

Work Health and Safety Act 2011 (Qld)

An Overview

The act provides a framework to the health, safety and welfare of all at work. It's object is to protect workers, volunteers, work experience students, and the general public (s.7) from harm through the elimination or minimisation of risks arising from work (s.3). Charitable associations such as Sailability fall within the Act (s.5).

A workplace is widely defined to include anywhere we operate our sailing activities whether that be on land or on water and includes being on vessels and pontoons (s8).

Everyone must follow the Act (s.10). There are **penalties** for non-compliance.

Management (including a wider committee) has a duty to eliminate risks and if that is not possible then to minimise those risks so far that it is reasonably practicable to do so (s.17). In acting, we need to consider (s.18),

- The likelihood of the hazard or risk occurring
- The degree of harm that might result if it occurs
- What we know or should know about the risk and how to eliminate or minimise it
- The availability and suitability of ways to eliminate or minimise it, and
- Assessing the cost and its proportion to the risk.

The **management committee** has a primary duty of care (s.19),

- To ensure health and safety of volunteers and others so far as is reasonably practical
- Ensure the provision of a safe environment where we operate
- Ensure equipment and boats are safe, properly maintained and stored
- Ensure procedures, training and supervision are in place and appropriate, and
- Monitor conditions to prevent illness or injury.

If someone acts in an **official capacity**, such as an Officer of the Day or car park attendant, that person must exercise due diligence to ensure the health and safety policy and procedures are followed (s.27). This includes (where relevant to the position),

- Keeping up to date with health and safety policies and procedures
- Understanding the nature of the relevant operations and hazards and risks
- Ensure they have the resources to eliminate or minimise the risk
- Ensure processes are implemented to comply with the Act, for example completing an incident report, consulting with volunteers or others, and that directions are followed
- Ensure appropriate processes for receiving and considering information about incidents and risks, and
- Verify resources and processes are provided to ensure compliance.

Volunteers (including any support workers or contractors) must (s.28),

- Take reasonable care for his or her own activities or work
- Take reasonable care that their activities or omissions don't affect others
- Comply with any reasonable instruction from the committee or a delegated officer such as an Officer of the Day or Support Boat skipper, and
- Cooperate with policy and procedures about health and safety

Other persons, including support workers, must also comply with reasonable instructions.