

Work Health and Safety Policy

1. Introduction

1.1 Purpose

This Policy and the Policies and Procedures and related documentation set out in section 1.5 below (**Related Documentation**) supports CDNI Care Pty Ltd to apply the Risk Management NDIS Practice Standard.

1.2 Policy Aims

CDNI Care Pty Ltd is committed to ensuring that risks to participants, workers and the provider are identified and managed.

1.3 NDIS Quality Indicators

In this regard, CDNI Care Pty Ltd aims to demonstrate each of the following quality indicators through the application of this Policy and the relevant systems, procedures, workflows and other strategies referred to in this Policy and the Related Documentation:

- (a) Risks to the organisation, including risks to participants, financial and work health and safety risks, and risks associated with provision of supports are identified, analysed, prioritised and treated.
- (b) A documented system that effectively manages identified risks is in place, and is relevant and proportionate to the size and scale of the provider and the scope and complexity of supports provided.
- (c) Support delivery is linked to a risk management system which includes:
 - (1) Incident Management;
 - (2) Complaints Management;
 - (3) Work Health and Safety;
 - (4) Human Resource Management;
 - (5) Financial Management;
 - (6) Information Management; and
 - (7) Governance.

1.4 Scope

- (a) This Policy applies to the provision of all services and supports at CDNI Care Pty Ltd.
- (b) All permanent, fixed term and casual staff, contractors and volunteers are required to take full responsibility for ensuring full understanding of the commitments outlined in this Policy.
- (c) The relevant persons specified in the column corresponding to a procedure described in this Policy have the responsibility to implement the relevant systems, procedures, workflows and other strategies referred to in the relevant procedure.

1.5 Related Documentation

Approved By:	The board of CDNI Care Pty Ltd	Version	1
Approval Date:	July 2020	Next Scheduled Review	July 2022

The application of the above NDIS Practice Standard by CDNI Care Pty Ltd is supported in part by and should be read alongside the Policies and Procedures and related documentation corresponding to this Policy in the Policy Register.

2. Definitions

In this Policy:

CDNI Care Pty Ltd means CDNI Care Pty Ltd ABN 32 640 960 658.

Client means a client of CDNI Care Pty Ltd (including an NDIS participant).

Key Management Personnel means Armour Ncube, Saneliso Sibanda, Blessing L Ncube, Beatitute N Ncube and other key management personnel involved in CDNI Care Pty Ltd from time to time.

Legislation Register means the register of legislation, regulations, rules and guidelines maintained by CDNI Care Pty Ltd.

Policy Register means the register of policies of CDNI Care Pty Ltd.

Principal means Saneliso Sibanda.

reasonably practicable means that which is, or was at a particular time, reasonably able to be done in relation to ensuring WHS, taking into account and weighing up all relevant matters including:

- (a) the likelihood of the hazard or the risk concerned occurring; and
- (b) the degree of harm that might result from the hazard or the risk; and
- (c) what the person concerned knows, or ought reasonably to know, about:
 - (1) the hazard or the risk; and
 - (2) ways of eliminating or minimising the risk; and
- (d) the availability and suitability of ways to eliminate or minimise the risk; and
- (e) after assessment, the extent of the risk and the available ways of eliminating or minimising the risk, the cost associated with available ways of eliminating or minimising the risk, including whether the cost is grossly disproportionate to the risk.

Related Documentation has the meaning given to that term in section 1.1.

Representative means a person specified as the representative of the Client in the Client's Service Agreement or any person who provides personal care, support or help to a Client and is not engaged as a paid or volunteer worker, often a family member or guardian (if any).

Risk Assessment means a risk assessment undertaken in respect of a Client and/or a Workplace (as applicable).

Risk Management means a process whereby hazards are identified, the risks associated with the identified hazards are assessed and the control measures which will eliminate or minimise the risks from the identified hazards are planned and implemented.

Service Agreement means the service agreement entered into between CDNI Care Pty Ltd and a Client in relation to the provision of services and supports.

Approved By:	The board of CDNI Care Pty Ltd	Version	1
Approval Date:	July 2020	Next Scheduled Review	July 2022

Support Plan means any support plan developed in respect of and with the Client (as applicable).

WHS means work health and safety.

WHS Laws all applicable work health and safety laws, regulations and codes of practice applicable to the CDNI Care Pty Ltd from time to time including:

- (a) *Work Health and Safety Act 2011 (NSW); and*
- (b) *Work Health and Safety Regulation 2017 (NSW).*

Worker means a permanent, fixed term or casual member of staff, a contractor or volunteer employed or otherwise engaged by CDNI Care Pty Ltd and includes the Principal.

Workplace means a place where work is carried out by CDNI Care Pty Ltd and includes any place where a Worker goes or is likely to be while at work including:

- (a) CDNI Care Pty Ltd's business premises;
- (b) a Client's home or part of their home (for example, a dedicated treatment room), a vehicle or a community venue, where and while a service is being undertaken; and
- (c) accommodation a Worker occupies that is owned by or under the management or control of the Principal where the occupancy is necessary for the Worker's engagement because other accommodation is not reasonably available.

3. Policy

3.1 General

- (a) The CDNI Care Pty Ltd Work Health & Safety Policy reflects our commitment to safety culture and demonstrates our commitment to the physical and psychological health and wellbeing of Workers.
- (b) So far as is reasonably practicable, CDNI Care Pty Ltd is committed to ensuring work health and safety risks to Workers, Clients and CDNI Care Pty Ltd are identified and managed. Specifically, CDNI Care Pty Ltd is committed to maintaining:
 - (1) this documented system that effectively manages work health and safety risks; and
 - (2) appropriate insurance including professional indemnity, public liability and accident insurance (if appropriate).
- (c) There are three critical Principles of WHS management at CDNI Care Pty Ltd:
 - (1) engagement of all Workers in Risk Management;
 - (2) ensuring processes are in place to identify, report, assess, manage and reduce WHS risks; and
 - (3) alignment of the Work Health and Safety program with CDNI Care Pty Ltd's other Risk Management systems, policies and procedures.

3.2 Duties of CDNI Care Pty Ltd

CDNI Care Pty Ltd is committed, so far as is reasonably practicable, to ensuring the health and safety of Workers and others at the Workplace by:

Approved By:	The board of CDNI Care Pty Ltd	Version	1
Approval Date:	July 2020	Next Scheduled Review	July 2022

- (a) **(Comply with WHS Laws)** ensuring CDNI Care Pty Ltd meets the requirements of relevant WHS Laws, regulations and codes through its Policies and practices.
- (b) **(Culture)** ensuring WHS is an integral element in the activities and culture of CDNI Care Pty Ltd and providing an environment that promotes and supports physical and psychological health and wellbeing.
- (c) **(Workplaces)** so far as is reasonably practicable, providing and maintaining its Workplaces in a condition that is safe and without risks to health and monitoring the conditions at such Workplaces.
- (d) **(Facilities)** providing adequate facilities, plant, equipment, structures, resources and services to enable Workers to perform their role safely.
- (e) **(Risk Assessment)** undertaking a Risk Assessment at each Workplace and of any work activity to be conducted in the Workplace and identifying control measures to eliminate or minimise identified risks.
- (f) **(Risk Management Programme)** establishing and maintaining a risk management programme aimed at preventing Workplace illness and injury to Workers, Clients and others lawfully entering a Workplace which shall include, but not be limited to:
 - (1) a risk management plan, procedures and processes to enable hazards to be identified and risks associated with those hazards to be eliminated or minimised at the Workplace;
 - (2) establishing procedures and processes for receiving, considering and responding to information about incidents, hazards and risks in a timely fashion;
 - (3) ensuring that information is readily available to Workers about procedures to ensure the safety of specific operations that pose health and safety risks in the Workplace in respect of identified risks;
 - (4) measuring against positive performance indicators to identify deficiencies in procedures and processes (e.g. percentage of issues actioned within the agreed timeframe);
 - (5) undertaking a legal compliance audit of policies, procedures and processes;
 - (6) testing policies, procedures and processes to verify compliance with the health and safety programme; and
 - (7) continuously improving the health and safety programme.
- (g) **(Instruction)** specifying the important actions and responsibilities of Workers for ensuring Workplaces are safe from injury and risk to health.
- (h) **(Safe Use)** ensuring the safe use, handling, storage and transport of plant, equipment, structures and substances (as applicable).
- (i) **(Safe Systems)** providing and maintaining safe systems of work.
- (j) **(Training and Supervision)** providing adequate information through training, instruction and/or supervision as is necessary to protect and work safely without risks to health to all Workers.
- (k) **(No Blame)** embedding a culture of 'no blame' in the achievement of and commitment to a safe and healthy work environment and monitoring the health and welfare of CDNI Care Pty Ltd Workers and the conditions of Workplaces to prevent illness and injury.
- (l) **(Unacceptable Conduct)** taking action in respect of incidents of bullying, harassment or other Unacceptable Conduct (as set out in Schedule 1) in the Workplace.

Approved By:	The board of CDNI Care Pty Ltd	Version	1
Approval Date:	July 2020	Next Scheduled Review	July 2022

- (m) **(Training)** providing information, training, instruction or supervision to Workers that is necessary to protect Workers, Clients and others from risks to health and safety in line with position accountability and responsibilities.
- (n) **(Consultation)** so far as is reasonably practicable, consulting with Workers who are or are likely to be directly affected by any Workplace hazards or risks and otherwise as required by WHS Laws.
- (o) **(Worker Empowerment)** empowering Workers to cease unsafe work and request safer alternatives and resources.
- (p) **(Monitoring)** monitoring the performance of WHS through key performance indicators and regular reporting.
- (q) **(Continuous Improvement)** continuously improving safety management procedures, systems and processes.

3.3 Duties of Workers

So far as is reasonably practicable, CDNI Care Pty Ltd requires Workers to:

- (a) **(Own Safety)** take reasonable care for their own health and safety.
- (b) **(Others Safety)** take reasonable care that they do not adversely affect the health and safety of others who may be affected by the Worker's acts or omissions at a Workplace.
- (c) **(Co-operation)** co-operate with any action taken by CDNI Care Pty Ltd to comply with a requirement imposed by or under relevant WHS Laws.
- (d) **(Policies)** comply with this Policy and procedures about WHS and follow any related policies, procedures, processes or documentation provided to them from time to time concerning health and safety and otherwise follow safe work practices.
- (e) **(Instructions)** comply with the work health and safety instructions of CDNI Care Pty Ltd including:
 - (1) following reasonable instructions relating to the delivery of services as contained in the relevant Client's Support Plan;
 - (2) complying with any Risk Assessment conducted in respect of a Workplace or in relation to a work activity;
 - (3) only undertaking activities that have been agreed to in the Client's Service Agreement; and
 - (4) properly wearing personal protective equipment (PPE) the Worker has been provided and trained in using.
- (f) **(Reporting Incidents)** report all hazards, incidents, accidents or "near misses" in accordance with the Incident Management and Reporting Policy, whether or not someone was injured, to ensure their health and safety and the health and safety of others in the Workplace;
- (g) **(Unacceptable Conduct)** not engage in any Unacceptable Conduct (as set out in Schedule 1) and report any incidents of bullying, harassment or other Unacceptable Conduct (as set out in Schedule 1) to the Principal.
- (h) **(Risk Assessments)** participate in Risk Assessments as requested.
- (i) **(Risk Management)** assist in the identification of control measures to eliminate or minimise the risk of injury.

Approved By:	The board of CDNI Care Pty Ltd	Version	1
Approval Date:	July 2020	Next Scheduled Review	July 2022

- (j) **(Training)** attend WHS training as required by the Principal;
- (k) **(Manual Tasks)** report all problems with manual tasks, including signs of discomfort, immediately.
- (l) **(WHS Activities)** participate in WHS activities such as inspections, investigations, evacuation drills, WHS meetings as required from time to time.
- (m) **(Report Conditions)** report any physical or psychological conditions that may affect your ability to perform the duties that form part of their role.
- (n) **(Misuse)** not intentionally or recklessly misuse or interfere with anything provided to the Worker in the interests of WHS.
- (o) **(Advice)** employ or engage persons who are suitably qualified in WHS to provide advice concerning the health and safety of Workers.
- (p) **(Use of Equipment)** as applicable:
 - (1) correctly use tools, plant and equipment;
 - (2) comply with safety instructions on machinery or plant and equipment;
 - (3) operate plant, equipment and machinery with guards and safety controls operating and in place at all times;
 - (4) report any worn out or defective plant, equipment or problems you have with equipment immediately;
 - (5) wear personal protective equipment as required;
 - (6) report any worn out or defective equipment or problems you have with personal protective equipment; and
 - (7) report all problems with equipment and machinery immediately.

3.4 Others at the Workplace

In accordance with applicable WHS Laws, CDNI Care Pty Ltd expects that others at the Workplace (for example, Clients, visitors, family members, participants) will:

- (a) take reasonable care for their own health and safety;
- (b) take reasonable care that they do not adversely affect the health and safety of others; and
- (c) comply, so far as they are reasonably able, with any instruction given by CDNI Care Pty Ltd.

3.5 Duties of other people (including visitors)

If a person is not a Worker, but attends a Workplace, they must:

- (a) take reasonable care of their own health and safety;
- (b) take reasonable care that their actions or omissions do not adversely affect the health and safety of others;
- (c) comply, so far as they are able, with any instructions that may be given by CDNI Care Pty Ltd regarding WHS obligations; and

Approved By:	The board of CDNI Care Pty Ltd	Version	1
Approval Date:	July 2020	Next Scheduled Review	July 2022

- (d) conduct themselves responsibly at the Workplace and surrounding areas in such a way that they do not contribute to accidents or hazards which may endanger others.

4. WHS Procedures

The following procedures are to be applied at CDNI Care Pty Ltd to guide WHS Risk Management. The Procedures work together dynamically and are relevant to all parts of CDNI Care Pty Ltd. The Procedures are not ordered in priority and all are important to achieving the aims of the Policy Statement.

Procedures	Responsibility
<p>4.1 Identifying, reporting, assessing, managing and reducing WHS risks in the Business Premises</p> <p>(a) Conduct a Workplace Risk Assessment at CDNI Care Pty Ltd's primary business premises every six months (or earlier in accordance with this Policy) to identify potential hazards and put appropriate controls in place to reduce the risk of injury or illness for Clients, carers and other Workers.</p> <p>(b) Appropriate control measures should be actioned to ensure identified hazards are eliminated or minimised.</p> <p>(c) The Risk Management process should be conducted in accordance with the Risk Management Process set out in CDNI Care Pty Ltd's WHS Walk Around Risk Assessment Checklist.</p>	<p>Principal</p>
<p>4.2 Identifying, reporting, assessing, managing and reducing WHS risks in the Client Home</p> <p>(a) If planning to provide services in the Client's home, gather relevant information at the referral, induction or Client assessment stage to identify WHS issues and assess and manage risks in the Client's home.</p> <p>(b) Before providing any services or supports to a Client in their home, conduct a Risk Management process at the Client's home to identify potential hazards and put appropriate controls in place to reduce the risk of injury or illness for Clients, carers and other Workers. This process should be undertaken with the Client, their family and, if possible, landlord and reviewed in accordance with this Policy.</p> <p>(c) The Risk Management process should be conducted in accordance with the Risk Management Process set out in Schedule 2 and CDNI Care Pty Ltd's WHS Walk Around Risk Assessment Checklist.</p>	<p>Client (or their Representative) and the Principal (and suitably experienced Workers)</p>
<p>4.3 Managing and reducing known risks</p> <p>(a) Where one or more of the common hazards or risks associated with CDNI Care Pty Ltd's business are identified or otherwise present in the Workplace or in connection with the support delivery environment, the control measures set out in the Managing and Reducing Known Risks Matrix (to the extent appropriate) should be implemented by Workers and Clients to eliminate or minimise the relevant hazard or risk of harm.</p> <p>The list of potential hazards and potential risks and potential controls set out in the Managing and Reducing Known Risks Matrix is not exhaustive. Other hazards, risks and controls may be identified when undertaking a thorough Risk Management process.</p>	<p>Client (or their Representative), the Principal and all Workers</p>

Approved By: The board of CDNI Care Pty Ltd	Version 1
Approval Date: July 2020	Next Scheduled Review July 2022

<p>(b) When working in a Client's home, CDNI Care Pty Ltd, the Representative (if any) and the Client should action appropriate control measures to ensure identified potential hazards and risks are eliminated or minimised, to the reasonable satisfaction of CDNI Care Pty Ltd.</p> <p>(c) In this regard, the Client and their Representative (if any) will (at their own expense):</p> <ol style="list-style-type: none"> (1) maintain a safe work environment (for example, repairing broken steps, mowing long grass, restraining animals and providing adequate lighting); (2) look after their in-home safety (for example, maintaining electrical equipment and installing smoke alarms and safety switches to switchboards); (3) cooperate with CDNI Care Pty Ltd, other service providers and Workers to ensure safe work procedures and a safe work environment (for example, moving furniture to allow adequate workspace and using lifting equipment based on assessed needs, provide recommended cleaning products); (4) keep their home safe, well maintained and in good order; and (5) inform CDNI Care Pty Ltd and others of any known hazards (i.e. the presence of pets). <p>unless CDNI Care Pty Ltd is responsible for providing support and services to assist in respect of the same.</p> <p>(d) Implementing control measures in the Managing and Reducing Known Risks Matrix is not intended to substitute the undertaking of a thorough Risk Management process to identify, assess and manage identified potential hazards and risks in a Workplace initially and when changes occur in the Workplace. In this regard, every Workplace is different and the control measures may not always be appropriate.</p> <p>The Principal agrees to work with Workers, Clients and others to design appropriate control measures which manage hazards or risks identified as part of a Risk Assessment.</p> <p>(e) in circumstances where the control measures listed in the Managing and Reducing Known Risks Matrix would not appropriately manage the identified potential hazards or risks.</p>	
<p>4.4 Maintain Insurances</p> <p>Obtain and maintain an adequate level of insurance including Public Liability insurance, Professional Indemnity Insurance and Workers Compensation Insurance (if applicable).</p>	<p>Principal and Key Management Personnel</p>
<p>4.5 Keeping Records</p> <p>(a) Keep records relating to the health and safety of Workers and the Risk Management process undertaken at all Workplaces.</p>	<p>Workers undertaking the Risk Management process</p>

Approved By:	The board of CDNI Care Pty Ltd	Version	1
Approval Date:	July 2020	Next Scheduled Review	July 2022

<p>(b) Keep CDNI Care Pty Ltd’s WHS Walk Around Risk Assessment Checklist completed in respect of any Client’s home in the relevant client information file.</p>	
<p>4.6 Reviewing risk controls</p> <p>(a) Review risk controls taken in connection with a Risk Management Process when:</p> <ol style="list-style-type: none"> (1) changes are made to a Workplace (including a Client’s home), as soon as CDNI Care Pty Ltd becomes aware of the change; (2) changes are made to the way work is done or when new services are to be provided to the Client; (3) new tools or equipment are introduced; (4) new information about Workplace risks becomes available (5) an incident occurs (even if they have caused no injury) (6) responding to concerns raised by Workers or others at the Workplace, and (7) as required by WHS Laws for specific hazards. <p>(b) Regularly review current WHS risks to ensure that the controls are still working and whether they need to be altered by:</p> <ol style="list-style-type: none"> (1) conducting regular audits to ensure controls are effective and being used. (2) reviewing the Client’s condition and the work environment regularly. (3) encouraging reporting of hazards, incidents and “near misses”; and (4) consulting with Workers and following up on issues raised. 	<p>Client (or their Representative) and the Principal (and suitably experienced Workers)</p>
<p>4.7 Hazard and Incident reporting and investigations</p> <p>(a) Report any hazards associated with work tasks or activities to the Principal or Key Management Personnel as soon as becoming aware of them.</p> <p>(b) Workers must report all incidents as soon as reasonably practicable including:</p> <ol style="list-style-type: none"> (1) injuries to Clients or Workers; (2) emergency situations; and (3) near-miss incidents where there is no injury but requires preventative action. <p>(c) All incidents will be managed in accordance with CDNI Care Pty Ltd’s Incident Management and Reporting System.</p>	<p>All Workers</p>

<p>Approved By: The board of CDNI Care Pty Ltd</p>	<p>Version 1</p>
<p>Approval Date: July 2020</p>	<p>Next Scheduled Review July 2022</p>

<p>(d) All incident investigations in respect of serious incidents should include a review of this Work Health and Safety Policy.</p>	
<p>4.8 Regulators, industry association, manufacturer and supplier websites</p> <p>(a) Where new information about risks in the context of CDNI Care Pty Ltd's operations and support provision becomes available, this information should be incorporated (where relevant) into this Work Health and Safety Policy.</p> <p>(b) New information and advice about hazards and risks should be confirmed with regulators, industry associations, unions, technical specialists and safety consultants.</p>	<p>Principal and Key Management Personnel</p>
<p>4.9 Worker knowledge, understanding of work health and safety</p> <p>(a) All Workers are provided with a copy of this Policy in their orientation and induction materials.</p> <p>(b) Under their employment, contractor agreement or binding letter agreement, each Worker at CDNI Care Pty Ltd is required to take responsibility for ensuring full understanding of the commitments outlined in this Policy as well as procedures and other strategies designed to ensure that the principles of this Policy are upheld.</p>	<p>Principal and Key Management Personnel</p>
<p>4.10 Provide training to Workers</p> <p>(a) Training of Workers in the Work Health and Safety Policy during their induction, and as part of ongoing refresher training and/or when processes change.</p> <p>(b) Training should require Workers to demonstrate that they are aware of all identified risks and associated controls in the Managing and Reducing Known Risks Matrix and are familiar with the Risk Management process set out in Schedule 2.</p>	<p>Principal and Key Management Personnel</p>
<p>4.11 Supervision of Workers</p> <p>Where less experienced Workers are expected to follow Risk Management procedures, the Principal and Key Management Personnel will supervise.</p>	<p>Principal and Key Management Personnel</p>
<p>4.12 Continuous Improvement and Quality Management</p> <p>In addition to the continuous improvement and quality management procedures set out in sections 4.8, 4.9, 4.10 and 4.11, the following Continuous Improvement and Quality Management measures should be implemented contemporaneously with a Scheduled Review of this Policy.</p> <p>(a) analyse WHS Laws for any changes to the requirements of this Policy.</p> <p>(b) analyse records of Workplace incidents, near misses, Worker complaints, sick leave and the results of any inspections and investigations to identify potentially known hazards that may be missed in the Managing and Reducing Known Risks Matrix, the Risk Management Process (Schedule 2) and CDNI Care Pty Ltd's WHS Walk Around Risk Assessment Checklist.</p> <p>(c) ensure managers, supervisors and other Workers with health and safety responsibilities have the authority and resources to meet them.</p>	<p>Principal and Key Management Personnel</p>

<p>Approved By: The board of CDNI Care Pty Ltd</p>	<p>Version 1</p>
<p>Approval Date: July 2020</p>	<p>Next Scheduled Review July 2022</p>

(d) review this Policy in consultation with Workers and their representatives.	
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5. Unacceptable Conduct

Procedures	Responsibility
<p>5.1 Unacceptable Conduct</p> <p>The specific behaviours in Schedule 1 are contrary to this Work Health and Safety Policy (Unacceptable Conduct) and, in some circumstances, are also criminal offences. Any Worker found to have engaged in such conduct may be counselled, disciplined or have their employment or engagement with CDNI Care Pty Ltd terminated.</p>	All Workers
<p>5.2 Issue Resolution - Internal</p> <p>If you consider you have been the subject of any Unacceptable Conduct (for example, you have been harassed, bullied or discriminated against), do not ignore it. Ignoring the behaviour might be interpreted by the other person as consent.</p> <p>Do not respond to unacceptable behaviour with more unacceptable behaviour.</p> <p>If you are angry and upset as a result of Unacceptable Conduct, CDNI Care Pty Ltd encourages you to take some time to prepare for what to do next, or seek help from the Principal.</p> <p>CDNI Care Pty Ltd recommends you try to resolve your issue using one of the following four options:</p> <p>(a) Self-management – prepare and then make a calm, polite but firm request to the person or persons responsible for the Unacceptable Conduct. Indicate the effect of the behaviour and specify the things you would like to be conducted differently in the future. Often it is helpful to record this agreement in writing.</p> <p>(b) Informal – any non-disciplinary solution, such as organising training for a person or group, a conciliation or three-way meeting, asking the Principal to have an informal chat with someone, asking for a decision to be reviewed by someone else.</p> <p>(c) Formal – a formal complaint (describing what has happened and why you feel it was against this Policy) can be made in accordance with the Feedback and Complaints Management Policy</p>	All Workers
<p>5.3 Issue Resolution - External</p> <p>Employees who have experienced bullying at work can apply to the Fair Work Commission for an order to stop the bullying. Making an application to the Fair Work Commission for an order to stop bullying is a Workplace right protected under the general protections provision of the Fair Work Act.</p> <p>Workers are encouraged to seek resolution via the internal processes described in this Policy prior to contacting an external body.</p>	All Workers

Approved By:	The board of CDNI Care Pty Ltd	Version	1
Approval Date:	July 2020	Next Scheduled Review	July 2022

6. General

6.1 Relevant Legislation, Regulations, Rules and Guidelines

Legislation, Rules, Guidelines and Policies apply to this Policy and Related Documentation as set out in the Legislation Register.

6.2 Inconsistency

If and to the extent that the terms of this Policy are or would be inconsistent with the requirements of any applicable law, this Policy is deemed to be amended but only to the extent required to comply with the applicable law.

6.3 Policy Details

Approved By: The board of CDNI Care Pty Ltd

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Version: 1

Approved By:	The board of CDNI Care Pty Ltd	Version	1
Approval Date:	July 2020	Next Scheduled Review	July 2022

Schedule 1 – Unacceptable Conduct

PROCEDURE	RESPONSIBILITY
<p>1. Discrimination</p> <p>Discrimination occurs when an individual or a group is treated unfavourably because of a personal attribute protected by law.</p> <p>Unlawful discrimination can occur:</p> <p>Directly – when a person or group is treated less favourably than others because they have a protected attribute, compared with another person or group without that attribute.</p> <p>For example - <i>a Worker is refused promotion because they are “too old”</i></p> <p>Indirectly – when an arbitrary or unreasonable system, procedure or requirement treats everyone the same, but in doing so ends up (actually or potentially) disadvantaging a person or group with an attribute protected by the law.</p> <p><i>For example – an organisation has a policy that to pass probation for office jobs, all new employees must take an eye test, even though first-rate vision is not essential for the roles. Someone with a vision impairment would fail probation as they couldn’t pass this test.</i></p> <p>Attributes protected by the law include:</p> <ul style="list-style-type: none"> (a) Age (b) Breastfeeding (c) Disability/impairment (including genetic predisposition to disability, visible or invisible, temporary or permanent) (d) Employment activity (e.g. asking your boss about your Workplace entitlements) (e) Gender identity (being transgender or intersex) (f) Industrial activity/inactivity (union membership or non-membership) (g) Irrelevant criminal record (h) Lawful political belief or activity (i) Lawful sexual activity (j) Marital status (having or not having a domestic partner) (k) Medical record (l) Physical features (including height, weight or appearance) (m) Pregnancy (including potential pregnancy) 	<p>All Workers</p>

Approved By:	The board of CDNI Care Pty Ltd	Version	1
Approval Date:	July 2020	Next Scheduled Review	July 2022

<ul style="list-style-type: none"> (n) Race (including language spoken at home, citizenship, country of origin) (o) Religious belief or activity (p) Sex (q) Sexual orientation (r) Social origin (s) Status as a parent or carer (with a broad and inclusive definition of both, see section 3 above) (t) Personal association or relation to another person with any of the above attributes (e.g. being related to someone with a disability). Some exclusions apply to this point. 	
<p>2. Harassment</p> <p>Harassment is a type of discrimination involving unwelcome language or behaviour that, regardless of the intention of the perpetrator, could be reasonably anticipated to offend, embarrass, intimidate or threaten another person because of an attribute covered under equal opportunity law.</p> <p><i>For example - nicknames or teasing based on weight, race, sexual orientation or physical appearance</i></p> <p>Harassment can take many forms, including jokes, teasing, nicknames, emails, pictures, text messages, social isolation, ignoring people, or unfair work practices.</p> <p>Harassment can occur regardless of the intention or the formal authority of the perpetrator. It is the effect of the behaviour and the degree to which this effect could be reasonably anticipated that makes it harassment.</p>	<p>All Workers</p>
<p>3. Sexual Harassment</p> <p>Sexual harassment is a specific and serious form of harassment. This occurs when a person makes an unwelcome sexual advance or an unwelcome request for sexual favours to another person, or engages in any other unwelcome conduct of a sexual nature in relation to another person.</p> <p>It has nothing to do with mutual attraction or private, consenting friendships whether sexual or otherwise.</p> <p>Some examples of sexual harassment include:</p> <ul style="list-style-type: none"> (a) Persistent, unwelcome demands or even subtle pressures for sexual favours or outings. (b) Leering, patting, pinching, touching or unnecessary familiarity. (c) Offensive comments on physical appearance, dress or private life. (d) Sending sexually explicit emails, text messages or through social media applications. 	<p>All Workers</p>

<p>Approved By: The board of CDNI Care Pty Ltd</p>	<p>Version 1</p>
<p>Approval Date: July 2020</p>	<p>Next Scheduled Review July 2022</p>


<p>(e) The public display of pornography (especially when it is directed at particular individuals), ranging from material that might be considered mildly erotic through to material that is sexually explicit.</p> <p>CDNI Care Pty Ltd recognises that comments and behaviour which does not offend one person, may offend another. This Policy requires all Workers to respect other people's limits.</p> <p>Sexual harassment can occur regardless of the intention or the formal authority of the perpetrator. It is the effect of the behaviour and the degree to which this effect could be reasonably anticipated that makes it sexual harassment.</p>	
<p>4. Bullying</p> <p>Bullying is repeated, unreasonable behaviour directed toward an individual, or group of individuals, that creates a risk to their health and safety.</p> <p>Behaviours that may constitute bullying include:</p> <ul style="list-style-type: none"> (a) Sarcasm and other forms of demeaning language. (b) Threats, abuse or shouting. (c) Coercion. (d) Isolation. (e) Blaming. (f) "Ganging up". (g) Constant unconstructive criticism. (h) Deliberately withholding information a person needs to exercise their role or access their entitlements within CDNI Care Pty Ltd. (i) Repeated refusal of requests for leave or training without adequate explanation or suggestion of alternatives. <p>Bullying is not:</p> <ul style="list-style-type: none"> (a) Reasonable comment, advice or administrative action (including negative feedback from supervisors or managers). (b) Performance management processes. (c) Disciplinary action. (d) Reasonable management action done in a reasonable way. (e) The implementation of organisational change. (f) Conflict or differences of opinion between individuals. (g) An individual incident of bullying-type behaviour. <p>Bullying can occur regardless of the intention or the formal authority of the perpetrator. It is the unreasonableness of the behaviour and the degree to which it</p>	<p>All Workers</p>

<p>Approved By: The board of CDNI Care Pty Ltd</p>	<p>Version 1</p>
<p>Approval Date: July 2020</p>	<p>Next Scheduled Review July 2022</p>

<p>could be reasonably anticipated to create physical or mental health risks that makes it bullying.</p>	
<p>5. Victimisation</p> <p>Victimisation occurs when someone who has raised a complaint in good faith and in a reasonable way, is then threatened, punished or suffers some other negative consequence as a result of raising that concern.</p> <p><i>For example - an employee is refused a promotion because “your complaint of harassment last year shows you are not a team player”.</i></p> <p>It is victimisation to threaten or punish someone (such as a witness), who may be involved in the investigation of an equal opportunity concern or complaint.</p> <p>Victimisation is a very serious breach of this Policy and is likely (depending on the severity and circumstances) to lead to formal disciplinary action against the perpetrator.</p> <p>CDNI Care Pty Ltd has a zero tolerance approach to victimisation. Anyone who believes they have been or are being victimised should immediately report the matter to the Principal or other Key Management Personnel.</p>	<p>All Workers</p>

Approved By:	The board of CDNI Care Pty Ltd	Version	1
Approval Date:	July 2020	Next Scheduled Review	July 2022

Schedule 2 - Work Health and Safety Risk Management Process

PROCEDURE	RESPONSIBILITY
<p>Risk management involves four steps (see diagram below):</p> <ul style="list-style-type: none"> ○ identify hazards – find out what could cause harm ○ assess risks – understand the likelihood of a hazard causing harm and how serious it could be, ○ control risks – implement the most effective control measure that is reasonably practicable in the circumstances, and ○ review control measures to ensure they are working as planned. <div style="text-align: center;">  </div> <p>1. Step 1 - Identify risks</p> <p>1.1 When conducting support and services in the Client’s home, CDNI Care Pty Ltd’s WHS Walk Around Risk Assessment Checklist should be used as a guide when conducting a walkaround in a Client’s home in accordance with the Work Health and Safety Policy.</p> <p>1.2 It is important not to be limited by CDNI Care Pty Ltd’s WHS Walk Around Risk Assessment Checklist when undertaking a walk around. Actually walk around and observe how things are done. This can help you predict what could or might go wrong. Look at how people actually work, use equipment and chemicals. Identify what safe or unsafe work practices exist as well as the general state of the area. Potential hazards may be specific to a particular Workplace and not included on CDNI Care Pty Ltd’s WHS Walk-Around Risk Assessment Around Checklist (i.e. a Client’s home).</p> <p>1.3 Things to look out for include:</p>	<p>Client (or their Representative), the Principal and all Workers</p>

Approved By:	The board of CDNI Care Pty Ltd	Version	1
Approval Date:	July 2020	Next Scheduled Review	July 2022

<p>(a) Does the Workplace enable Workers to carry out work without risks to health and safety (for example, space for unobstructed movement, adequate ventilation, lighting)?</p> <p>(b) How suitable are the tools and equipment for the services and supports or the Workplace and how well they are maintained?</p> <p>(c) Have any changes occurred in the Workplace which may affect health and safety?</p> <p>1.4 As you walk around, you may spot straightforward problems and action should be taken on these immediately, for example, cleaning up a spill. If you find a situation where there is immediate or significant danger to people, move those persons to a safer location first and attend to the hazard urgently.</p> <p>1.5 Make a list of all the hazards found in CDNI Care Pty Ltd's WHS Walk-Around Risk Assessment Checklist, including the ones that are already being dealt with, to ensure that nothing is missed.</p> <p>1.6 Hazards are not always obvious. Some hazards can affect health over a long period of time or may result in stress and fatigue.</p> <p>1.7 Think about hazards that you may bring into the Workplace as new, used or hired goods (for example, worn insulation on hired welding sets).</p> <p>1.8 Encourage and ask Workers about any health and safety problems they have encountered in doing their work and any near misses or incidents that have not been reported.</p> <p>1.9 Worker surveys should be undertaken on a formal and informal basis to obtain information about matters such as Unacceptable. Conduct, as well as progressive conditions (such as, muscular aches and pains, musculoskeletal disorder or fatigue) that can signal and be indicative of potential hazards that may have been missed at the outset.</p> <p>2. Step 2 - Assess risks</p> <p>2.1 A risk assessment should be done when:</p> <p>(a) there is uncertainty about how a hazard may result in injury or illness, or</p> <p>(b) the work activity involves a number of different hazards and there is a lack of understanding about how the hazards may interact with each other to produce new or greater risks.</p> <p>2.2 A risk assessment is mandatory under the WHS Laws for some hazards, for example, entry into confined spaces.</p> <p>2.3 A risk assessment is not necessary in the following situations:</p> <p>(a) Legislation requires some hazards or risks to be controlled in a specific way – these requirements must be complied with.</p> <p>(b) A code of practice or other guidance sets out a way of controlling a hazard or risk that is applicable to your situation and you choose to use the recommended controls. In these instances, the guidance can simply be followed.</p>	
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Approved By:	The board of CDNI Care Pty Ltd	Version	1
Approval Date:	July 2020	Next Scheduled Review	July 2022

<p>(c) There are effective controls that are in widespread use in the particular industry, that are suited to the circumstances in your Workplace. These controls can simply be implemented.</p> <p>2.4 Most of the risks that fall within one of the above situations which are relevant to CDNI Care Pty Ltd's operations and their corresponding controls are set out in the Work Health and Safety Policy and the Managing and Reducing Known Risks Matrix. In the event one of these known Workplace risks is identified, the corresponding control measure set out in the Work Health and Safety Policy or and the Managing and Reducing Known Risks Matrix that is most effective and would be reasonably practicable in the circumstances should be implemented.</p> <p>How to do a risk assessment</p> <p>2.5 Work out the amount of harm that could occur</p> <p>(a) All hazards have the potential to cause different types and severities of harm, ranging from minor discomfort to a serious injury or death.</p> <p>(b) To estimate the amount of harm that could result from each hazard, consider the following questions:</p> <p>(1) What type of harm could occur (e.g. muscular strain, fatigue, burns, laceration)? How severe is the harm? Could the hazard cause death, serious injuries, illness or only minor injuries requiring first aid?</p> <p>(2) What factors could influence the severity of harm that occurs? For example, the distance someone might fall or the concentration of a particular substance will determine the level of harm that is possible. The harm may occur immediately when something goes wrong (e.g. injury from a fall) or it may take time for it to become apparent (e.g. illness from long term exposure to a substance).</p> <p>(3) How many people are exposed to the hazard and how many could be harmed (in and outside your Workplace)?</p> <p>(4) Could one failure lead to other failures? For example, could the failure of your electrical supply make any risk controls that rely on electricity ineffective?</p> <p>(5) Could a small event escalate to a much larger event with more serious consequences? For example, a minor fire can get out of control quickly in the presence of large amounts of unnecessary combustible materials.</p> <p>2.6 Work out how hazards may cause harm</p> <p>In thinking about how each hazard may cause harm, consider the following:</p> <p>(a) the effectiveness of existing control measures and whether they control all types of harm,</p> <p>(b) how work is actually done, rather than relying on written manuals and procedures (i.e, CDNI Care Pty Ltd's WHS Walk-Around Risk Assessment Checklist); and</p>	
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Approved By:	The board of CDNI Care Pty Ltd	Version	1
Approval Date:	July 2020	Next Scheduled Review	July 2022

- (c) infrequent or abnormal situations, as well as how things are normally meant to occur.

2.7 Work out the likelihood of harm occurring

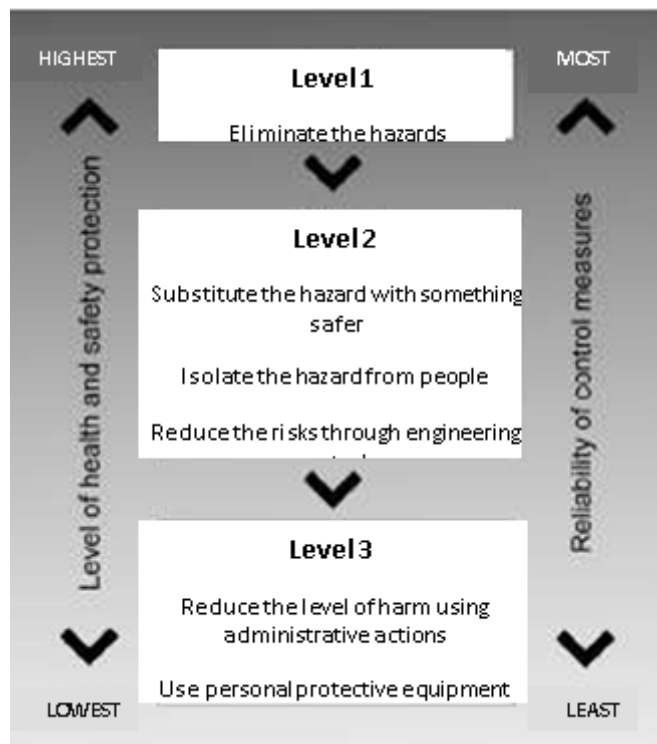
The likelihood of harm can be estimated by considering the following:

- (a) How often is the task done – does this make the harm more or less likely?
- (b) How often are people near the hazard? How close do people get to it?
- (c) Has it ever happened before, either in your Workplace or somewhere else? How often?
- (d) The level of risk will increase as the likelihood of harm occurring and its severity increases.

3. Step 3 – Control risks

3.1 There are many ways to control hazards and risks. Some controls are more effective than others.

3.2 Consider various control options and choose the control that most effectively eliminates the hazard or minimises the risk in the circumstances. This may involve a single control measure or a combination of different controls that together provide the highest level of protection that is reasonably practicable.



3.3 The ways of controlling risks can be ranked from the highest level of protection and reliability to the lowest as shown in the diagram above. This ranking is known as the hierarchy of control.

Approved By:	The board of CDNI Care Pty Ltd	Version	1
Approval Date:	July 2020	Next Scheduled Review	July 2022

3.4 You must always aim to eliminate a hazard, which is the most effective control. If this is not reasonably practicable, you need to minimise the risk by working through the other alternatives in the hierarchy.

Level 1 control measures

3.5 The most effective control measure involves eliminating the hazard and associated risk. The best way to do this is by, firstly, not introducing the hazard in the Workplace or removing the hazard completely, for example, by removing trip hazards on the floor or disposing of unwanted chemicals.

3.6 If you cannot eliminate the hazard, then eliminate as many of the risks associated with the hazard as possible.

Level 2 control measures

3.7 If it is not reasonably practicable to eliminate the hazards and associated risks, you should minimise the risks using one or more of the following approaches:

- (a) Substitute the hazard with something safer
- (b) Isolate the hazard from people - For instance, install guard rails and store chemicals in a fume cabinet.
- (c) Change the Workplace, equipment or work process (engineering controls) - For instance, use mechanical devices such as trolleys or hoists to move heavy loads, place guards around moving parts of machinery, install residual current devices (electrical safety switches), set work schedules to reduce fatigue.

Level 3 control measures

3.8 These control measures rely on human behaviour and supervision, and used on their own, tend to be least effective in minimising risks. Two approaches to reducing risk in this way are:

- (a) Use administrative controls - For instance, provide training and instruction on safe handling for a manual task, use signs to warn people of a hazard.
- (b) Use personal protective equipment (PPE) - Examples of PPE include breathing protection, gloves, aprons and protective eyewear. PPE limits exposure to the harmful effects of a hazard but only if Workers wear and use the PPE correctly.
 - (1) PPE must be provided to Workers only when other control measures are not reasonably practicable or to supplement other control measures to minimise remaining risk. Where PPE is provided, you must ensure that:
 - (2) the plant and equipment is selected in accordance with any relevant technical standard;
 - (3) published by Safe Work Australia;
 - (4) the plant and equipment is maintained, repaired or replaced to ensure it continues to;

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Approval Date:	July 2020	Next Scheduled Review	July 2022

<p>(5) minimise the risk information, instruction and training on its use is provided to the person using it, and</p> <p>(6) the person uses the PPE accordingly.</p> <p>3.9 Administrative controls and PPE should only be used:</p> <p>(a) when there are no other practical control measures available (as a last resort)</p> <p>(b) as an interim measure until a more effective way of controlling the risk can be used, or</p> <p>(c) to supplement higher level control measures (as a back up).</p> <p>How to develop control measures</p> <p>3.10 Specific control measures may need to be developed if this Work Health and Safety Policy is not relevant to the hazards and risks or circumstances at your Workplace.</p> <p>3.11 This can be done by referring to the chain of events that were recorded during the risk assessment and asking: “What can be done to stop or change the event occurring?” Working through the events in the sequence will give you ideas about all possible ways to eliminate or minimise the risk.</p> <p>3.12 Where the hazard or risk has the potential to cause death, serious injury or illness, more emphasis should be given to those controls that eliminate or reduce the level of harm, than those that reduce likelihood.</p> <p>3.13 While the cost of controlling a risk may be taken into account in determining what is reasonably practicable, it cannot be used as a reason for doing nothing. Cost cannot be used as a reason for adopting controls that rely exclusively on changing people’s behaviour or actions when there are more effective controls available that can change the risk through substitution, engineering or isolation.</p> <p>3.14 Control measures which are not set out in the Managing and Reducing Known Risks Matrix should always be confirmed with the Principal or relevant Key Management Personnel before they are planned and implemented.</p> <p>4. Step 4 – Review control measures</p> <p>4.1 The controls that you put in place to protect the health and safety of people need to be monitored and reviewed regularly to make sure they work as planned. Don’t wait until something goes wrong.</p> <p>4.2 There are certain situations where you will be required to review your control measures under the WHS Laws and, if necessary, revise them. A review is generally required in the circumstances set out in section 4.6 of this Policy.</p> <p>4.3 Use the same methods as in the initial hazard identification step to check controls.</p>	
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Approved By:	The board of CDNI Care Pty Ltd	Version	1
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