

# Work Health and Safety (WHS) Rule

## Section 1 - Overview

- (1) The University of New England is fully committed to the provision of a safe and healthy work environment for all Workers, Students and visitors.
- (2) The University supports meaningful and effective consultation with staff and other stakeholders. Staff input is encouraged and incorporated into decision making processes regarding health, safety and well-being matters.
- (3) In order to fulfil its commitments and obligations a risk management approach has been adopted within the Work Health and Safety Management System (WHSMS).

## Section 2 - Scope

- (4) The University has an obligation to comply with relevant legislation, in particular, the [NSW Work Health and Safety Act 2011](#) and [Work Health and Safety Regulation 2017](#).
- (5) The University also observes the relevant National and State Codes of Practice, which must be followed unless a better way is documented and adopted.
- (6) The University endeavours to adopt the safety principles as set out in AS/NZS 4804 Occupational Health and Safety Management Systems - General guidelines on principles, systems and supporting techniques, the auditing standard and AS/NZS 4801 Occupational Health and Safety Management Systems - Specification with guidance for use and, where appropriate, other Australian standards.
- (7) This rule is supplemented with a document structure that comprises the University WHS management system. The order of precedence is rule, protocol, operational procedure, guideline, form and other tools and resources.
- (8) This rule applies to all University Representatives and Students.

## Section 3 - Rule

- (9) The University promotes a sustainable and proactive approach to health, safety and well-being. This will be achieved through attention to all aspects of work health and safety (WHS) including:
- a. adherence to statutory legislation, regulations, national standards, codes of practice;
  - b. a governance and management structure that supports a positive safety culture;
  - c. providing rules, policies, protocols, procedures, guidelines and implementation tools, as required;
  - d. clear communication of work health and safety responsibilities and accountabilities;
  - e. a culture of monitoring, measurement, review and continuous improvement;
  - f. robust safety induction programs that support safety engagement;
  - g. hazard identification, risk assessment and hazard management protocols;
  - h. incident reporting, investigation and analysis;

- i. structures and processes to ensure timely and effective WHS consultation;
- j. safe design of work areas and equipment;
- k. adequate facilities to protect the health, safety and wellbeing of Workers, Students and visitors;
- l. written operational and maintenance records and procedures;
- m. maintaining safe systems of work;
- n. provision of appropriate and timely training and instruction on safety related issues;
- o. emergency planning including the provision of first aid;
- p. provision of an adequate, responsible financial budget for WHS requirements;
- q. records management and control; and
- r. return to work programs, counselling and other support, where necessary.

## Authority and Compliance

(10) The Vice-Chancellor and Chief Executive Officer, pursuant to Section 29 of the [University of New England Act 1993 \(NSW\)](#), makes this University Rule.

(11) University Representatives and Students must observe it in relation to University matters.

(12) The Rule Administrator is authorised to make Policies and Associated information for the operation of this University Rule. The Policies and Associated information must be compatible with the provisions of this Rule.

(13) This Rule operates as and from the Effective Date.

(14) Previous policy on Occupational Health and Safety and related documents are replaced and have no further operation from the Effective Date of this new Rule.

(15) For the purposes of AS/NZS 4801:2001 this Rule and associated Protocols and Procedures has the effect of an OHS Policy.

(16) Notwithstanding the other provisions of this University Rule, the Vice-Chancellor and Chief Executive Officer may approve an exception to this Rule where the Vice-Chancellor and Chief Executive Officer determines the application of the Rule would otherwise lead to an unfair, unreasonable or absurd outcome. Approvals by the Vice-Chancellor and Chief Executive Officer under this clause must be documented in writing and must state the reason for the exception.

## Section 4 - Definitions

(17) A workplace - means a place (including vehicle, vessel aircraft or other mobile structure) where work is carried out for a business or undertaking and includes any place a worker goes or is likely to go while at work.

(18) Effective Date means the day on which this Rule is published or on such later day as may be specified in this Rule.

(19) PCBU - means a person conducting a business or undertaking.

(20) Rule Administrator is the Director People and Culture.

(21) Student means an Admitted Student or an Enrolled Student, at the relevant time.

- a. Admitted student means a student who has been admitted to a UNE course of study and who is entitled to enrol in a unit of study or who has completed all of the units in the UNE course of study.
- b. Enrolled student means a student who is enrolled in a unit of study at UNE.

(22) A Worker, as defined by the WHS Act, is a person that carries out work in any capacity for a person conducting a business or undertaking, including work as:

- a. an employee;
- b. a contractor or subcontractor;
- c. an employee of a contractor or subcontractor;
- d. an employee of a labour hire company who has been assigned to work in the person's business or undertaking;
- e. an outworker;
- f. an apprentice or trainee;
- g. a student gaining work experience;
- h. a volunteer; or
- i. Person of a prescribed class.

(23) University Representative means a University employee (casual, fixed term and permanent), contractor, agent, appointee, UNE Council member, adjunct, visiting academic and any other person engaged by the University to undertake some activity for or on behalf of the University. It includes corporations and other bodies falling into one or more of these categories.

(24) UNE Act means the [University of New England Act 1993 \(NSW\)](#).

## Status and Details

<b>Status</b>	Current
<b>Effective Date</b>	20th September 2016
<b>Review Date</b>	21st September 2020
<b>Approval Authority</b>	Vice-Chancellor and Chief Executive Officer
<b>Approval Date</b>	19th September 2016
<b>Expiry Date</b>	To Be Advised
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