



Learning for life

GEMS WORK HEALTH & SAFETY



GEMS WORK HEALTH AND SAFETY POLICY

Audience:	This GEMS Christian Education Limited (GEMS) Policy applies to staff and volunteers of • Emerald Christian College • Ontrack College • ECC Little Gems		
Purpose:	The purpose of this policy is to outline GEMS compliance framework for work health and safety, including the definition of key terms, roles and duties and the implementation and monitoring of measures to ensure, as far as reasonably practicable, the health and safety of workers and all other persons at the College.		
Scope:	GEMS Christian Education Limited's board, all officers, all workers and other persons at the College, including students and parents/carers.		
Status:	Approved		
References:	• Work Health and Safety Act 2011 (Qld) • Work Health and Safety Regulation 2011(Qld) • WHSQ Codes of Practice • Managing the risk of Psychosocial Hazards at Work Code of Practice 2022 • Guide for PCBUS: Managing the risk of sexual harassment and sex or gender-based harassment at work (WHSQ) • Model Code of Practice: Sexual and gender-based harassment (Cth), Safe Work Australia • Education (Accreditation of Non-State Schools) Act 2017 (Qld) • Education (Accreditation of Non-State Schools) Regulation 2017 (Qld) • Corporations Act 2001 (Cth)		
Related Documents:	• GEMS Risk Management Framework • GEMS Complaints Handling Policy • GEMS Incident Reporting Form • GEMS WHS Incident Reporting Procedure		
Appendix:	1. Accident Report Form 2. Incident Report Form		
Supersedes:	GEMS Work Health and Safety - August 2024		
Authorised by:	GEMS Governing Body Chairperson	Date of Authorisation:	10 September 2025
Review Period:	Annually	Next Review Date:	September 2026
Policy Owner:	GEMS Governing Body		

UNDERPINNING POLICY FOUNDATION

GEMS Christian Education Ltd. bases its governance and operations on Biblical truths and the teachings of Jesus Christ.

GEMS Christian Education Ltd. pursues the following strategic intentions towards its core purpose so that:

- Students will embrace the GEMS values of God, Excellence, Members and Service; discover who they are as individuals and pursue God's purpose for their lives.
- Employees will embrace the Core Values and personally display Christ to students by utilising stimulating, creative, innovative curriculum and teaching practices.
- Resource sustainability will continue to provide and maintain an outstanding and inspiring place of teaching and learning within an environment of seeking partnerships with the wider community.
- Culture is Christ-centred, driven by GEMS values and demonstrated by GEMS FACETS of Friendly, Appreciative, Compassionate, Encouraging, Truthful and Self-Controlled

WORK HEALTH AND SAFETY

1. Policy Statement

- 1.1 GEMS is committed to providing and maintaining a safe and healthy workplace for all workers (including contractors and volunteers) as well as students, visitors and members of the public. Hazards and risks to health and safety will be eliminated or minimised, as far as is reasonably practicable.
- 1.2 In doing so, the College will comply with the *Work Health and Safety Act 2011 (Qld)*, (*WHS Act*) the *Work Health and Safety Regulation 2011 (Qld)*, (*WHS Regulation*) and relevant codes of practice.
- 1.3 This commitment is in line with GEMS responsibility under the *Education (Accreditation of Non-State Schools) Regulation 2017 (QLD)* to comply with the requirements of the *Work Health and Safety Act 2011 (Qld)*.
- 1.4 This policy should be read in conjunction with the *GEMS Sexual Harassment Policy*, which applies to unlawful conduct under the *Sex Discrimination Act 1984 (Cth)* that can be defined as sex discrimination, sexual harassment, sex-based harassment, conduct that creates a hostile workplace environment on the ground of sex and related victimisation.
- 1.5 GEMS also has a legal obligation under the *SD Act*, being a positive duty¹ to take reasonable and proportionate measures to eliminate, as far as possible, unlawful conduct that is sexual harassment, sex-based harassment, conduct that creates a hostile workplace environment on the ground of sex and related victimisation.

2. Definitions

2.1 Person Conducting a Business or Undertaking²

A 'Person Conducting a Business or Undertaking' (PCBU) includes those operating a business alone or with others; for profit or not-for-profit; and partners in a partnership. A person is not a PCBU if solely a worker or officer in a business, is an elected member of a local government or a volunteer association. Examples of a PCBU include a company, association, a sole trader, or partners in a partnership.

2.2 Officer

An Officer is a person who makes or participates in making decisions, that affect the whole or a substantial part of the business or undertaking of the *State or Commonwealth*³, public authority⁴ or a corporation⁵. In the College, this may include members of the College board and senior leadership employees such as the Principal or Business Manager, Chief Financial Officer and/or Chief Operating Officer.

2.3 Worker⁶

A worker includes employees, contractors and subcontractors and their employees, employees of a labour-hire company who has been assigned to work in the College, outworkers, apprentices, trainees, students gaining work experience and volunteers. A PCBU, for example, a sole trader, can also be a worker if they carry out work in the business.

2.4 Health and Safety Representative (HSR)⁷

The Health and Safety Representative is a worker, elected by workers⁸, to represent the health and safety of the work group of which the worker is a member. An HSR's duties include representing workers in the work group in matters related to health and safety; investigating complaints from workers in their workgroup relating to health and safety; inquiring about risks to workers; requesting and receiving information about the WHS of workers in the HSR's work group; monitoring measures undertaken by the PCBU; accompanying a WHS entry permit holder if they enter the workplace under part 7 of the WHS Act where the reason for entry relates to the HSR's work group; inspecting the workplace, including with an inspector; requesting a

¹*Sex Discrimination Act 1984 (Cth)*, s47C

²*Work Health and Safety Act 2011* s.5

³*Work Health and Safety Act 2011* s.247

⁴*Work Health and Safety Act 2011* s.252

⁵*Corporations Act 2001* s.9

⁶*Work Health and Safety Act 2011* s.7

⁷*Work Health and Safety Act 2011* Schedule 5

⁸*Work Health and Safety Act 2011* Part 5

health and safety committee be established; directing that unsafe work cease; and the issuing of provisional improvement notices (PIN) in certain circumstances; with a workers consent, be present at an interview concerning work health and safety between a worker or a group of workers and the PCBU, or workers and an inspector; and when necessary request assistance from a suitable entity for the HSR⁹.

2.5 Work Health and Safety Officer (WHSO)¹⁰

The Work Health and Safety Officer is a suitably qualified person appointed by the PCBU to assist in fulfilling the PCBU's work health and safety duties. Activities include identifying and reporting on work health and safety matters, hazards and risks, notifying of or investigating incidents, accompanying or assisting an inspector during an inspection and establishing training. The PCBU may also act in the role of work health and safety officer¹¹.

2.6 Health and Safety Committee (HSC)¹²

The Health and Safety Committee is a body established to facilitate cooperation between the PCBU and the workers and to assist with work health and safety compliance, including developing standards, rules and procedures. Membership of the committee must include the HSR and the work health and safety officer, if these positions have been established at the College, and at least half of the committee members must be workers, not nominated by the PCBU.

2.7 Representative

The representative of a worker, means the health and safety representative for the worker; or a suitable entity for representing the worker that is authorised by the worker to represent the worker¹³.

2.8 Suitable Entity

Representing or assisting a worker or the health and safety representative for a worker, means a relevant union for the worker; or another entity that is authorised by the worker or representative to represent or assist the worker or representative; but is not an excluded entity for representing or assisting the worker or representative¹⁴.

2.9 Reasonably Practicable¹⁵

In this context, reasonably practicable means what is reasonably able to be done to ensure the health and safety of workers and other persons at the College. Determining what is reasonable requires a weighing up of relevant matters such as the likelihood or degree of harm from the hazard or risk, availability of ways to eliminate or minimise the risk and associated costs, including whether the cost is grossly disproportionate to the risk.

2.10 Notifiable Incident¹⁶

A Notifiable Incident occurs when there is a death, serious injury or illness or a dangerous incident, relating to a worker or other person because of the conduct of the College. Such incidents must be reported to Work Health and Safety Queensland immediately after the College becomes aware of the incident.

2.11 Serious Injury or Incident¹⁷

A serious injury or incident is where a person needs immediate treatment as an in-patient in a hospital or treatment for certain injuries prescribed in the legislation, such as amputation, serious head or eye injury, a serious burn, separation of skin from tissue, spinal injury, loss of bodily function or serious lacerations. It also includes medical treatment within 48 hours of exposure to a substance.

2.12 Dangerous Incident¹⁸

A dangerous incident is an incident in relation to a workplace, where workers or any other person's health and safety is at risk due to exposure to uncontrolled events, for example, substance spillage, explosion or fire, or involvement in an accident such as a fall, electric shock or the collapse of a structure.

⁹Work Health and Safety Act 2011 s.68

¹⁰Work Health and Safety Act 2011 s.103B

¹¹Work Health and Safety Act 2011 s.103C

¹²Work Health and Safety Act 2011 s.75

¹³Work Health and Safety Act 2011 s.45A

¹⁴Work Health and Safety Act 2011 s.45A

¹⁵Work Health and Safety Act 2011 s.18

¹⁶Work Health and Safety Act 2011 s.35

¹⁷Work Health and Safety Act 2011 s.36

¹⁸Work Health and Safety Act 2011 s.37

2.13 **Sexual Harassment**¹⁹

This happens if a person subjects another person to unwelcome sexual behaviour with the intention of offending, humiliating or intimidating the other person, or in circumstances where a reasonable person would have anticipated the possibility that the other person would be offended, humiliated or intimidated by the conduct.

2.14 **Sex or Gender-based Harassment**²⁰

This is the harassment of a person on the basis of the person's sex or gender, by unwelcome conduct of a demeaning nature, with the intention of offending, humiliating or intimidating the person or in circumstances where a reasonable person would have anticipated the person would be offended, humiliated or intimidated by the conduct.

2.15 **Workplace**²¹

It is the place where work is carried out for a business or undertaking and includes any place a worker goes, or is likely to be, while at work.

2.16 **Psychosocial Hazard**²²

A psychosocial hazard is a hazard that arises from, or relates to, the design or management of work, a work environment, plant at a workplace, or workplace interactions and behaviours and may cause psychological harm, whether or not the hazard may also cause physical harm.

3. Responsibilities

- 3.1 The WHS Act outlines the duties held by the Person Conducting the Business or Undertaking (PCBU), officers, workers and other persons within the College community. GEMS acknowledges that the duties held by these roles cannot be transferred or delegated to another person.
- 3.2 More than one person can concurrently have the same duty and each duty holder must comply with that duty to the standard required by the legislation.
- 3.3 If more than one person has a duty for the same matter, each person is required to carry out their duty to the extent they have the capacity to influence and control the matter and must, so far as is reasonably practicable, consult, cooperate and coordinate activities with all other persons who have a duty in relation to the same matter.
- 3.4 Duties of specific roles are outlined below.

3.4.1 **Person conducting the business or undertaking (PCBU)**

- i) The PCBU has the primary duty of care under the WHS Act, to ensure as far as reasonably practicable, the health and safety of workers and any other person, is not put at risk from work carried out from conducting the business such as the College. In fulfilling this duty, GEMS will:
 - a) provide and maintain a safe work environment;
 - b) provide and maintain safe plant and structures;
 - c) provide and maintain safe systems of work;
 - d) ensure safe use, handling and storage of plant, structures and substances;
 - e) provide adequate facilities for workers welfare;
 - f) provide information, training, instruction or supervision; and
 - g) monitor the health of workers and the conditions at the College to prevent illness or injury.
- ii) In addition to the primary duty of care, the PCBU has duties outlined in other sections of the WHS Act. In fulfilling these duties, GEMS will ensure, so far as is reasonably practicable:
 - a) safe entry and exit to the College;
 - b) anything arising from the College is free from risk to the health and safety of any person;

¹⁹Work Health and Safety Regulation 2011 s.55BA(1)

²⁰Work Health and Safety Regulation 2011, s.55BA(2)

²¹Work Health and Safety Act 2011 s.8

²²Work Health and Safety (Psychosocial Risks) Amendment Regulation 2022 s.55

- c) fixtures, fittings and the plant are without risks to the health and safety of any person;
 - d) provision of consultation, cooperation and issue resolution to workers;
 - e) reporting of notifiable incidents as soon as the College becomes aware of the incident; and
 - f) compliance with codes of practices or adoption of an equivalent or higher standard.
- iii) If a worker occupies accommodation that is owned by or under the management or control of GEMS and the occupancy is necessary for the purposes of the Worker's engagement because other accommodation is not reasonably available, the GEMS will, so far as is reasonably practicable, maintain the premises so that the worker occupying the premises is not exposed to risks to health and safety.
- iv) The WHS Regulation also imposes specific duties on the PCBU. In fulfilling these duties, GEMS will:
- a) identify reasonably foreseeable hazards²³;
 - b) ensure general workplace facilities, including the maintenance of and accessibility to the facilities, meet minimum requirements, so far as is reasonably practicable²⁴;
 - c) ensure the provision of and access to first aid equipment, and first aid training meet the minimum requirements;²⁵
 - d) ensure an emergency plan is prepared, maintained and implemented, meeting the minimum requirements in the WHS regulation;²⁶
 - e) ensure psychosocial risks, including risks of sexual harassment or sex or gender-based harassment, are appropriately managed, in compliance with the [Managing the risk of Psychosocial Hazards at Work Code of Practice 2022](#), or in a way that provides an equivalent or higher standard of work health and safety than the standard required in the code;
 - f) identify where sexual harassment and sex or gender-based harassment is a reasonably foreseeable hazard that could give rise to risks to the health and safety of workers and others;
 - g) assess, determine and review control measures in accordance with the [Guide for PCBUs: Managing the risk of sexual harassment and sex or gender-based harassment at work \(WHSQ\)](#); and
 - h) if sexual harassment or sex or gender-based harassment risks are identified, prepare and implement a Prevention Plan in compliance with the WHS Regulation²⁷.

3.4.2 Officers

Officers have a duty under the WHS Act to exercise due diligence, by ensuring the PCBU complies with the duties under the WHS Act. Officers of GEMS will exercise due diligence by taking the following reasonable steps:

- a) acquiring and keeping up-to-date knowledge of work health and safety;
- b) understanding the nature of the College operations and the associated hazards and risks;
- c) ensuring the College has resources and processes to eliminate or minimise risks to health and safety;
- d) ensuring the College has processes for receiving, considering and responding to information about incidents, hazards and risks;
- e) ensuring processes for complying with work health and safety legislation; and
- f) auditing and reviewing, work health and safety processes and use of the resources.

3.4.3 Workers

Workers have duties under the WHS Act. Workers of GEMS have the following duties and will:

- a) take reasonable care for their own health and safety;
- b) take reasonable care that their conduct does not adversely affect others;
- c) comply, so far as the worker is reasonably able, with instruction given by the College;
- d) co-operate with any reasonable, notified policy or procedure.

²³Work Health and Safety Regulation 2011 s.34, and how to manage work health and safety risks Code of Practice 2021

²⁴Work Health and Safety Regulation 2011 s.40-41 and Managing the work environment and facilities Code of Practice 2021

²⁵Work Health and Safety Regulation 2011 s.42 and First aid in the workplace Code of Practice 2021

²⁶Work Health and Safety Regulation 2011 s.43

²⁷Work Health and Safety Regulation 2011 s.55A to s.55H and Managing the Risk of psychosocial hazards at work Code of Practice 2022

3.4.4 Others at GEMS

All other persons have duties under the WHS Act. All other persons at GEMS have the following duties and will:

- a) take reasonable care for their own safety;
- b) ensure their conduct does not adversely affect others; and
- c) comply, so far as the person is reasonably able, with reasonable instructions given by the College.

3.4.5 Other Roles

GEMS may establish additional roles or committees to assist in managing the College's work health and safety duties under the *WHS Act*, these may include:

- a) appointing one or more health and safety representatives (HSRs), by election, to represent the workers. The College must hold an election to appoint an HSR where one or more workers make such a request;
- b) establishing a health and safety committee (HSC), to facilitate cooperation between the PCBU and the workers and to assist with compliance, and the College must establish an HSC if a request is made by an HSR or it is a requirement under the WHS Regulation; and
- c) appointing a Work Health and Safety Officer (WHSO), to assist the College fulfil its duties, and a person appointed as WHSO must have the minimum qualifications and a certificate of authority issued by Work Health and Safety Queensland.

4. Implementation

GEMS is committed to protecting workers and other persons against harm to their health and safety and will implement the following measures in line with the *WHS Act and Regulation*:

- a) a risk management framework;
- b) provide information, training, instruction and supervision; and
- c) provide a process for consultation, cooperation and issue resolution.

4.1 Risk Management Framework

4.1.1 GEMS Risk Management Framework provides further guidance on the process and approach to managing risks at the College.

4.1.2 Where the approach in the Risk Management Framework does not eliminate the risk to the health and safety of workers and others, the GEMS must minimise risks, so far as is reasonably practicable, by doing one or more of the following²⁸:

- a) substituting (wholly or partly) the hazard giving rise to the risk with something that gives rise to a lesser risk;
- b) isolating the hazard from any person exposed to it;
- c) implementing engineering controls;
- d) if a risk then remains the duty holder must minimise the remaining risk, so far as is reasonably practicable, by implementing administrative controls; and
- e) if a risk then remains, the duty holder must minimise the remaining risk, so far as is reasonably practicable, by ensuring the provision and use of suitable personal protective equipment.

4.1.3 Where the risk relates to sexual harassment or sex or gender-based harassment, the controls considered for implementation by the PCBU must take account of the matters in the WHS Regulation.²⁹

4.2 Information, Training, Instruction and Supervision

4.2.1 GEMS will ensure that appropriate information, training, instruction and supervision is provided to workers to enable them to perform their work without risk to their health or safety, as far as is reasonably practicable. The information, training, instruction and supervision will be suitable and adequate, having regard to:

- a) the nature of the work carried out by the worker; and

²⁸ Work Health and Safety Regulation 2011 s.36

²⁹ Work Health and Safety Regulation 2011 s.55F

- b) the nature of the risks associated with the work at the time the information, training, instruction or supervision is provided; and
 - c) the control measures implemented.
- 4.2.2 GEMS will ensure, so far as is reasonably practicable, that the information, training and instruction is provided in a way that is readily understandable by any person to whom it is provided.
- 4.2.3 The following GEMS staff will provide further guidance on information, training instruction, and supervision provided to workers at the College: Executive Principal, and HR Administration & Community Liaison Officer.

4.3 **Consultation, Cooperation and Issue Resolution**

- 4.3.1 GEMS acknowledges its duty to consult, so far as is reasonably practicable, with workers who carry out work for the College, who are or are likely to be, directly affected by work health and safety matters. Matters may include identifying, assessing and eliminating or minimising risks relating to work carried out by the workers at the College, making decisions about the adequacy of facilities for the welfare of workers, proposing changes that may affect the health or safety of workers, proposed changes to procedures for consulting workers, resolving worker issues, monitoring worker safety or conditions at the workplace and the provision of information and training.
- 4.3.2 Consultation with workers includes sharing information regarding work, health and safety matters with workers and giving them a reasonable opportunity to:
 - a) express their views and raise work health and safety issues in relation to the matter;
 - b) contribute to the decision-making process relating to the matter;
 - c) have their views taken into account by the PCBU; and
 - d) Access information on the outcome of the consultation in a timely manner.
- 4.3.3 If the workers are represented by an HSR, consultation will include the HSR. If one or more workers asks the College to consult with their representative, the consultation will include the worker's representative.
- 4.3.4 GEMS will refer to the GEMS Complaints Handling Policy for further guidance on resolving work health and safety issues.

5. **Compliance and Monitoring**

5.1 **Incident Reporting**

GEMS has implemented a *GEMS WHS Incident Reporting Procedure*, which requires workers and other persons to report any hazards or incidents resulting in potential or actual harm to health and safety. The College will regularly monitor, collate and report on hazards and incidents.

Notifiable Incidents

5.2 **Notifiable Incidents**

GEMS is committed to reporting notifiable incidents to Workplace Health and Safety Queensland in accordance with the *WHS Act and Regulation*. Notifiable incidents include the death, serious injury or illness of a person or a dangerous incident, in relation to the College. The College will notify the regulator, Workplace Health and Safety Queensland, immediately and by the fastest means possible after becoming aware of a notifiable incident and will preserve the incident site as far as reasonably practicable until an inspector arrives.

5.3 **Appointment of a Health and Safety Representative (HSR)**

- 5.3.1 GEMS will facilitate the election of an HSR where a worker asks for an HSR to be elected.
- 5.3.2 Where the HSR role becomes vacant, as soon as reasonably practicable after the vacancy occurs, the College will notify workers about the powers of the HSR and the HSR election process and invite workers to request the facilitation of an election.

- 5.3.3 If GEMS does not have an HSR, the College will notify workers about the powers of the HSR and the HSR election process and invite workers to request the facilitation of an election. If the College does not receive a request to elect an HSR, the notification and invitation will be repeated annually³⁰.
- 5.4 **Health and Safety Committee**
GEMS will establish a health and safety committee within 28 days if requested to do so by an HSR or 5 or more workers³¹.
- 5.5 **Training**
GEMS will train its staff on this policy and any related processes relating to the health, safety and conduct of staff and students on their induction and will refresh training annually.
- 5.6 **Implementing the Processes**
GEMS will ensure it is implementing this Policy and any related processes relating to the health, safety and conduct of staff and students by auditing compliance with this Policy and related processes annually.
- 5.7 **Accessibility of Processes**
This Policy and any related processes relating to the health, safety and conduct of staff and students are accessible on Emerald Christian College, Ontrack College and ECC Little Gems websites and will be available on request from GEMS Administration.
- 5.8 **Complaints Procedure**
Suggestions of non-compliance with this Policy and any related processes may be submitted as complaints under *GEMS Complaints Handling Policy*.

END OF POLICY

³⁰Work Health and Safety Act s.50B

³¹Work Health and Safety Act s.75

APPENDIX

1. [Accident Report Form](#)
2. [Incident Report Form](#)



Accident Report Form

Submit this form to the Executive Principal

PERSON INJURED IN ACCIDENT

Student name and surname: _____

Date of Birth: ____ / ____ / ____

College: _____

Parent/Carer name and surname: _____

Phone number: _____

ACCIDENT INFORMATION

Date of Accident: ____ / ____ / ____

Time: _____

Location: _____

Description of accident: _____

WITNESSES

Were there witnesses to the incident? ☐ Yes ☐ No

➡ If yes, please list witnesses: _____

ACTION

☐ Returned to Class

☐ Parents/carers pickup

☐ Ambulance

☐ Other: _____

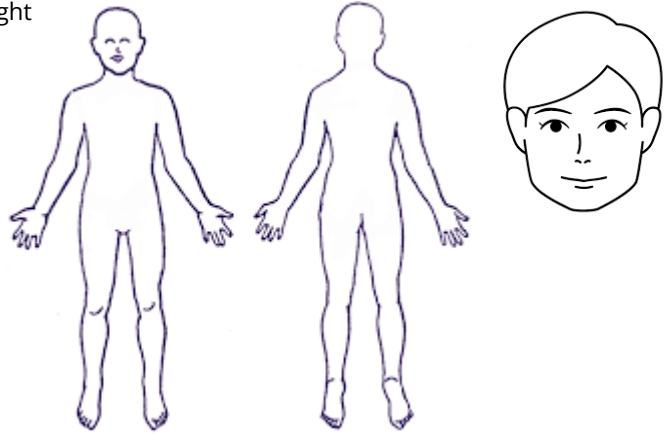
EVALUATION AND TREATMENT INFORMATION

Nature of injury

- | | | |
|---|--------------------------------------|---------------------------------------|
| ☐ Abrasion | ☐ Burn | ☐ Puncture |
| ☐ Asphyxiation | ☐ Concussion | ☐ Scratch |
| ☐ Bite | ☐ Cut | ☐ Sprain |
| ☐ Break/Fracture | ☐ Dislocation | ☐ Other: _____ |
| ☐ Bruise | ☐ Poisoning | |

Part of Body injured, Indicate left or right side: ☐ Left ☐ Right

- | | |
|----------------------------------|--------------------------------|
| ☐ Abdomen | ☐ Foot |
| ☐ Ankle | ☐ Hand |
| ☐ Arm | ☐ Head |
| ☐ Back | ☐ Knee |
| ☐ Chest | ☐ Leg |
| ☐ Ear | ☐ Mouth |
| ☐ Elbow | ☐ Nose |
| ☐ Eye | ☐ Scalp |
| ☐ Face | ☐ Tooth |
| ☐ Finger | ☐ Wrist |



Care/treatment given, i.e., type of first aid given, medication, ect.:

PERSON FILING REPORT

Name and Surname: _____

Signature: _____

Received Date: ____ / ____ / ____ Time: _____



THE INCIDENT

Date of incident: _____

Time of incident: _____

Location of incident: _____

Description of incident (attach additional pages if necessary)

WITNESSES

Were there witnesses to the incident? ☐ Yes ☐ No

➡ If yes, please list witnesses: _____

PERSON FILING REPORT

Name and Surname: _____ Contact: _____

Signature: _____ Received Date: ____ / ____ / ____ Time: _____

OFFICE USE ONLY

Report received by: _____ Date: ____ / ____ / ____