

Work Health and Safety (WHS) Management Policy

1. Purpose

The *Work Health and Safety Act 2020* (WHS Act) and its regulations (the WHS legislation) came into effect on 31 March 2022. The WHS legislation replaced the *Occupational Safety and Health Act 1984* and the *Occupational Safety and Health Regulations 1996*. This is a significant WA Government reform which harmonises WHS legislation with most other Australian jurisdictions; expands the scope of WHS requirements; and reinforces the WA Government's commitment to the health and safety of all Western Australian workers.

The purpose of the WHS Management Policy is to establish an effective WHS Operational Framework for the WA health system which is consistent with the WHS legislation and the *Health Services Act 2016*.

The WA health system is committed to the health, safety and wellbeing of its workers, acknowledging that this is fundamental to ensure the delivery of quality healthcare services.

This policy is a mandatory requirement for Health Service Providers (HSPs) under the *Work Health and Safety Policy Framework* pursuant to section 26(2)(d) of the *Health Services Act 2016*.

This policy is also a mandatory requirement for the Department of Health (the Department) pursuant to section 29 of the *Public Sector Management Act 1994*.

2. Applicability

This policy is applicable to WA health entities.

The requirements contained within this policy are applicable to the services purchased from contracted health entities where it is explicitly stated in the contract between the contracted health entity and the State of WA or HSP. The State of WA or HSP contract manager is responsible for ensuring that any obligation to comply with this policy by the contracted health entity is accurately reflected in the relevant contract and managed accordingly.

3. Policy Requirements

3.1 WHS Management System

Each HSP and the Department must implement a WHS management system which is consistent with the WHS Operational Framework. A WHS Management System is a systematic

and holistic approach that uses risk management principles to identify and manage health and safety risks in the workplace. An effective system considers organisational structure, sets out responsibilities and requirements for each part of the organisation, defines work policies and procedures and implements a range of proactive and responsive methods to minimise and control risk which may lead to adverse outcomes (or harm) from workplace operations.

3.2 WHS Operational Framework

The purpose of the WHS Operational Framework is to:

- a) support the WA health system to implement effective WHS management systems that are consistent with WA WHS legislation; and
- b) provide information to clarify the duties and responsibilities of officers and managers in contributing to a safe and healthy work environment.

Each WA health entity must manage their WHS responsibilities in line with the WHS Operational Framework.

3.3 Commitment to Health, Safety and Wellbeing

The Health, Safety and Wellbeing Statement (the Statement) endorsed by the Director General, each HSP Chief Executive, and Union representatives is a public statement giving effect to each entity's commitment to WHS. The statement informs each entity's workers, suppliers, patients, visitors and other persons that WHS management is an integral part of all operations. Chief Executives are required to operate in line with the commitments in the Statement. Any entity's local WHS Commitment Statement must align with the Statement.

3.4 Reporting to the System Manager

HSPs and the Department's Corporate Services Directorate (CSD) must provide quarterly WHS reporting to the Governance and System Support Directorate (GSSD) in the Department. GSSD will provide a quarterly report to the Director General and brief the Health Executive Committee on outcomes at a system-wide level.

HSPs and the Department must also comply with the reporting requirements for public sector health, safety and injury management performance set by the Department of Mines, Industry Regulation and Safety. HSPs and the Department's CSD must provide GSSD with a copy of this information prior to finalisation of each HSP's Annual Report.

4. Compliance Monitoring

The GSSD, on behalf of the System Manager, will oversee the implementation of this policy within HSPs and undertake compliance checks on HSPs annually. Audits of policies relating to specific system-wide risks will be conducted as required.

The GSSD will also monitor and evaluate the effectiveness of this policy and progress amendments and improvements as appropriate.

5. Related Documents

The following documents are mandatory pursuant to this policy:

- [WHS Operational Framework](#)
- [Health, Safety and Wellbeing Statement of Commitment](#)
- [Annual reporting of public sector health, safety and injury management performance](#)

6. Supporting Information

The following information is not mandatory but informs and/or supports the implementation of this policy:

- [Codes of Practice issued by WorkSafe WA](#)

7. Definitions

The definitions set out in the table below are relevant to this policy.

Term	Definition
Officer	<p>An Officer is defined in the WHS Act as any person who makes, or participates in making, decisions that affect the whole, or a substantial part, of the business or undertaking.</p> <p>In the WA health system, officers are:</p> <ul style="list-style-type: none">• <u>In the Department:</u> The Chief Executive (i.e Director General) and any person who is, within the organisational structure directly responsible to the Chief Executive and makes, or participates in making, decisions that affect the whole, or a substantial part, of the Department.• <u>In Health Service Providers:</u> Any person who makes, or participates in making, decisions that affect the whole, or a substantial part, of the HSP. This includes members of the Board (where a Board exists) and the Chief Executives of each HSP.
WA health entities	<p>The terms “WA health entity” and “WA health entities” mean the Department and HSPs established under the <i>Health Services Act 2016</i>.</p>
WA health system	<p>The WA health system is comprised of:</p> <ul style="list-style-type: none">• the Department of Health• HSPs (North Metropolitan Health Service, South Metropolitan Health Service, Child and Adolescent Health Service, WA Country Health Service, East Metropolitan Health Service, PathWest Laboratory Medicine WA, Quadriplegic Centre and Health Support Services)

	<ul style="list-style-type: none"> contracted health entities, to the extent they provide health services to the State.
WHS legislation	The <i>Work Health and Safety Act 2020 (WA)</i> and the <i>Work Health and Safety (General) Regulations 2022 (WA)</i> are collectively referred to as the WHS legislation.

8. Policy Contact

Enquiries relating to this policy may be directed to:

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9. Document Control

Version	Published date	Effective from	Review date	Amendment(s)
MP 0180/23	6 September 2023	6 September 2023	September 2026	Original version.
MP 0180/23 v.1.0	15 March 2024	15 March 2024	September 2026	Amendment as listed below.
Related document 'WHS Operational Framework' – Sections 6.8.3 System Manager reporting requirements, 6.8.4 WorkSafe WA reporting requirements and Appendix 2: System-wide WHS Consultative Forum Terms of Reference updated.				

10. Approval

Approval by	Jodie South, Assistant Director General, Clinical Excellence Division, Department of Health
Approval date	4 September 2023

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