service OHS Issue Resolution Procedure.

PART 1 – OHS Issues

OHS Item or Issue	Y/N	Details	If required - Proposed Corrective Action Person Responsible Target Date
Are daily checklists being completed?			
Have any hazards been identified? Are there any outstanding OHS issues?			
Was the last term checklist completed?			
Are there any outstanding OHS issues?			
Incident and Injury			

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Has the incident/injury register been reviewed?			
Were any reported incidents or near misses:		If yes: was the response appropriate? Was a report kept on file?	
Were any potentially Notifiable to WorkSafe ¹ ?		If yes: Were they contacted immediately and was the incident form completed and forwarded to WorkSafe within 48hr	
Manual Handling Are there any new manual handling activities or changes to existing work methods involving manual handling in the last term?			
Were any new manual handling risks identified in the last term?		If yes: was a manual handling risk assessment completed?	
Chemicals Are there any new chemicals or changes to work methods involving chemicals in the last term?			



Were any new chemical risks identified in the last term?		If yes: so was a chemical risk assessment completed?	
Tools and Equipment Has there been any new tools or equipment brought into the service?		If yes: was the New Equipment and Tools Assessment Checklist completed?	
New employees Have all new employees received OHS induction?			
Contractors, Labour Hire Have there been any OHS incidents with contractors or labour hire?			
Return to Work (RTW) Are there any outstanding RTW cases?		If yes: are processes being followed including contacting the employee regularly?	
Training Has the training register been reviewed and is it up to date?			
Employee and Committee Involvement Have employees been asked to raise any OHS items or issues or suggestions with an employer representative, for tabling at this meeting?			
Are there any other OHS issues not described above?			

PART 2 - HAZARD IDENTIFICATION CHECKLIST

ATTACHMENT 3

Hazard	Yes	No	Comments
1. Floors			
Surface is even and in good repair			
Surface is free from tripping and slipping hazards (e.g. oil, water, sand)			
Surface is safe (e.g. not likely to become excessively slippery when wet)			
2. Kitchen and work benches			
Work bench space is adequate and at comfortable working height			
Kitchen and work bench space is clean and free of clutter			
Equipment not in use is properly stored			
Lighting is satisfactory			
A door or gate restricts child access to the kitchen			
Ventilation fan is in good working order			
Kitchen appliances are clean and in good working order			
3. Emergency evacuation			
Staff have knowledge of fire drills and emergency evacuation procedures			
Fire drill instructions are displayed prominently in the service			
Regular fire drills are conducted			
Extinguishers are in place, recently serviced and clearly marked for type of fire			
Exit signs are posted and clear of obstructions			
Exit doors are easily opened from inside			

4. Security and lighting			
Security lighting is installed in the building and car park			
There is good natural lighting			
There is no direct or reflected glare			
Light fittings are clean and in good repair			
Emergency lighting is readily available and operable (e.g. torch)			
5. Windows			
Windows are clean, admitting plenty of daylight			
Windows have no broken panes			
6. Steps and landings			
All surfaces are safe			
There is adequate protective railing which is in good condition			
7. Ladders and steps			
Ladders and steps are stored in a proper place			
Ladders and steps are free of defects (e.g. broken or missing rungs etc.)			
They conform to Australian Standards			
They are used appropriately to access equipment stored above shoulder height			
8. Chemicals and hazardous substances			
All chemicals are clearly labelled			
All chemicals are stored in locked cupboard			
Material Safety Data Sheets (MSDS) are provided for all hazardous substances			
9. Storage (internal and external)			
Storage is designed to minimise lifting problems			
Materials are stored securely			
Shelves are free of dust and rubbish			

Floors are clear of rubbish or obstacles			
Dangerous material or equipment is stored out of reach of children			
10. Manual handling and ergonomics			
Trolleys or other devices are used to move heavy objects			
Heavy equipment (such as planks and trestles) is stored in a way that enables it to be lifted safely			
Adult-sized chairs are provided and used for staff (to avoid sitting on children's chairs)			
Workstations are set up with the chair at the correct height			
Workstations are set up with phone, mouse and documents within easy reach and screen adjusted properly			
Work practices avoid the need to sit or stand for long periods at a time			
11. Electrical			
There are guards around heaters			
Equipment not in use is properly stored			
Electrical equipment has been checked and tagged			
Use of extension leads, double adaptors and power boards are kept to a minimum			
Plugs, sockets or switches are in good repair			
Leads are free of defects and fraying			
Floors are free from temporary leads			
There are power outlet covers in place			
12. Internal environment			
Hand-washing facilities and toilets are clean and in good repair			
There is adequate ventilation around photocopiers and printers			
13. First aid and infection control			
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 (refer to <i>Administration of First Aid Policy</i>)			

Disposable gloves are provided			
Infection control procedures are in place			
Current emergency telephone numbers are displayed			
14. External areas			
Fencing is secure, unscalable and of a height prescribed by the Building Code of Australia (no breaches in the fence or materials left adjacent that would assist children to scale the fence)			
Child-proof locks are fitted to gates			
Paving and paths have an even surface and are in good repair			
Paving and path surfaces are free of slipping hazards, such as sand			
Soft-fall and grass areas are free of hazards			
Equipment and materials used are in good repair and free of hazards			
15. Equipment			
Furniture and play equipment are in good repair (no protruding bolts, nails, splinters)			
Impact-absorbing material is placed under all equipment where fall height could exceed 0.5 metres			
Guardrails are provided for play equipment over 1 metre			
16. Sun protection			
There is an adequate supply of SPF 30+ broad spectrum, water-resistant sunscreen provided for use by children and staff			
Sunhats are provided for all staff required to work in the sun			
There is a <i>Sun Protection Policy</i> in place, which requires staff and children, and others who work in the sun to use sunscreen and an appropriate sunhat			

PART 3 – RISK ASSESSMENT OF OHS ISSUES. May be required

	Description of OHS item or issue.	Risk Assessment (Priority Ranking). How likely is injury/illness and how severe could it be?			Comment and proposed corrective action for OHS item or issue. Where and when this was first identified? Provide initial date e.g. weekly inspection dd/mm/yy. Employer to consult with employees, and employees to update employer if OHS risk increases. Consider using <i>Health and Safety Consultation Checklist</i> in Attachment 106.			
		High	Medium	Low	Can you eliminate the hazard source? If so, how? e.g. remove cord that is creating trip hazard.	If you cannot eliminate the hazard source how can you reduce it?	Person(s) responsible for corrective action.	By when? Include revised target dates if required.

References

- Incident, Injury, Trauma and Illness Policy - Attachment 1 Sample Hazard Identification checklist
- <http://www.ohsinecservices.org.au/ohs-templates> - Attachment 8g Monthly Employer Review checklist
- ¹ <http://www.ohsinecservices.org.au/node/15>

ATTACHMENT 2

ANNUAL EMPLOYER REVIEW CHECKLIST

Date: _____

Inspected by: _____ -

Recommended Instructions

- 1 Employer to complete this review once per year, recommended second last meeting of each year to allow for corrective action to be completed prior to new year and likely high changeover of employer/management team membership.
- 2 Keep an updated record as attachment to relevant Monthly Employer Meeting

	Description of OHS item or issue.	Comment and proposed corrective action for OHS item or issue. Where and when this was first identified? Provide initial date e.g. weekly inspection dd/mm/yy. Employer to consult with employees, and employees to update employer if OHS risk increases.	Person(s) responsible for corrective action.	By when? Include revised target dates if required.
1	<i>Is the current OHS policy for the kindergarten available and up to date?</i>			
2	Drills Mock Lockdown Mock Evacuation Mock Emergency ¹ Has at least one of each of the			

	<p>above drills been completed in the prior year?</p> <p>After consultation with employees, have any learning points been included in an updated <i>Emergency Response Plan</i>.</p>			
3	<p>Where there any real Emergency Situations?</p> <p>After consultation with employees, were learning points included in an updated <i>Emergency Response Plan</i>?</p>			
4	<p>Has the <i>Training spreadsheet</i> been reviewed by the employer?</p> <p>Are there any outstanding training needs?</p>			
5	<p>Other – provide details</p>			

¹e.g. a desktop drill in consultation with employees of what to do in event of one of; medical emergency such as an allergic reaction of employee or child, illness/injury of employee or child, bomb threat, other...

- <http://www.ohsinecservices.org.au/ohs-templates> - Attachment 90 Annual Employer Review Checklist
- <http://www.ohsinecservices.org.au/ohs-templates> -Attachment 111 OHS policy/Procedure Checklist

ASCOT KINDER DAILY SAFETY CHECKLIST – MONTH:

OUTDOORS	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
Check perimeter of fenceline and yard for any hazards ie: syringes, cigarette butts etc.																															
Check gates and fencing cannot be scaled ie: move equipment																															
Check gates are clear for emergency access and double gate lock is accessible ie: locks are piggy backed so we can use key and/or access card																															
Check all gates are locked/latched and secure																															
Check tyres and recessed areas for spiders etc.																															
Check outdoor equipment is safe for use																															



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