



ACT
Government

Chief Minister, Treasury and
Economic Development

Freedom of Information Disclosure Log Publication Coversheet

The following information is provided pursuant to section 28 of the *Freedom of Information Act 2016*.

Application Details	
Ref. No.	CMTEDDFOI 2024-270
Date of Application	27 August 2024
Date of Decision	20 November 2024
Processing time (in working days)	39
Fees	Waived
Decision on Access	Partial Release
Information Requested (summary)	ACT WorkSafe documents from 1 January 2023 to 27 August 2024 for all schools where an investigation was conducted I am seeking: Notices, Reports & Directives.
Publication Details	
Original application	<input checked="" type="checkbox"/> Published <input type="checkbox"/> N/A
Decision notice	<input checked="" type="checkbox"/> Published <input type="checkbox"/> N/A
Documents and schedule	<input checked="" type="checkbox"/> Published <input type="checkbox"/> N/A
Decision made by Ombudsman	Varied
Additional information identified by Ombudsman	N/A
Decision made by ACAT	N/A
Additional information identified by ACAT	N/A

From: [REDACTED]
To: [CMTEDD FOI](#)
Subject: CMTEDDFOI 2024-270 - Re: CMTEDDFOI 2024-214 - Notice of Decision
Date: Tuesday, 27 August 2024 4:52:58 PM
Attachments: [image001.png](#)

Caution: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear CMTEDD FOI Team and Emma,

New FOI request.

"ACT WorkSafe documents from 1 January 2023 to 27 August 2024 for all schools where an investigation was conducted I am seeking:

*Notices
Reports &
Directives"*





ACT
Government

Chief Minister, Treasury and
Economic Development

Our ref: CMTEDDFOI 2024-270



FREEDOM OF INFORMATION REQUEST – NOTICE OF DECISION

I refer to your application under section 30 of the *Freedom of Information Act 2016* (the Act), received by the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) on 27 August 2024.

Specifically, you have sought access to the following information:

"ACT WorkSafe documents from 1 January 2023 to 27 August 2024 for all schools where an investigation was conducted I am seeking:

- Notices
- Reports &
- Directives"

On 6 September 2024, you have agreed our proposed scope below:

"ACT WorkSafe documents from 1 January 2023 to 27 August 2024 for all schools where a work place visit was conducted I am seeking:

- Notices
- Reports &
- Directives"

Authority

I am an Information Officer appointed by the CMTEDD Director-General under section 18 of the Act to deal with access applications made under Part 5 of the Act.

Timeframes

In accordance with section 40 of the Act, CMTEDD is required to provide a decision on your access application within 30 days.

As this matter required third party consultation, the decision due date was extended by 15 working days, in accordance with section 40(2) of the Act.

On 12 October 2024, you have also agreed to extend the request for 15 working days.

Therefore, a decision is due by **20 November 2024**.

Decision on access

Searches of CMTEDD records have identified 78 documents within the scope of your request.

I have decided to grant **full access** to seven documents and **partial access** to the remaining 71.

The records identified as relevant to your application are listed in the schedule enclosed at **Attachment A**. This provides a description of each document that falls within the scope of your request and the access decision for each of those documents.

Release of documents

The information being released to you is provided at **Attachment B**.

Pursuant to section 38(6)(b) of the Act, I am required to **defer access** to 39 documents as outlined in **Attachment A**. This means that the information will not be provided to you at this time. This is done so that the third parties who were consulted during the processing of this application, and who object to my release decision, may apply for review of my decision within 20 working days, or a longer period allowed by the Ombudsman. I will write to you to advise when access is no longer deferred for this information.

Statement of Reasons

In accordance with section 54(2) of the Act a statement of reasons outlining my decisions is below. In reaching my access decisions, I have taken the following into account:

- the Act
- the information that falls within the scope of your request
- third party views
- *Human Rights ACT 2004*

As a decision maker, I am required to determine whether the information within scope is in the public interest to release. To make this decision, I am required to:

- assess whether the information would be contrary to public interest to disclose as per **Schedule 1** of the Act.
- perform the public interest test as set out in section 17 of the Act by balancing the factors favouring disclosure and factors favouring non-disclosure in **Schedule 2** of the Act.

No Schedule 1 provisions apply to the information identified as in scope for your access application.

Public Interest Test

The Act has a presumption in favour of disclosure. As a decision maker I am required to decide where, on balance, public interest lies. As part of this process, I must consider factors favouring disclosure and nondisclosure.

In *Hogan v Hinch* (2011) 243 CLR 506, [31] French CJ stated that when 'used in a statute, the term [public interest] derives its content from "the subject matter and the scope and

purpose” of the enactment in which it appears’. Section 17(1) of the Act sets out the test, to be applied to determine whether disclosure of information would be contrary to the public interest. These factors are found in subsection 17(2) and Schedule 2 of the Act.

Schedule 2: Factors to be considered when deciding the public interest.

Taking into consideration the information contained in the documents found to be within the scope of your request, I have identified that the following public interest factors are relevant to determine if release of the information contained within these documents is within the ‘public interest’.

Factors favouring disclosure (Section 2.1)

- *Section 2.1(a)(iii) - inform the community of the government’s operations, including the policies, guidelines and codes of conduct followed by the government in its dealings with members of the community.*
- *Section 2.1(a)(viii) - reveal the reason for a government decision and any background or contextual information that informed the decision.*

I have placed substantial weight on the above factors favouring disclosure. The release of this information can reasonably be expected to inform you of the guidelines and policies that WorkSafe ACT followed when a workplace visit is conducted.

I am satisfied that these factors favouring disclosure carry some weight. However, these factors are to be balanced against the factors favouring nondisclosure.

Factors favouring nondisclosure (Section 2.2)

- *Section 2.2(a)(ii) - prejudice the protection of an individual’s right to privacy or any other right under the Human Rights Act 2004.*
- *Section 2.2(a)(iii) - prejudice security, law enforcement or public safety.*
- *Section 2.2(a)(xi) - prejudice trade secrets, business affairs or research of an agency or person.*
- *Section 2.2(a)(xii) - prejudice an agency’s ability to obtain confidential information.*

When considering this information against the factors favouring nondisclosure, I am satisfied that the protection of an individual’s right to privacy is a significant factor. The parties involved did not provide their consent to release their personal information which include names, signature and contact information. These individuals are entitled to expect that the personal information they have supplied as part of this process will be dealt with in a manner that protects their privacy. Release of information concerning individuals working within the ACT Public Service is generally not considered to prejudice the protection of an individual’s right to privacy. However, where mobile phone numbers may be used for home and work purposes, this information is redacted, as it could or would reasonably be expected to prejudice an individual’s right to privacy under the *Human Rights Act 2004*.

The *Territory Privacy Principle 6* provides that an agency must not use or disclose personal information about an individual that was collected for a particular purpose for another

purpose without consent. In addition, release of personal contacts could prejudice their rights under section 12 of the *Human Rights Act 2004*.

I have also considered the impact of disclosing information which relates to business affairs. In the case of *Re Mangan and The Treasury* [2005] AATA 898 the term 'business affairs' was interpreted as meaning 'the totality of the money-making affairs of an organisation or undertaking as distinct from its private or internal affairs'. Schedule 2 section 2.2(a)(xi) allows for government information to be withheld from release if disclosure of the information could reasonably be expected to prejudice the trade secrets, business affairs or research of an agency or person.

I have also considered *Section 2.2(a)(iii) and (xii)* of the Act as significant factors. Releasing information about a school's risk mitigation strategies specifically when dealing with violence and aggression in the workplace could prejudice the safety of staff and students. Additionally, this information was provided to WorkSafe as part of the workplace visit report with the expectation that it would be kept confidential. Public release of this information could prejudice the agency's ability to obtain confidential activity in the future.

Having applied the test outlined in section 17 of the Act and deciding that release of some of the information contained in the documents is not in the public interest to release, I have chosen to redact this specific information in accordance with section 50(2). Noting the pro-disclosure intent of the Act, I am satisfied that redacting only the information that I believe is not in the public interest to release will ensure that the intent of the Act is met and will provide you with access to the majority of the information held by CMTEDD within the scope of your request.

Charges

Processing charges are applicable for this request because the total number of pages to be released to you exceeds the charging threshold of 50 pages. However, the charges have been waived.

Online publishing – Disclosure Log

Under section 28 of the Act, CMTEDD maintains an online record of access applications called a [disclosure log](#).

Your original access application and my decision will be published on the CMTEDD disclosure log. Your personal contact details will not be published.

Ombudsman Review

My decision on your access request is a reviewable decision as identified in Schedule 3 of the Act. You have the right to seek Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day that my decision is provided to you, or a longer period allowed by the Ombudsman.

We recommend using this form [Applying for an Ombudsman Review](#) to ensure you provide all of the required information. Alternatively, you may write to the Ombudsman at:

The ACT Ombudsman
GPO Box 442
CANBERRA ACT 2601

Via email: actfoi@ombudsman.gov.au

ACT Civil and Administrative Tribunal (ACAT) Review

Under section 84 of the Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision. Further information may be obtained from the ACAT at:

ACT Civil and Administrative Tribunal
GPO Box 370
Canberra City ACT 2601
Telephone: (02) 6207 1740
<http://www.acat.act.gov.au/>

Should you have any queries in relation to your request please contact the Information Access Team by telephone on 6207 7754 or email CMTEDDFOI@act.gov.au.

Yours sincerely



Katharine Stuart
Information Officer
Chief Minister, Treasury and Economic Development Directorate

20 November 2024



ACT
Government

Chief Minister, Treasury and
Economic Development

FREEDOM OF INFORMATION REQUEST SCHEDULE

WHAT ARE THE PARAMETERS OF THE REQUEST	Reference NO.
<p><i>"WorkSafe documents from 1 January 2023 to 27 August 2024 for all schools where a workplace visit was conducted I am seeking:</i></p> <ul style="list-style-type: none"> • <i>Notices</i> • <i>Reports &</i> • <i>Directives"</i> 	<p>CMTEDDFOI 2024-270</p>

Ref No	Page number	Description	Date	Status	Reason for Exemption	Online Release Status
		BLUE GUM COMMUNITY SCHOOL				
1	1-3	Improvement Notice N-0000010003	08/05/2024	Partial	Sch 2 s2.2 (a)(ii)	Yes
2	4-6	Improvement Notice N-0000010008	09/05/2024	Partial	Sch 2 s2.2 (a)(ii)	Yes
3	7-9	Work Place Visit Report 00203421	07/05/2024	Partial	Sch 2 s2.2 (a)(ii),Sch 2 s2.2 (a)(iii),Sch 2 s2.2 (a)(xi) and Sch 2 s2.2 (a)(xii)	Yes
4	10-12	Evidence of Compliance - Improvement Notice N-0000010008	10/05/2024	Partial	Sch 2 s2.2 (a)(ii) and Out of Scope	Yes
		BONYTHON PRIMARY SCHOOL				
5	14-16	Work Place Visit Report 00219252	27/08/2024	Partial	Sch 2 s2.2 (a)(iii) and Sch 2 s2.2 (a)(xii)	Yes
		BURGMANN ANGLICAN SCHOOL				
6	18-20	Work Place Visit Report 00203424	07/05/2024	Partial	Sch 2 s2.2 (a)(ii),Sch 2 s2.2 (a)(iii) and Sch 2 s2.2 (a)(xii)	Yes
7		CALWELL PRIMARY SCHOOL				
8	22-25	Work Place Visit Report 00220819	27/08/2024	Partial	Sch 2 s2.2 (a)(ii),Sch 2 s2.2 (a)(iii) and Sch 2 s2.2 (a)(xii)	Yes
		CANBERRA GIRLS GRAMMAR SCHOOL				
9	27-28	Work Place Visit Report 00174655	22/09/2023	Partial	Sch 2 s2.2 (a)(ii)	Yes

		CANBERRA MONTESSORI SCHOOL				
10	30-32	Improvement Notice N-0000010096	31/05/2024	Partial	Sch 2 s2.2 (a)(ii)	Yes
11	33-35	Work Place Visit Report 00204183	14/05/2024	Partial	Sch 2 s2.2 (a)(ii), Sch 2 s2.2 (a)(iii) and Sch 2 s2.2 (a)(xii)	Yes
		ORANA STEINER SCHOOL				
12	37-39	Improvement Notice N-0000010231	04/06/2024	Partial	Sch 2 s2.2 (a)(ii),Sch 2 s2.2 (a)(iii) and Sch 2 s2.2 (a)(xii)	Yes
13	40-42	Improvement Notice N-0000010232	11/06/2024	Partial	Sch 2 s2.2 (a)(ii)	Yes
14	43-45	Acknowledgement of Compliance	07/06/2024	Partial	Sch 2 s2.2 (a)(ii)	Yes
15	46-49	Work Place Visit Report 00205483	28/05/2024	Partial	Sch 2 s2.2 (a)(ii),Sch 2 s2.2 (a)(iii) and Sch 2 s2.2 (a)(xii)	Yes
		CHAPMAN PRIMARY SCHOOL				
16	51-53	Work Place Visit Report 00214975	27/08/2024	Full		
		XXXXXXX				
17	55-57	Improvement Notice N- XXXX		Partial	Sch 2 s2.2 (a)(ii), Sch 2 s2.2 (a)(iii) and Sch 2 s2.2 (a)(xii)	Yes
18	58-60	Improvement Notice N- XXXX		Partial	Sch 2 s2.2 (a)(ii)	Yes
19	61-63	Improvement Extension Notice N- XXXX		Partial	Sch 2 s2.2 (a)(ii), Sch 2 s2.2 (a)(iii) and Sch 2 s2.2 (a)(xii)	Yes
20	64-66	Work Place Visit Report XXXX		Partial	Sch 2 s2.2 (a)(ii),Sch 2 s2.2 (a)(iii) and Sch 2 s2.2 (a)(xii)	Yes
21	67	Evidence Supplied re Improvement Notice N- XXXX		Partial	Sch 2 s2.2 (a)(ii) and Out of Scope	Yes
		GOLD CREEK SCHOOL				
22	69-70	Work Place Visit Report 00173144	08/09/2024	Partial	Sch 2 s2.2 (a)(xi)	Yes
		XXXXXXX				
23	72-74	Improvement Notice N-XXXX		Partial	Sch 2 s2.2 (a)(iii) and Sch 2 s2.2 (a)(xii)	Yes

24	75-77	Improvement Extension Notice N- XXXX		Partial	Sch 2 s2.2 (a)(iii) and Sch 2 s2.2 (a)(xii)	Yes
25	78-81	Work Place Visit Report XXXX		Partial	Sch 2 s2.2 (a)(iii) and Sch 2 s2.2 (a)(xii)	Yes
26	82-93	Improvement Notice N- XXXX compliance notified		Partial	Sch 2 s2.2 (a)(ii)	Yes
		XXXXXXXX				
27	95-97	Improvement Notice N- XXXX		Partial	Sch 2 s2.2 (a)(ii)	Yes
28	98-99	Work Place Visit Report- XXXX		Partial	Sch 2 s2.2 (a)(ii),Sch 2 s2.2 (a)(iii) and Sch 2 s2.2 (a)(xii)	Yes
29	100-103	Email sent to close notice		Partial	Sch 2 s2.2 (a)(ii)	Yes
		ISLAMIC SCHOOL OF CANBERRA				
30	105-107	Work Place Visit Report 00206862	11/06/2024		Sch 2 s2.2 (a)(ii),Sch 2 s2.2 (a)(iii) and Sch 2 s2.2 (a)(xii)	Yes
		XXXXXXXX				
31	109-111	Improvement Notice N- XXXX		Partial	Sch 2 s2.2 (a)(ii)	Yes
32	112-114	Work Place Visit Report XXXX		Partial	Sch 2 s2.2 (a)(ii), Sch 2 s2.2 (a)(iii) and Sch 2 s2.2 (a)(xii)	Yes
		XXXXXXXX				
33	116-118	Improvement Notice N- XXXX		Partial	Sch 2 s2.2 (a)(ii)	Yes
34	119-121	Improvement Extension Notice N- XXXX		Partial	Sch 2 s2.2 (a)(ii)	Yes
35	122-125	Work Place Visit Report XXXX		Partial	Sch 2 s2.2 (a)(ii), Sch 2 s2.2 (a)(iii) and Sch 2 s2.2 (a)(xii)	Yes
36	126	Case Closure Notice Reference Number XXXX		Partial	Sch 2 s2.2 (a)(ii)	Yes
		XXXXXXXX				
37	128-130	Improvement Notice N- XXXX		Full		
38	131-132	Work Place Visit Report XXXX		Partial	Sch 2 s2.2 (a)(iii) Sch 2 s2.2 (a)(xii)	Yes

39	133	Email sent to inform the notice has been complied		Partial	Sch 2 s2.2 (a)(ii)	Yes
		MOUNT STROMLO HIGH SCHOOL				
40	135-137	Improvement Notice N-0000010054	24/05/2024	Full		Yes
41	138-140	Improvement Notice N-0000010057	24/05/2024	Full		Yes
42	141-143	Improvement Notice N-0000010062	24/05/2024	Full		Yes
43	144-146	Improvement Notice N-0000010065	24/05/2024	Full		Yes
44	147-149	Work Place Visit Report 00201484	01/05/2024	Partial	Sch 2 s2.2 (a)(ii)	Yes
		NEVILLE BONNER PRIMARY SCHOOL				
45	151-153	Improvement Notice N-0000008261	31/10/2023	Partial	Sch 2 s2.2 (a)(ii)	Yes
46	154-156	Work Place Visit Report 00169640	03/08/2023	Partial	Sch 2 s2.2 (a)(ii)	Yes
47	157	EDU Response to Improvement Notice N-8261	31/10/2023	Partial	Sch 2 s2.2 (a)(ii)	Yes
		NORTH AINSLIE PRIMARY SCHOOL				
48	159-161	Improvement Notice N-0000011120	30/08/2024	Full		Yes
49	162-164	Work Place Visit Report 00214323	20/08/2024	Partial	Sch 2 s2.2 (a)(iii) and Sch 2 s2.2 (a)(xii)	Yes
50	165-166	Improvement Notice N-0000011120 Complied With	23/08/2024	Partial	Sch 2 s2.2 (a)(ii)	Yes
		XXXXXXX				
51	168-170	Improvement Notice N- XXXX		Partial	Sch 2 s2.2 (a)(ii)	Yes
52	171-172	Improvement Notice N- XXXX		Partial	Sch 2 s2.2 (a)(ii)	Yes
53	173-175	Improvement Notice N- XXXX		Partial	Sch 2 s2.2 (a)(ii)	Yes
54	176-178	Improvement Notice N- XXXX		Partial	Sch 2 s2.2 (a)(ii)	Yes

55	179-180	Work Place Visit Report XXXX		Partial	Sch 2 s2.2 (a)(ii),Sch 2 s2.2 (a)(iii) and Sch 2 s2.2 (a)(xii)	Yes
56	181	Email sent to confirm closure of notices		Partial	Sch 2 s2.2 (a)(ii)	Yes
		XXXXXXX				
57	183-185	Improvement Notice N- XXXX		Partial	Sch 2 s2.2 (a)(ii)	Yes
58	186-187	Work Place Visit Report XXXX		Partial	Sch 2 s2.2 (a)(ii),Sch 2 s2.2 (a)(iii) and Sch 2 s2.2 (a)(xii)	Yes
59	188	Sent email to confirm the closure of the improvement copy		Partial	Sch 2 s2.2 (a)(ii)	Yes
		ST EDMUNDS COLLEGE				
60	190-192	Prohibition Notice N-0000010314	05/06/2024	Partial	Sch 2 s2.2 (a)(ii)	Yes
61	193-195	Work Place Visit Report -00206296	04/06/2024	Partial	Sch 2 s2.2 (a)(ii),Sch 2 s2.2 (a)(iii) and Sch 2 s2.2 (a)(xii)	Yes
		XXXXXXX				
62	197-199	Improvement Notice N- XXXX		Partial	Sch 2 s2.2 (a)(ii)	Yes
63	200-202	Work Place Visit Report XXXX		Partial	Sch 2 s2.2 (a)(ii),Sch 2 s2.2 (a)(iii),Sch 2 s2.2 (a)(xii) and Sch 2 s2.2 (a)(xi)	Yes
		XXXXXXX				
64	204-206	Improvement Notice N- XXXX		Partial	Sch 2 s2.2 (a)(ii)	Yes
65	207-209	Work Place Visit Report XXXX		Partial	Sch 2 s2.2 (a)(ii),Sch 2 s2.2 (a)(iii),Sch 2 s2.2 (a)(xii) and Sch 2 s2.2 (a)(xi)	Yes
66	210	Email sent to close Improvement Notice		Partial	Sch 2 s2.2 (a)(ii)	Yes
		XXXXXXX				
67	212-214	Improvement Notice N- XXXX		Partial	Sch 2 s2.2 (a)(ii)	Yes
68	215-217	Improvement Notice N- XXXX		Partial	Sch 2 s2.2 (a)(ii),Sch 2 s2.2 (a)(iii) and Sch 2 s2.2 (a)(xii)	Yes
69	218-220	Work Place Visit Report XXXX		Partial	Sch 2 s2.2 (a)(iii) and Sch 2 s2.2 (a)(xii)	Yes

		XXXXXXX				
70	222-224	Improvement Notice N- XXXX		Partial	Sch 2 s2.2 (a)(ii)	Yes
71	225-227	Work Place Visit Report XXXX		Partial	Sch 2 s2.2 (a)(ii),Sch 2 s2.2 (a)(iii) and Sch 2 s2.2 (a)(xii)	Yes
72	228	WorkSafe ACT Case Closure Notice Reference Number XXXX		Partial	Sch 2 s2.2 (a)(ii)	Yes
		XXXXXXX				
73	230-232	Work Place Visit Report XXXX		Partial	Sch 2 s2.2 (a)(iii) and Sch 2 s2.2 (a)(xii)	Yes
		XXXXXXX				
74	234-236	Work Place Visit Report XXXX		Partial	Sch 2 s2.2 (a)(ii),Sch 2 s2.2 (a)(iii) and Sch 2 s2.2 (a)(xii)	Yes
		XXXXXXX				
75	238-240	Work Place Visit Report XXXX		Partial	Sch 2 s2.2 (a)(ii),Sch 2 s2.2 (a)(iii) and Sch 2 s2.2 (a)(xii)	Yes
		TORRENS PRIMARY SCHOOL				
76	242-243	Work Place Visit Report 00177885	19/10/2023	Partial	Sch 2 s2.2 (a)(ii)	Yes
		UC SENIOR COLLEGE LAKE GINNINDERRA				
77	245-247	Work Place Visit Report 00172798	06/09/2023	Partial	Sch 2 s2.2 (a)(ii)	Yes
		XXXXXXX				
78	249-250	Work Place Visit Report XXXX		Partial	Sch 2 s2.2 (a)(ii) and Sch 2 s2.2 (a)(xi)	Yes
Total No of Docs						
78						



IMPROVEMENT NOTICE

This notice is issued under section 191 of the *Work Health and Safety Act 2011*. Section 210 requires that the person to whom an improvement notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace at which work is being carried out that is affected by the notice.

You must comply with this notice within the period specified. Failure to comply may incur a maximum penalty of \$50, 000 for an individual and \$250, 000 for a body corporate.

Notice issued to:

Legal name of person/business or undertaking: BLUE GUM COMMUNITY SCHOOL

Address: , , ,

Due Date: 13 May, 2024

Details of contravention:

Site location: 114 Maitland Street, Hackett ACT 2602

I, Shani Skorich, reasonably believe at 3:00 PM on Tuesday 7 May 2024 that BLUE GUM COMMUNITY SCHOOL is contravening section 19 (3) (d) of the Work Health and Safety Act 2011 (ACT), namely a person conducting a business or undertaking must ensure, so far as is reasonably practicable, the safe use, handling, storage and transport of plant, structures and substances. Further, section 344 of the Work Health and Safety Regulation requires safety data sheet information to be current and up-to-date.

Brief description of how the provision is being or has been contravened:

Workers are exposed to a risk to their health and safety from the using, handling or storage of hazardous chemicals in the workplace without current safety data sheets for chemicals stored at the workplace.

When asked, the person conducting a business or undertaking located the safety data sheet folder for the Inspectors' review. The Inspectors identified multiple safety data sheets that were not current and up-to-date whereby the safety data sheets were prepared more than five years prior.

Directions as to the measures to be taken to remedy or prevent the contravention or likely contravention: *(it is mandatory to comply with these directions)*

You must ensure, so far as is reasonably practicable, that you obtain current and up-to-date safety data sheets.

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice.

Recommendations (if any): *(it is not an offence not to comply with these recommendations)*

Please contact the inspector who issued this notice, by emailing Shani.Skorich@worksafe.act.gov.au, to confirm compliance prior to the day by which the person is required to remedy the contravention.

Refer to the following:

- Work Health and Safety Act 2011 (<https://www.legislation.act.gov.au/View/a/2011-35/current/html/2011-35.html>)
- Work Health and Safety Regulation 2011 (<https://www.legislation.act.gov.au/View/sl/2011-36/current/html/2011-36.html>)
- Work Health and Safety (Managing Risks of Hazardous Chemicals in the Workplace Code of Practice) Approval 2022 (<https://www.legislation.act.gov.au/View/ni/2022-687/current/html/2022-687.html>)

Issuing Details

Issued by: Shani Skorich

ID number: P52634

Date issued: 08/05/2024

Service method: Email

Notice emailed to Sch 2.2(a)(ii)

Improvement Notice issued under section 191 of the Work Health and Safety Act 2011 - further information

If you have any questions you may contact the inspector who issued this notice.

Display of Notices

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice (s 210(1)). A person must not intentionally remove, destroy, damage or deface a notice displayed under s 210(1) while the notice is in force (s 210(2)). The maximum penalty for failing to comply with these provisions is \$5,000 for an individual or \$25,000 for a corporation.

Compliance with direction or notice

The person to whom an improvement notice is issued must comply with the notice within the period specified in the notice.

Maximum penalty:

- (a) in the case of an individual—\$50 000; or
- (b) in the case of a body corporate—\$250 000

Extension of time for compliance with improvement notices

If a person has been issued with an improvement notice, they may contact the inspector who issued this notice, or email worksafe@act.gov.au to apply for an extension of time to comply with that notice. This must be done within the compliance period which ends at midnight on the due date stated in the notice. An inspector may, by written notice given to the person, extend the compliance period for the improvement notice. However, the inspector may extend the compliance period only if the period has not ended.

Directions and recommendations

A direction may refer to a code of practice and may offer the person a choice of ways in which to remedy the contravention (s 204). A Improvement notice may include recommendations. It is not an offence to fail to comply with recommendations in a notice (s205).

Changes to notice by inspector

An inspector may make minor changes to a notice for clarification, to correct errors or references, or to reflect changes of address or other circumstances (s206).

Privacy statement

WorkSafe ACT may obtain personal information about you in connection with this notice. The information may be collected and stored using the powers, and to carry out functions or activities, under the Work Health and Safety Act 2011 and related work safety laws. Under that Act, the information can be disclosed to other ACT Government agencies or non-government organisations, and other Australian work safety enforcement agencies. WorkSafe ACT is obliged to handle your information openly, transparently and in accordance with the Territory Privacy Principles set out in the Information Privacy Act 2014. For more information about how WorkSafe ACT will collect, use, share, and store your personal information and how you can access and correct the information, please see the Privacy Statement at www.act.gov.au/privacy.

Review of this *Work Health and Safety Act* notice

If you have any questions or need more information you may contact the inspector who issued this notice, or email worksafe@act.gov.au.

You, or another person whose interests are affected by the decision, may apply for an internal review of the decision to issue this notice.

A review may be sought within 14 days, or in the case of an improvement notice within the compliance date period specified in the notice, whichever is lesser. You may also make an application for the reviewer to stay the operation of the Improvement notice.

Please ensure you include the notice number in your application for a review, together with the applicant's name and address, and the reason you are seeking the review.

An application for a review can be made in writing to: The Work Health and Safety Commissioner WorkSafe ACT, GPO Box 158 Canberra City ACT 2601 or by email: worksafe@act.gov.au.

You may then seek a review of an internal reviewer's decision in the ACT Civil and Administrative Tribunal (ACAT). Information about that process can be found at www.acat.act.gov.au.

The decision to issue this notice is also reviewable under the *Administrative Decisions (Judicial Review) Act 1989* on application to the ACT Supreme Court.

Further, a person may make a complaint to the ACT Ombudsman about the issue of this notice.

WorkSafe ACT contact details

PO Box 158, Canberra ACT 2601

Email: worksafe@act.gov.au

Phone: (02) 6207 3000

Fax: (02) 6205 0336

Translating and Interpreting Service

Phone: 131 450



IMPROVEMENT NOTICE

This notice is issued under section 191 of the *Work Health and Safety Act 2011*. Section 210 requires that the person to whom an improvement notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace at which work is being carried out that is affected by the notice.

You must comply with this notice within the period specified. Failure to comply may incur a maximum penalty of \$50, 000 for an individual and \$250, 000 for a body corporate.

Notice issued to:

Legal name of person/business or undertaking: BLUE GUM COMMUNITY SCHOOL

Address: , , ,

Due Date: 16 May, 2024

Details of contravention:

Site location: 114 Maitland Street, Hackett ACT 2602

I, Shani Skorich, reasonably believe on 7 May 2024 at 3:00 that BLUE GUM COMMUNITY SCHOOL are contravening a provision of the Work Health and Safety Act 2011, section 19 (3) (c). The person conducting a business or undertaking has failed to provide and maintain an adequate safe system of work for reporting notifiable incidents, including suspected or confirmed sexual assault incidents, to the regulator. Under section 38 of the Work Health and Safety Act 2011, a person conducting a business or undertaking must ensure that the regulator is notified immediately after becoming aware that a notifiable incident arising out of the conduct of the business or undertaking has occurred.

Brief description of how the provision is being or has been contravened:

As evidenced by enquiries with the person conducting a business or undertaking, the workplace does not have an adequate safe system of work in place for reporting notifiable incidents to the regulator. This includes suspected or confirmed sexual assault incidents whereby, as of 9 June 2023, all sexual assault incidents, including suspected sexual assault incidents, became notifiable in the ACT.

Whilst the workplace has awareness of duties to report to other regulatory bodies, the person conducting a business or undertaking informed the Inspector that they did not have a system in place for raising information up to and reporting notifiable incidents to the regulator, namely WorkSafe ACT.

Directions as to the measures to be taken to remedy or prevent the contravention or likely contravention: *(it is mandatory to comply with these directions)*

You must ensure, as far as is reasonably practicable, that you:

- Implement a safe system of work that ensures that all notifiable incidents, including suspected or confirmed sexual assault incidents, are reported to the regulator as soon as becoming aware of any incident.

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice.

Recommendations (if any): *(it is not an offence not to comply with these recommendations)*

Please contact the inspector who issued this notice, by emailing Shani.Skorich@worksafe.act.gov.au, to confirm compliance prior to the day by which the person is required to remedy the contravention.

That you consider:

- Work Health and Safety Act 2011 (<https://www.legislation.act.gov.au/View/a/2011-35/current/html/2011-35.html>)
- Work Health and Safety Regulation 2011 (<https://www.legislation.act.gov.au/View/sl/2011-36/current/html/2011-36.html>)

Issuing Details

Issued by: Shani Skorich

ID number: P52634

Date issued: 09/05/2024

Service method: Email

Notice emailed to Sch 2.2(a)(ii)

Improvement Notice issued under section 191 of the Work Health and Safety Act 2011 - further information

If you have any questions you may contact the inspector who issued this notice.

Display of Notices

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice (s 210(1)). A person must not intentionally remove, destroy, damage or deface a notice displayed under s 210(1) while the notice is in force (s 210(2)). The maximum penalty for failing to comply with these provisions is \$5,000 for an individual or \$25,000 for a corporation.

Compliance with direction or notice

The person to whom an improvement notice is issued must comply with the notice within the period specified in the notice.

Maximum penalty:

- (a) in the case of an individual—\$50 000; or
- (b) in the case of a body corporate—\$250 000

Extension of time for compliance with improvement notices

If a person has been issued with an improvement notice, they may contact the inspector who issued this notice, or email worksafe@act.gov.au to apply for an extension of time to comply with that notice. This must be done within the compliance period which ends at midnight on the due date stated in the notice. An inspector may, by written notice given to the person, extend the compliance period for the improvement notice. However, the inspector may extend the compliance period only if the period has not ended.

Directions and recommendations

A direction may refer to a code of practice and may offer the person a choice of ways in which to remedy the contravention (s 204). A Improvement notice may include recommendations. It is not an offence to fail to comply with recommendations in a notice (s205).

Changes to notice by inspector

An inspector may make minor changes to a notice for clarification, to correct errors or references, or to reflect changes of address or other circumstances (s206).

Privacy statement

WorkSafe ACT may obtain personal information about you in connection with this notice. The information may be collected and stored using the powers, and to carry out functions or activities, under the Work Health and Safety Act 2011 and related work safety laws. Under that Act, the information can be disclosed to other ACT Government agencies or non-government organisations, and other Australian work safety enforcement agencies. WorkSafe ACT is obliged to handle your information openly, transparently and in accordance with the Territory Privacy Principles set out in the Information Privacy Act 2014. For more information about how WorkSafe ACT will collect, use, share, and store your personal information and how you can access and correct the information, please see the Privacy Statement at www.act.gov.au/privacy.

Review of this *Work Health and Safety Act* notice

If you have any questions or need more information you may contact the inspector who issued this notice, or email worksafe@act.gov.au.

You, or another person whose interests are affected by the decision, may apply for an internal review of the decision to issue this notice.

A review may be sought within 14 days, or in the case of an improvement notice within the compliance date period specified in the notice, whichever is lesser. You may also make an application for the reviewer to stay the operation of the Improvement notice.

Please ensure you include the notice number in your application for a review, together with the applicant's name and address, and the reason you are seeking the review.

An application for a review can be made in writing to: The Work Health and Safety Commissioner WorkSafe ACT, GPO Box 158 Canberra City ACT 2601 or by email: worksafe@act.gov.au.

You may then seek a review of an internal reviewer's decision in the ACT Civil and Administrative Tribunal (ACAT). Information about that process can be found at www.acat.act.gov.au.

The decision to issue this notice is also reviewable under the *Administrative Decisions (Judicial Review) Act 1989* on application to the ACT Supreme Court.

Further, a person may make a complaint to the ACT Ombudsman about the issue of this notice.

WorkSafe ACT contact details

PO Box 158, Canberra ACT 2601

Email: worksafe@act.gov.au

Phone: (02) 6207 3000

Fax: (02) 6205 0336

Translating and Interpreting Service

Phone: 131 450

WORKPLACE VISIT REPORT

Initial Information

Inspection Number: 00203421
Lead Inspector: Shani Skorich
Inspector ID: P52634
Lead inspector email address: shani.skorich@worksafe.act.gov.au
Is there any accompanying inspectors? Yes

Sundar Siwakoti

Date visit commenced: 07 May, 2024 10:08
Legislation visit conducted under: WHS

Entity Information

Type of entity: Business Entity
Name of individual or registered company: Blue Gum Community School
Trading as:
ACN:
ABN: 000000000
Industry Group: Education
Address:

Contact Name: Sch 2.2(a)(ii)
Contact Number:
Contact Email: Sch 2.2(a)(ii)

Details of Visit:

Address: 114 Maitland Street Hackett ACT 2602
Notification of entry to (as required by s164): PCBU

Inspector Notes:

On 7 May 2024 at 10:08 AM, Inspector Shani Skorich and person assisting Sundar Siwakoti arrived at Blue Gum Community School located at 114 Maitland St Hackett ACT 2602 for the purpose of conducting a proactive inspection as part of an Education Industry intelligence-led campaign.

Upon arrival, Skorich and Siwakoti met with [redacted] Sch 2.2(a)(ii) and [redacted] Sch 2.2(a)(ii) before conducting enquiries in a private office.

During the inspection, various questions were asked as part of the campaign with the following being identified:

Q1 – Has the PCBU considered the risks posed by hazardous manual tasks at their workplace? Are the measures that the PCBU implemented adequate to reduce risks of body stressing and musculoskeletal disorders?

A1 – Yes – The workplace conducts manual handling training, utilises trolleys and desks with an adjustable height to allow a standing up position. When a worker raises a concern relating to body stressing, the workplace develops an action plan to manage the associated risks to health and safety followed by a review at a later stage.

Q2 – Has the PCBU identified any slips, trips and falls risks at their workplace? How adequate are the controls that the PCBU put in place to ensure tidy workspaces and reduce the risks?

A2 – Yes – The workplace utilises an incident reporting system called [redacted] Sch 2.2(a)(xi) that is used to raise any hazards and issues relating to maintenance. Multiple storage sheds are stationed at the school to ensure all loose items are secure. Bins get emptied daily and rubbish is taken to the skip. The workplace has identified the wooden deck to be slippery during cold weather, posing a risk of physical harm, and has been managed using slip resistant decking oil.

Q3 – Does the PCBU have the appropriate safety data sheets (SDS) for every hazardous chemical present in the workplace? Is the SDS current and readily available to all workers who use or may be affected by the chemicals?

A3 – No – The workplace contained multiple out of date safety data sheets whereby they were prepared over five years ago. No other issues identified.

Q4 – Has the PCBU considered the risk of the psychosocial hazard of violence and aggression in their workplace?

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

Q5 – Does the PCBU have a system in place to ensure that sexual assault incidents are notified to WorkSafe ACT?

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

Skorich and Siwakoti informed [redacted] Sch 2.2(a)(ii) that improvement notices would be issued relating to the out of date safety data sheets and notifiable incident and sexual assault notification.

Inspectors left site at 11:37 AM.

Disclaimer: The issues identified during this inspection are only indicative of compliance with the Work Health and Safety Act 2011, the Work Health and Safety Regulations 2011, the Dangerous Substances Act 2004 and the Workers Compensation Act 1951 on the date of the inspection. If compliance is identified during this inspection, it does not remove the obligation of any person to comply with any further requirement of the above mentioned Acts and Regulations.

Previous Action

Previous notice/s issued (either written or verbal)?

Recipient/s of this form:

Email	Sch 2.2(a)(ii)
Email 2:	
Email 3:	

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From: Sch 2.2(a)(ii)
Sent: 10/05/2024 1:36 PM
To: "Skorich, Shani" <Shani.Skorich@worksafe.act.gov.au>
Cc: Sch 2.2(a)(ii)
Subject: RE: Improvement Notice N-0000010008

OFFICIAL

Caution: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe. [Learn why this is important](#)

Thanks
Shani

I confirm

that the both Notifications will remain until you advise they can be removed.

Have a great day!

Sch 2.2(a)(ii)

From: Skorich, Shani <Shani.Skorich@worksafe.act.gov.au>
Sent: Friday, May 10, 2024 1:18 PM
To: Sch 2.2(a)(ii) <[redacted]>
<[redacted]>
Subject: Re: Improvement Notice N-0000010008

OFFICIAL

Hi Sch 2.2(a)(ii)

Thank you for submitting the evidence of compliance with Improvement Notice N-00000010008.

Please continue to have the notice displayed until I reach out with an email informing you of the close of the case associated with the two notices issued.

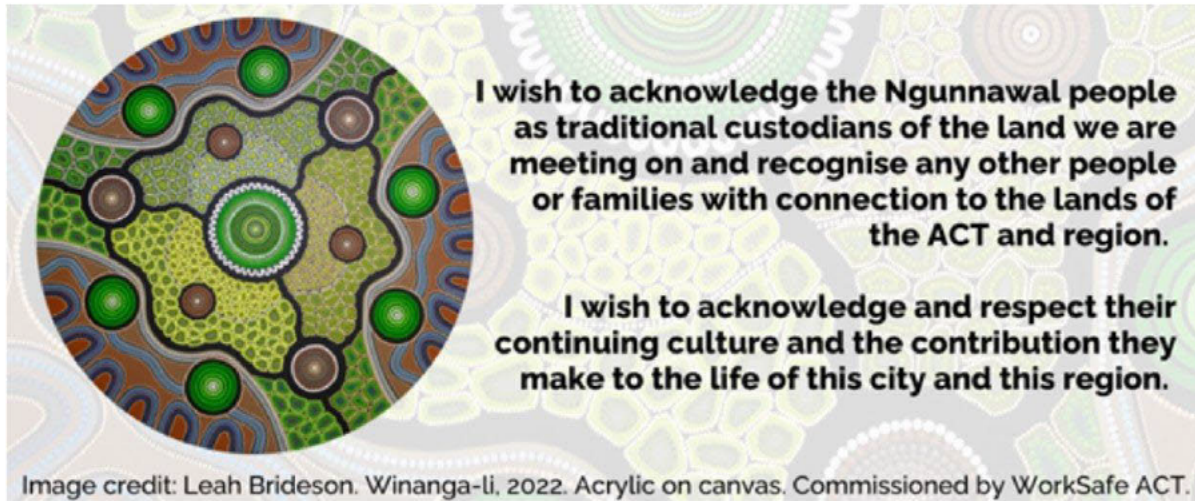
This may come out as late as Monday, as I have to seek approval from my Supervisor before having the case closed.

I'll reach out if I have any further questions.

Kind regards,

Shani Skorich (she/her) | **Inspector – Psychosocial**

  **E:** Shani.Skorich@worksafe.act.gov.au



IMPORTANT

This email, any attachment and the information and material contained in them, is for the use of the intended recipient. The intended recipient must not review, forward, disclose, distribute or make any other use of the email, any attachment or the information or material in them. This email is not intended to constitute or provide financial or legal advice and you must not rely or act on the information or material in the email or any attachment for those purposes. If you are not the intended recipient please notify us.

Out of Scope

Out of Scope

From: WorkSafe ACT <worksafe@act.gov.au>
Sent: Thursday, May 9, 2024 2:09 PM
To: Sophia Williams <Sophia@bluegum.act.edu.au>
Cc: shani.skorich@worksafe.act.gov.au <shani.skorich@worksafe.act.gov.au>
Subject: Improvement Notice N-0000010008

Hi,
Please see attached PDFs to view a copy of your Notice.

Inspection number: 00203421
Lead Inspector: Shani Skorich
Company Name: BLUE GUM COMMUNITY SCHOOL
Notice Number: N-0000010008

For any further information please contact WorkSafe on:
Telephone: (02) 6207 3000
Facsimile: (02) 6205 0336
Email: worksafe@act.gov.au

WORKPLACE VISIT REPORT

Initial Information

Inspection Number: 00219252
Lead Inspector: Andrew Woolgar
Inspector ID: P32662
Lead inspector email address: andrew.woolgar@act.gov.au
Is there any accompanying inspectors? Yes

Purushottam Niraula

Date visit commenced: 27 August, 2024 09:30
Legislation visit conducted under: WHS

Entity Information

Type of entity: Directorate
Name of individual or registered company: ACT Education Directorate
Trading as: Bonython Primary School
ACN:
ABN: 29148723251
Industry Group: Education
Address: 64 Hurtle Avenue Bonython ACT 2905

Contact Name: ACT Education Directorate
Contact Number: 02 6142 0640
Contact Email: kerry.clark@ed.act.edu.au

Details of Visit:

Address: 62 Hurtle Ave Bonython ACT 2905
Notification of entry to (as required by s164): Manager

Inspector Notes:

On 27 August 2024 at about 09:30am WorkSafe ACT Inspectors Woolgar and person assisting Niraula attended Bonython Primary School located at 64 Hurtle Avenue Bonython to conduct a proactive inspection as part of the current Education campaign. Woolgar and person assisting Niraula entered the workplace under the Work Health and Safety Act 2011 (WHS Act). Upon entry, Inspector Woolgar identified themselves to persons who identified themselves as Principal for Bonython Primary School is the person conducting a business or undertaking (PCBU) and themselves as authorised representatives of the PCBU.

Inspector Inspectors Woolgar and person assisting Niraula asked the following questions:

Q1 - Has the PCBU considered all the risks posed by manual tasks at their workplace? Are the controls adequate for the identified risk? Yes.

- Workers are aware of and trained in the manual handling policy and training is provided.
- A safe work method statement has been developed for manual tasks
- A risk assessment can be undertaken for different manual handling tasks when required which identifies the risk and develops appropriate corrective actions to manage the risk.
- Lifting aid such as trolleys are available to assist worker move heavy items.
- Weekly meeting are undertaken which includes planning on activities which need to occur, and risk assessed to ensure appropriate resources are available for the task be undertaken safely.

Q2 - Has the PCBU considered all the fall, trip and slip risks at the workplace? Are the controls adequate for the identified risk? Yes.

- there is a policy in place for any slippery areas of the workplace to be reported for cleaning
- Workers can self-report an incident and/or their supervisor can report the incident on their behalf.

Q3 - Has the PCBU considered the risk of hazardous chemicals their workplace. Are the controls in place adequate for the identified risks? yes

- Safety Data Sheets are kept in at the front office and at different storage areas within the school.
- The hazardous chemical safety data sheets at the front office where assessed and observation revealed there are Chemwatch hazardous chemical mini safety data sheets available.
- There are four staff members who have access to Chemwatch who can access full hazardous chemical safety data sheets if required.
- Also, staff can contact the Education Directorate staff for access to full safety data sheets if required.
- A full audit had just been undertaken to identify what hazardous chemicals (and other non-hazardous chemicals) which are being used, handled and stored on-site.
- The hazardous chemicals the external cleaner who use handle and store hazardous chemicals are within the hazardous chemical register.

Q4 - Has the PCBU considered the risk of occupational violence in their workplace? Are the controls adequate for the identified risk? ^{Sch 2.2}

[Redacted]

Q5 - Has the PCBU have a system in place to ensure that sexual assault incidents (and other incidents) are notified to WorkSafe? ^{Sch 2.2}

[Redacted]

Inspectors Woolgar and person assisting Niraula left the premises at 10:35am on the same day.

Disclaimer: The issues identified during this inspection are only indicative of compliance with the Work Health and Safety Act 2011, the Work Health and Safety Regulations 2011, the Dangerous Substances Act 2004 and the Workers Compensation Act 1951 on the date of the inspection. If compliance is identified during this inspection, it does not remove the obligation of any person to comply with any further requirement of the above mentioned Acts and Regulations.

Previous Action

[Redacted]

Previous notice/s issued (either written or verbal)?

Recipient/s of this form:

Email: kerry.clark@ed.act.edu.au

Email 2:

Email 3:

Privacy Notice: The information collected for the purpose of the Work Health and Safety Act 2011 and is in accordance with the Information Privacy Act 2014. WorkSafe ACT prevents any unreasonable intrusion into person's privacy in accordance with the Privacy Act 1988 (C'Wlth) and Information Privacy Act 2014. WorkSafe ACT provides identifiable information which can be disclosed to other law enforcement agencies and authorised organisation that have legal authority to request information under prescribed circumstances.

WORKPLACE VISIT REPORT

Initial Information

Inspection Number: 00203424
Lead Inspector: Jeanne Eri
Inspector ID: P61576
Lead inspector email address: jeanne.eri@worksafe.act.gov.au
Is there any accompanying inspectors? Yes
Alan Hartcher P50869
Date visit commenced: 07 May, 2024 10:00
Legislation visit conducted under: WHS

Entity Information

Type of entity: Business Entity
Name of individual or registered company: The Burgmann Anglican School
Trading as:
ACN: 094341607
ABN: 32451688039
Industry Group: Education
Address: 4 The Valley Avenue Gungahlin ACT 2912
Contact Name: The Burgmann Anglican School
Contact Number: Sch 2.2(a)(ii)
Contact Email: Sch 2.2(a)(ii)

Details of Visit:

Address: 4 Valley Ave Gungahlin ACT 2912
Notification of entry to (as required by s164): PCBU

Inspector Notes:

On 7th May 2024 at about 10:00am WorkSafe ACT Inspector Eri and Hartcher attended Burgmann Anglican School located at 4 The Valley Avenue, Gungahlin ACT 2912 to conduct a proactive inspection as part of the current Education campaign.

Eri and Hartcher entered the workplace under the Work Health and Safety Act 2011 (WHS Act). Upon entry, Inspector Eri identified themselves to persons who identified themselves as the person in charge and that Burgmann Anglican School is the person conducting a business or undertaking (PCBU) and themselves as authorised representatives of the PCBU.

Inspector Eri asked the following questions:

Q1 - Has the PCBU considered all the risks posed by manual tasks at their workplace? Are the controls adequate for the identified risk?

Yes – There are wellbeing measures in place such as sit stand desks with over 60%-70% coverage. There is Manual handling training courses in place for the Maintenance staff. Records of training on file. Use of equipment for manual handling tasks such as trolleys. Bulk delivery to the site minimises the risk of manual tasks. Commercial ladders are used on site.

Early Learning centre –back injuries identified in this area which is likely due to the demographic of staff and the task of lifting young children. There is implementation of the use of steps for children to utilise in toilet training and minimise the risk of teachers lifting children. There is currently three workers compensation claims underway. External service provider conducts ergonomics assessments for sit stand desks for all staff via HR Manager.

Q2 - Has the PCBU considered all the fall, trip and slip risks at the workplace? Are the controls adequate for the identified risk?

Yes – There is an online proactive incident notification system which includes Hazard Register, Incident register, which triggers an Investigation and corrective actions are included for the incident.

For wet weather or incidents of slips and trips – proactive action taken through Proactive Incident notification which alerts teams – Facilities Manager, Asset and Compliance manager and COO. IN wet weather conditions – rubber mats, mops and signage are used and in place for risk areas such as the gym.

Cleaning staff clean up spills immediately, wet floor signage used to isolate the area and the area is cleaned up and made safe. Incident recorded in incident register. If a student is injured, the in-house First aid officer is in attendance. Teacher on duty lodges the Incident Notification which alerts various leadership group as listed above. Action taken to notify parent and complete Accident policy for students. All corrective actions taken by Asset and Compliance Manager. Cleaning team notified (24x staff members on board). Example of biohazard system in place for a current situation.

Q3 - Has the PCBU considered the risk of hazardous chemicals their workplace. Are the controls in place adequate for the identified risks?

Yes – use of appropriate safety data sheets in place – located in yellow envelop behind door of the cleaning closets. Cleaning team has annual review of SDS. All chemicals are pre-diluted by the cleaning team prior to teaching staff using cleaning products. External service provider conducts annual WHS audits with COO. Possible introduction of iAuditor. Chemwatch used for chemicals. Current cleaning products used on site are S-Clean and Forest Fresh. Checked Cleaning closet and Science lab – brand new facility. Checked eye wash station; secured chemical storage room, First Aid kit. Checked Fire extinguisher and Fire blanket.

Q4 - Has the PCBU considered the risk of occupational violence in their workplace? Are the controls adequate for the identified risk?

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

Q5 - Does the PCBU have systems in place to ensure that sexual assault incidents are notified to WorkSafe ACT? Are the controls adequate for the identified risk?

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

Other: There are two Committees in place which are:

- 1) Staff Care Committee – Proactive for all staff.
- 2) Wellbeing Champion – social inclusion and connectivity – responsible for organising staff social events such as upcoming Movie event on 21/05/24. Both Committees hold two meetings annually.

- COO has direct consultation with all entities (staff included).

- HSR on site – Nil

Notes entered into notebook A10336.

NIL issues identified and no Improvement Notices to be issued. Inspectors Eri and Hartcher left the premises at 11:10am.

Disclaimer: The issues identified during this inspection are only indicative of compliance with the Work Health and Safety Act 2011, the Work Health and Safety Regulations 2011, the Dangerous Substances Act 2004 and the Workers Compensation Act 1951 on the date of the inspection. If compliance is identified during this inspection, it does not remove the obligation of any person to comply with any further requirement of the above mentioned Acts and Regulations.

Previous Action

Previous notice/s issued (either written or verbal)?

Recipient/s of this form:

Email: Sch 2.2(a)(ii)

Email 2: alan.hartcher@worksafe.act.gov.au

Email 3:

Privacy Notice: The information collected for the purpose of the Work Health and Safety Act 2011 and is in accordance with the Information Privacy Act 2014. WorkSafe ACT prevents any unreasonable intrusion into person's privacy in accordance with the Privacy Act 1988 (C'Wlth) and Information Privacy Act 2014. WorkSafe ACT provides identifiable information which can be disclosed to other law enforcement agencies and authorised organisation that have legal authority to request information under prescribed circumstances.

WORKPLACE VISIT REPORT

Initial Information

Inspection Number: 00220819
Lead Inspector: Carol Hand-Blackadder
Inspector ID: P53802
Lead inspector email address: carol.hblackadder@worksafe.act.gov.au
Is there any accompanying inspectors? Yes
Jess Holden 8873582
Date visit commenced: 27 August, 2024 09:58
Legislation visit conducted under: WHS

Entity Information

Type of entity: Business Entity
Name of individual or registered company: ACT Education Directorate
Trading as: Calwell Primary School
ACN:
ABN: 123456789
Industry Group: Education
Address:
Contact Name: ACT Education Directorate
Contact Number: Sch 2.2(a)(ii)
Contact Email: jennifer.hartcher@ed.act.edu.au

Details of Visit:

Address: Downard St Calwell ACT 2905
Notification of entry to (as required by s164): PCBU

Inspector Notes:

On 27th August 2024, WorkSafe ACT Inspector HAND-BLACKADDER and person assisting HOLDEN attended CALWELL PRIMARY SCHOOL located at Downard St Calwell ACT 2905.

Inspectors HAND-BLACKADDER and person assisting HOLDEN entered the workplace under the Work Health and Safety Act 2011 (WHS act).

Inspectors HAND-BLACKADDER and person assisting HOLDEN entered the workplace for a proactive visit under an Intelligence Led Campaign.

The site was identified by the signage at the front of the building.

Upon entry, inspectors identified themselves to persons who identified themselves as the Business Manager and we were shortly joined by the principal and authorised representatives of the Person Conducting Business Undertaking. The school consists of a pre-school and of a primary school K-6.

Approximately 247 students.

During the inspection, various questions were asked as part of the campaign with the following being identified:

Fire equipment and first aid are in order.

Q1. Has the PCBU considered all the risks posed by hazardous manual tasks at their workplace? Are the control adequate to reduce the risks of body stressing and musculoskeletal disorders?

Answer: Yes

- Manual handling policy and procedures are covered and Business Support Officers (BSO's) are trained in manual handling.
- The policy and procedures are available to all staff.
- Staff have access to ergonomic assessments. Workstation assessments.
- Spreadsheet access by all staff to use when manual handling tasks have been identified, these are actioned by priority. BSO's are to action manual handling tasks by this spreadsheet. Phone access for urgent matters.
- meetings occur weekly to discuss any matters.
- Workers are consulted on a regular basis.
- Teachers and corporate support teams are not required to carry objects that involve heavy lifting.
- library allows 2 books to be borrowed to ensure children do not carry heavy books in their bags.
- Incidents, accidents, hazards and near misses are reported through the workplace risk management system and via meetings. Action items are consulted within the executive meetings, all staff meetings and are actioned appropriately depending on the nature of the incident.
- risk assessments are performed for excursions.
- teachers are encouraged to move around whilst teaching.
- Jelly bean tables are used to prevent musculoskeletal injuries, they also use sit/stand tables.

Q2. Has the PCBU considered all the slip, trip and falls at the workplace? Are the controls adequate for the identified risk?

Answer : Yes

- Policy and procedure are covered within induction training.
- Policy and procedures are accessible to all workers.
- WHS committee are active with issues that may arise and consult on a regular basis.
- playground supervision occurs constantly when children are out of classrooms.
- incidents, accidents, hazards and near misses are reported through the workplace risk management system. Those concerns are consulted with exec team and maintenance to rectify. Risk Man/ Safety Portal is used for incidents.
- hazards are proactively actioned - school has adapted soft covers for the playground equipment.
- Very proactive in identifying hazards for special needs children with disabilities work with occupational therapists to develop strategies.

Q3. Does the PCBU have the appropriate safety data sheets (SDS) for chemical present in the workplace? Is the SDS current and readily available to all

workers who use or may be affected by the chemicals?

Answer: Yes

- SDS are readily available near chemicals and copies available near first aid room, BSO storage areas and also cleaning room and readily accessible by all staff.
- SDS were observed to be in date.
- HSR are trained in first aid.

Q4. Has the PCBU considered the risk of occupational violence in their workplace? Are the controls adequate for the identified risk?

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

Q5. Has the PCBU have a system in place to ensure that notifiable incidents including sexual assault incidents are reported to WorkSafe ACT?

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

Overall a good school with a lot of work put into policies and procedures.

School has proactive attitude towards looking after teachers and students and any special needs that students may have. The school demonstrates consultation with staff. The school also has clubs available at recess and lunch time to aid students with something to do and they find these clubs are very beneficial for students.

HAND- BLACKADDER took photographs and recorded observations in contemporaneous notebook A10412, pages 79-89.

WorkSafe Inspectors left at 12:01pm the same day.

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Previous Action

Previous notice/s issued (either written or verbal)?

Recipient/s of this form:

Email: jennifer.hartcher@ed.act.edu.au

Email 2:

Email 3:

Privacy Notice: The information collected for the purpose of the Work Health and Safety Act 2011 and is in accordance with the Information Privacy Act 2014. WorkSafe ACT prevents any unreasonable intrusion into person's privacy in accordance with the Privacy Act 1988 (C'Wlth) and Information Privacy Act 2014. WorkSafe ACT provides identifiable information which can be disclosed to other law enforcement agencies and authorised organisation that have legal authority to request information under prescribed circumstances.

WORKPLACE VISIT REPORT

Initial Information

Inspection Number: 00174655
Lead Inspector: Kurt Kuehl
Inspector ID: P53987
Lead inspector email address: kurt.kuehl@worksafe.act.gov.au
Is there any accompanying inspectors? Yes

Jodie Fletcher P05554

Date visit commenced: 22 September, 2023
Legislation visit conducted under: WHS

Entity Information

Type of entity: Corporation
Name of individual or registered company: Canberra Girls Grammar School
Trading as: Canberra Girls Grammar School
ACN: 008559331
ABN: 67008559331
Industry Group: Education
Address: Melbourne Avenue Deakin ACT 2600

Contact Name: Canberra Girls Grammar School
Contact Number: Sch 2.2(a)(ii)
Contact Email:

Details of Visit:

Address: Melbourne Avenue Deakin ACT 2600
Notification of entry to (as required by s164): Manager

Inspector Notes:

On 22 September 2023 at about 1420h, WorkSafe ACT Inspectors Kurt KUEHL and Jodie FLETCHER attended Canberra Girls Grammar School at 48 Melbourne Avenue DEAKIN ACT (the workplace). The workplace visit followed a notifiable incident (electric shock) which is said to have occurred on 21 September 2023.

Inspectors KUEHL and FLETCHER entered the workplace under the Work Health and Safety Act 2011 (WHS Act). Upon entry, inspectors identified themselves to a person who identified themselves as the Chief Operating Officer. They confirmed Canberra Girls Grammar School (ABN 64 906 437 573) is the person conducting a business or undertaking (PCBU) and themselves as an authorised representative of the PCBU.

The Chief Operating Officer advised Inspectors:

- [Redacted] Sch 2.2(a)(ii)
- Both students at the workstation were checked by school nurse. Student holding scissors recommended present to hospital for [Redacted] Sch 2.2(a)(ii)
- Residual current device (RCD) on circuit has functioned as designed. COO is unsure if RCDs are routinely tested in the school.

Inspectors provided advice on:

- Purpose and function of RCDs and requirement for regular testing. For further information, see:
 - o Division 4.7.6 (Residual current devices) WHS Regulation
 - o Managing Electrical Risks at the Workplace Code of Practice
 - o Australian Standard AS 3760 In-service safety inspection and testing of electrical equipment, Table 4: Testing and inspection intervals for electrical equipment
- The recent inclusion of sexual assault (known and alleged) as a notifiable incident. For further information, see Part 3 (Incident Notification) WHS Act

KUEHL made records in contemporaneous notebook A10353, page 90-91. Scene is released from preservation.

At about 1442h the same day, Inspectors KUEHL and FLETCHER departed the workplace.

Disclaimer: The issues identified during this inspection are only indicative of compliance with the Work Health and Safety Act 2011, the Work Health and Safety Regulations 2011, the Dangerous Substances Act 2004 and the Workers Compensation Act 1951 on the date of the inspection. If compliance is identified during this inspection, it does not remove the obligation of any person to comply with any further requirement of the above mentioned Acts and Regulations.

Previous Action

Previous notice/s issued (either written or verbal)?

Recipient/s of this form:

Email [Redacted] Sch 2.2(a)(ii)
Email 2:

Privacy Notice: The information collected for the purpose of the Work Health and Safety Act 2011 and is in accordance with the Information Privacy Act 2014. WorkSafe ACT prevents any unreasonable intrusion into person's privacy in accordance with the Privacy Act 1988 (C'Wlth) and Information Privacy Act 2014. WorkSafe ACT provides identifiable information which can be disclosed to other law enforcement agencies and authorised organisation that have legal authority to request information under prescribed circumstances.



IMPROVEMENT NOTICE

This notice is issued under section 191 of the *Work Health and Safety Act 2011*. Section 210 requires that the person to whom an improvement notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace at which work is being carried out that is affected by the notice.

You must comply with this notice within the period specified. Failure to comply may incur a maximum penalty of \$50, 000 for an individual and \$250, 000 for a body corporate.

Notice issued to:

Legal name of person/business or undertaking: CANBERRA MONTESSORI SOCIETY INC

Address: , , ,

Due Date: 31 May, 2024

Details of contravention:

Site location: 35 Mulley Street, Holder ACT 2611

I Garrison Hudson reasonably believe on 14/05/2024 9:57 AM that you contravened section 19 (1) of the Work Health and Safety Act 2011 (ACT), section 344 of the Work Health and Safety Regulation 2011. Duty to protect all persons from risks to their health and safety arising from work carried out as part of the conduct of the business or undertaking; from not having an up-to-date SDS information available for all hazardous chemicals on site.

Brief description of how the provision is being or has been contravened:

Persons are exposed to a risk to their health and safety from persons are exposed to a risk to their health and safety from the exposed risk to their health and safety from not having current safety data sheets for all hazardous chemicals prepared in accordance with this regulation from the manufacturer, importer or supplier of the hazardous chemicals.

Directions as to the measures to be taken to remedy or prevent the contravention or likely contravention: *(it is mandatory to comply with these directions)*

You must ensure, so far as reasonably practicable that you must ensure, so far as reasonably practicable that you must obtain the current safety data sheet for a hazardous chemical prepared in accordance with this regulation from the manufacturer, importer or supplier of the hazardous chemical.

- The hazardous chemical SDS information origin is Australia.
- Update the Safety Data Sheets (SDS) for all hazardous chemicals onsite, ensuring they are current (within 5 years) and are available and accessible to all workers at the Depot to control those risks.

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice

Recommendations (if any): *(it is not an offence not to comply with these recommendations)*

Your attention is drawn to:

WHS Act 2011 Section 19 "Primary Duty of Care"

WHS Regulation 2011 Section 344 "Person conducting business or undertaking to obtain and give access to safety data sheets".

Please contact the inspector who issued this notice to confirm compliance prior to the day by which the person is required to remedy the contravention or likely contravention.

Issuing Details

Issued by: Garrison Hudson

ID number: P32676

Date issued: 14/05/2024

Service method: Email

Notice emailed to Sch 2.2(a)(ii)

Improvement Notice issued under section 191 of the Work Health and Safety Act 2011 - further information

If you have any questions you may contact the inspector who issued this notice.

Display of Notices

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice (s 210(1)). A person must not intentionally remove, destroy, damage or deface a notice displayed under s 210(1) while the notice is in force (s 210(2)). The maximum penalty for failing to comply with these provisions is \$5,000 for an individual or \$25,000 for a corporation.

Compliance with direction or notice

The person to whom an improvement notice is issued must comply with the notice within the period specified in the notice.

Maximum penalty:

- (a) in the case of an individual—\$50 000; or
- (b) in the case of a body corporate—\$250 000

Extension of time for compliance with improvement notices

If a person has been issued with an improvement notice, they may contact the inspector who issued this notice, or email worksafe@act.gov.au to apply for an extension of time to comply with that notice. This must be done within the compliance period which ends at midnight on the due date stated in the notice. An inspector may, by written notice given to the person, extend the compliance period for the improvement notice. However, the inspector may extend the compliance period only if the period has not ended.

Directions and recommendations

A direction may refer to a code of practice and may offer the person a choice of ways in which to remedy the contravention (s 204). A Improvement notice may include recommendations. It is not an offence to fail to comply with recommendations in a notice (s205).

Changes to notice by inspector

An inspector may make minor changes to a notice for clarification, to correct errors or references, or to reflect changes of address or other circumstances (s206).

Privacy statement

WorkSafe ACT may obtain personal information about you in connection with this notice. The information may be collected and stored using the powers, and to carry out functions or activities, under the Work Health and Safety Act 2011 and related work safety laws. Under that Act, the information can be disclosed to other ACT Government agencies or non-government organisations, and other Australian work safety enforcement agencies. WorkSafe ACT is obliged to handle your information openly, transparently and in accordance with the Territory Privacy Principles set out in the Information Privacy Act 2014. For more information about how WorkSafe ACT will collect, use, share, and store your personal information and how you can access and correct the information, please see the Privacy Statement at www.act.gov.au/privacy.

Review of this *Work Health and Safety Act* notice

If you have any questions or need more information you may contact the inspector who issued this notice, or email worksafe@act.gov.au.

You, or another person whose interests are affected by the decision, may apply for an internal review of the decision to issue this notice.

A review may be sought within 14 days, or in the case of an improvement notice within the compliance date period specified in the notice, whichever is lesser. You may also make an application for the reviewer to stay the operation of the Improvement notice.

Please ensure you include the notice number in your application for a review, together with the applicant's name and address, and the reason you are seeking the review.

An application for a review can be made in writing to: The Work Health and Safety Commissioner WorkSafe ACT, GPO Box 158 Canberra City ACT 2601 or by email: worksafe@act.gov.au.

You may then seek a review of an internal reviewer's decision in the ACT Civil and Administrative Tribunal (ACAT). Information about that process can be found at www.acat.act.gov.au.

The decision to issue this notice is also reviewable under the *Administrative Decisions (Judicial Review) Act 1989* on application to the ACT Supreme Court.

Further, a person may make a complaint to the ACT Ombudsman about the issue of this notice.

WorkSafe ACT contact details

PO Box 158, Canberra ACT 2601

Email: worksafe@act.gov.au

Phone: (02) 6207 3000

Fax: (02) 6205 0336

Translating and Interpreting Service

Phone: 131 450

WORKPLACE VISIT REPORT

Initial Information

Inspection Number: 00204183
Lead Inspector: Garrison Hudson
Inspector ID: P32676
Lead inspector email address: garrison.hudson@worksafe.act.gov.au
Is there any accompanying inspectors? Yes

Sundar Siwakoti

Date visit commenced: 14 May, 2024 09:57
Legislation visit conducted under: WHS

Entity Information

Type of entity: Business Entity
Name of individual or registered company: CANBERRA MONTESSORI SOCIETY INC
Trading as: Canberra Montessori School
ACN:
ABN: 47589903537
Industry Group: Education
Address:

Contact Name: CANBERRA MONTESSORI SOCIETY INC
Contact Number: (02) 6287 1962
Contact Email: Sch 2.2(a)(ii)

Details of Visit:

Address: ACT
Notification of entry to (as required by s164): PCBU

Inspector Notes:

On 14 May of 2024 about 9:57AM, WorkSafe ACT Inspectors Garrison Hudson and Sundar Siwakoti attended Canberra Montessori Society Inc trading as Canberra Montessori School, located at 35 Mulley Street, Holder, ACT, 2611. The workplace visit was part of the intelligence-led proactive campaign in the education sector, focusing on, risk of manual tasks, slips, trips, and falls, SDSs, violence and aggression on workplace and sexual assault.

Hudson and Siwakoti entered the workplace under Work Health and Safety Act (WHS Act). Upon entry inspectors identified themselves to a person who identified themselves as principal and authorized representative of the Person Conducting a Business or Undertaking (PCBU).

During the Inspection, various questions were asked as part of the campaign with the following being identified:

Q1 – Has the PCBU considered the risks posed by hazardous manual tasks at their workplace? Are the measures that the PCBU implemented adequate to reduce risks of body stressing and musculoskeletal disorders?

A1 - Most of the tasks done by staff are risk assessed, beside some unforeseen events. All the heavy manual handling is done by the cleaner also designated as maintenance person. They have their own Job Safety Analysis (JSA) for the work they do. Which was demonstrated in record.

Q2 – Has the PCBU identified any slips, trips, and falls risks at their workplace? How adequate are the controls that the PCBU put in place to ensure tidy workspaces and reduce the risks?

A2 – The workplace has cleaner on site, adequate mops were sighted. They also provide online training on Slips, Trips, and Falls.

Q3 – Does the PCBU have the appropriate safety data sheets (SDS) for every hazardous chemical present in the workplace? Is the SDS current and readily available to all workers who use or may be affected by the chemicals?

A3 – No – The workplace contained multiple out of date safety data sheets whereby they were prepared over five years ago. Information was given that they will be getting improvement notice to SDS up to date according to the chemicals they use in the workplace.

Q4 – Has the PCBU considered the risk of the psychosocial hazard of violence and aggression in their workplace?

Sch 2.2(a)(iii)

Q5 – Does the PCBU have a system in place to ensure that sexual assault incidents are notified to WorkSafe ACT?

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

As discussed in the morning an Improvement Notices will be sent out in relation to Safety Data Sheets (SDS), need update reflecting the chemical used in premises.

Inspectors took photographs and recorded observations in their official notebooks.

Inspectors concluded their inspection and departed the workplace at about 12:47PM the same day.

Disclaimer: The issues identified during this inspection are only indicative of compliance with the Work Health and Safety Act 2011, the Work Health and Safety Regulations 2011, the Dangerous Substances Act 2004 and the Workers Compensation Act 1951 on the date of the inspection. If compliance is identified during this inspection, it does not remove the obligation of any person to comply with any further requirement of the above mentioned Acts and Regulations.

Previous Action

Previous notice/s issued (either written or verbal)?

Recipient/s of this form:

Email Sch 2.2(a)(ii)

Email Sch 2.2(a)(ii)

Email 3:

Privacy Notice: The information collected for the purpose of the Work Health and Safety Act 2011 and is in accordance with the Information Privacy Act 2014.

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WorkSafe ACT provides identifiable information which can be disclosed to other law enforcement agencies and authorised organisation that have legal authority to request information under prescribed circumstances.



IMPROVEMENT NOTICE

This notice is issued under section 191 of the *Work Health and Safety Act 2011*. Section 210 requires that the person to whom an improvement notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace at which work is being carried out that is affected by the notice.

You must comply with this notice within the period specified. Failure to comply may incur a maximum penalty of \$50, 000 for an individual and \$250, 000 for a body corporate.

Notice issued to:

Legal name of person/business or undertaking: Canberra Rudolf Steiner School Association Incorporated
 ABN: 85091899426
 ACN:
 Trading As: Orana Steiner School
 Address: Unwin Place, Canberra, ACT, 2611
 Due Date: 4 June, 2024

Details of contravention:

Site location: Unwin Place, Canberra ACT 2611

I Carol Hand-Blackadder reasonably believe on 28/05/2024 11:55 AM that you contravened section 38 of the Work Health and Safety Act 2011 (ACT), section 39 of the Work Health and Safety Regulation 2011.

The PCBU has not provided enough information to workers as to what a notifiable incident is within their policies and procedures.

Brief description of how the provision is being or has been contravened:

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

A person who conducts a business or undertaking must ensure that the regulator is notified immediately after becoming aware that a notifiable incident arising out of the conduct of the business or undertaking has occurred.

The person with management or control of a workplace at which a notifiable incident has occurred must ensure so far as is reasonably practicable, that the site where the incident occurred is not disturbed until an inspector arrives at the site or any earlier time that an inspector directs.

Directions as to the measures to be taken to remedy or prevent the contravention or likely contravention: *(it is mandatory to comply with these directions)*

You must ensure, so far as reasonably practicable that you provide information to workers regarding what a serious injury and what a serious incident is within your policies and procedures to control those risks and to identify what is considered a notifiable incident under WHS legislation.

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice

Recommendations (if any): *(it is not an offence not to comply with these recommendations)*

Please contact the inspector who issued this notice to confirm compliance prior to the day by which the person is required to remedy the contravention or likely contravention.

Please provide evidence of compliance with all directions via email to carol.hblackadder@worksafe.act.gov.au -

In complying with the directions, refer to the following reference tools:

Work Health and Safety Act 2011 - Section 38/ Section 39

<https://www.legislation.act.gov.au/a/2011-35/default.asp>

WorkSafe ACT Website.

<https://www.worksafe.act.gov.au/health-and-safety-portal/notify-worksafe>

Issuing Details

Issued by: Carol Hand-Blackadder

ID number: P53802

Date issued: 28/05/2024

Service method: Email

Notice emailed to: Sch 2.2(a)(ii)

Improvement Notice issued under section 191 of the Work Health and Safety Act 2011 - further information

If you have any questions you may contact the inspector who issued this notice.

Display of Notices

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice (s 210(1)). A person must not intentionally remove, destroy, damage or deface a notice displayed under s 210(1) while the notice is in force (s 210(2)). The maximum penalty for failing to comply with these provisions is \$5,000 for an individual or \$25,000 for a corporation.

Compliance with direction or notice

The person to whom an improvement notice is issued must comply with the notice within the period specified in the notice.

Maximum penalty:

- (a) in the case of an individual—\$50 000; or
- (b) in the case of a body corporate—\$250 000

Extension of time for compliance with improvement notices

If a person has been issued with an improvement notice, they may contact the inspector who issued this notice, or email worksafe@act.gov.au to apply for an extension of time to comply with that notice. This must be done within the compliance period which ends at midnight on the due date stated in the notice. An inspector may, by written notice given to the person, extend the compliance period for the improvement notice. However, the inspector may extend the compliance period only if the period has not ended.

Directions and recommendations

A direction may refer to a code of practice and may offer the person a choice of ways in which to remedy the contravention (s 204). A Improvement notice may include recommendations. It is not an offence to fail to comply with recommendations in a notice (s205).

Changes to notice by inspector

An inspector may make minor changes to a notice for clarification, to correct errors or references, or to reflect changes of address or other circumstances (s206).

Privacy statement

WorkSafe ACT may obtain personal information about you in connection with this notice. The information may be collected and stored using the powers, and to carry out functions or activities, under the Work Health and Safety Act 2011 and related work safety laws. Under that Act, the information can be disclosed to other ACT Government agencies or non-government organisations, and other Australian work safety enforcement agencies. WorkSafe ACT is obliged to handle your information openly, transparently and in accordance with the Territory Privacy Principles set out in the Information Privacy Act 2014. For more information about how WorkSafe ACT will collect, use, share, and store your personal information and how you can access and correct the information, please see the Privacy Statement at www.act.gov.au/privacy.

Review of this *Work Health and Safety Act* notice

If you have any questions or need more information you may contact the inspector who issued this notice, or email worksafe@act.gov.au.

You, or another person whose interests are affected by the decision, may apply for an internal review of the decision to issue this notice.

A review may be sought within 14 days, or in the case of an improvement notice within the compliance date period specified in the notice, whichever is lesser. You may also make an application for the reviewer to stay the operation of the Improvement notice.

Please ensure you include the notice number in your application for a review, together with the applicant's name and address, and the reason you are seeking the review.

An application for a review can be made in writing to: The Work Health and Safety Commissioner WorkSafe ACT, GPO Box 158 Canberra City ACT 2601 or by email: worksafe@act.gov.au.

You may then seek a review of an internal reviewer's decision in the ACT Civil and Administrative Tribunal (ACAT). Information about that process can be found at www.acat.act.gov.au.

The decision to issue this notice is also reviewable under the *Administrative Decisions (Judicial Review) Act 1989* on application to the ACT Supreme Court.

Further, a person may make a complaint to the ACT Ombudsman about the issue of this notice.

WorkSafe ACT contact details

PO Box 158, Canberra ACT 2601

Email: worksafe@act.gov.au

Phone: (02) 6207 3000

Fax: (02) 6205 0336

Translating and Interpreting Service

Phone: 131 450



IMPROVEMENT NOTICE

This notice is issued under section 191 of the *Work Health and Safety Act 2011*. Section 210 requires that the person to whom an improvement notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace at which work is being carried out that is affected by the notice.

You must comply with this notice within the period specified. Failure to comply may incur a maximum penalty of \$50, 000 for an individual and \$250, 000 for a body corporate.

Notice issued to:

Legal name of person/business or undertaking: Canberra Rudolf Steiner School Association Incorporated
ABN: 85091899426
ACN:
Trading As: Orana Steiner School
Address: Unwin Place, Canberra, ACT, 2611
Due Date: 11 June, 2024

Details of contravention:

Site location: Unwin Place, Canberra ACT 2611

I David West reasonably believe on 28/05/2024 9:55 AM that you contravened a provision of the Work Health and Safety Act 2011, section 19 (3) (d) - Primary duty of care - the safe use, handling, storage and transport of plant, structures and substances.

The business has not ensured that the current Safety Data Sheets (SDS) for hazardous chemicals at the workplace are readily accessible to a person at the workplace, as is required by Work Health and Safety Regulation 2011, section 344 - Person conducting business or undertaking (PCBU) to obtain and give access to safety data sheets.

Brief description of how the provision is being or has been contravened:

At the workplace I observed hazards chemicals, including quantities of substances with corrosive and harmful substance warning decals in two separate areas of the school (maintenance yard and science class store room)

When I asked a representative of the business about the safety data sheets for the hazardous chemicals at the workplace, Safety Data Sheets were produced in the maintenance yard.

When representatives of the PCBU were questioned on if SDS would be available to inspectors or emergency services in an emergency from the front office or on a telephone call to an emergency operator, representatives acknowledged that SDS were only available on location that they were used.

Inspectors explained the importance of having SDS readily available in more than 1 location and in the main office where first aid and emergency calls and action are likely to take place.

From the information supplied to me by the representatives of the business in response to my inquiry, I have formed the reasonable belief that persons are exposed to a risk to their health and safety from chemical hazards due Safety Data Sheets not being readily available .

Directions as to the measures to be taken to remedy or prevent the contravention or likely contravention: *(it is mandatory to comply with these directions)*

You must ensure that the current safety data sheets for the hazardous chemicals are readily accessible to—

- (a) a worker who is involved in using, handling or storing the hazardous chemicals at the workplace; and
- (b) an emergency service worker, or anyone else, who is likely to be exposed to the hazardous chemicals at the workplace.

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice

Recommendations (if any): *(it is not an offence not to comply with these recommendations)*

Please contact the inspector who issued this notice to confirm compliance prior to the day by which the person is required to remedy the contravention or likely contravention.

If you cannot comply with the Directions within the compliance period, contact the issuing inspector prior to day stated for compliance with this Improvement Notice. If attempts have been made to comply with the Directions or the Directions are unable to be met the inspector may, by written notice given to the person, extend the compliance period for the improvement notice.

However, the inspector may extend the compliance period only if the period has not ended. (s194 Work Health and Safety Act 2011)

In complying with the Directions, you may consider further guidance available from:

Work Health and Safety Act 2011 - legislation.act.gov.au/a/2011-35/

- Part 2 Health and safety duties

Work Health and Safety Regulation 2011 - legislation.act.gov.au/sl/2011-36/

- Part 3.1 Managing risks to health and safety

- Part 7.1 Hazardous chemicals

WorkSafe ACT Codes of Practice - www.worksafe.act.gov.au/laws-and-compliance/codes-of-practice

- Managing risks of hazardous chemicals in the workplace

Issuing Details

Issued by: David West

ID number: P57269

Date issued: 28/05/2024

Service method: Email

Notice emailed to: Sch 2.2(a)(ii)

Improvement Notice issued under section 191 of the Work Health and Safety Act 2011 - further information

If you have any questions you may contact the inspector who issued this notice.

Display of Notices

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice (s 210(1)). A person must not intentionally remove, destroy, damage or deface a notice displayed under s 210(1) while the notice is in force (s 210(2)). The maximum penalty for failing to comply with these provisions is \$5,000 for an individual or \$25,000 for a corporation.

Compliance with direction or notice

The person to whom an improvement notice is issued must comply with the notice within the period specified in the notice.

Maximum penalty:

- (a) in the case of an individual—\$50 000; or
- (b) in the case of a body corporate—\$250 000

Extension of time for compliance with improvement notices

If a person has been issued with an improvement notice, they may contact the inspector who issued this notice, or email worksafe@act.gov.au to apply for an extension of time to comply with that notice. This must be done within the compliance period which ends at midnight on the due date stated in the notice. An inspector may, by written notice given to the person, extend the compliance period for the improvement notice. However, the inspector may extend the compliance period only if the period has not ended.

Directions and recommendations

A direction may refer to a code of practice and may offer the person a choice of ways in which to remedy the contravention (s 204). A Improvement notice may include recommendations. It is not an offence to fail to comply with recommendations in a notice (s205).

Changes to notice by inspector

An inspector may make minor changes to a notice for clarification, to correct errors or references, or to reflect changes of address or other circumstances (s206).

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Review of this *Work Health and Safety Act* notice

If you have any questions or need more information you may contact the inspector who issued this notice, or email worksafe@act.gov.au.

You, or another person whose interests are affected by the decision, may apply for an internal review of the decision to issue this notice.

A review may be sought within 14 days, or in the case of an improvement notice within the compliance date period specified in the notice, whichever is lesser. You may also make an application for the reviewer to stay the operation of the Improvement notice.

Please ensure you include the notice number in your application for a review, together with the applicant's name and address, and the reason you are seeking the review.

An application for a review can be made in writing to: The Work Health and Safety Commissioner WorkSafe ACT, GPO Box 158 Canberra City ACT 2601 or by email: worksafe@act.gov.au.

You may then seek a review of an internal reviewer's decision in the ACT Civil and Administrative Tribunal (ACAT). Information about that process can be found at www.acat.act.gov.au.

The decision to issue this notice is also reviewable under the *Administrative Decisions (Judicial Review) Act 1989* on application to the ACT Supreme Court.

Further, a person may make a complaint to the ACT Ombudsman about the issue of this notice.

WorkSafe ACT contact details

PO Box 158, Canberra ACT 2601

Email: worksafe@act.gov.au

Phone: (02) 6207 3000

Fax: (02) 6205 0336

Translating and Interpreting Service

Phone: 131 450

From: [West, David](#)
To: Sch 2.2(a)(ii)
Cc: [H Blackadder, Carol](#)
Subject: RE: Improvement Notice N-0000010231
Date: Friday, 7 June 2024 2:58:00 PM
Attachments: [image001.png](#)
[image002.jpg](#)
[image003.png](#)

Good afternoon Áine,

Thank you for sending all this information in response to both improvement notices.

I will close now mark both notices as complied with and close the case.

Thanks again for all you cooperation throughout the process.

Kind regards

David West | Inspector - General Industries

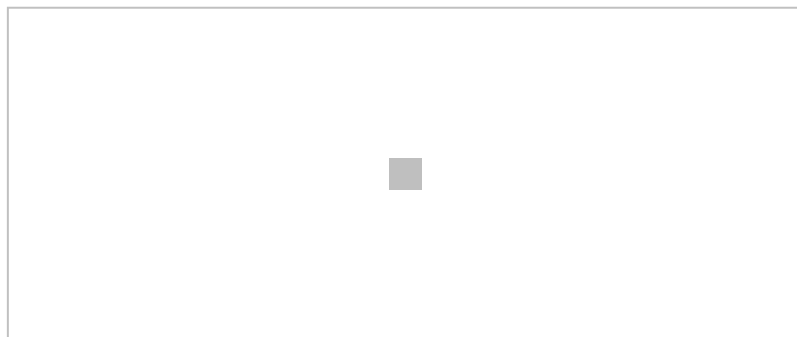
Strategy, Compliance and Enforcement

E: david.west@worksafe.act.gov.au

P: 02 6205 1363 M: Sch 2.2(a)(ii)

Office of the Work Health and Safety Commissioner

GPO Box 158 Canberra ACT 2601



IMPORTANT

This email, any attachment and the information and material contained in them, is for the use of the intended recipient. The intended recipient must not review, forward, disclose, distribute or make any other use of the email, any attachment or the information or material in them. This email is not intended to constitute or provide financial or legal advice and you must not rely or act on the information or material in the email or any attachment for those purposes. If you are not the intended recipient please notify us.

From: Orana Steiner School - Sch 2.2(a)(ii)
Sent: Thursday, June 6, 2024 4:41 PM
To: WorkSafe <WorkSafe@worksafe.act.gov.au>; Orana Steiner School - Sch 2.2(a)(ii)
Cc: H Blackadder, Carol <Carol.HBlackadder@worksafe.act.gov.au>; West, David <David.West@worksafe.act.gov.au>
Subject: RE: Improvement Notice N-0000010231

Some people who received this message don't often get email from

Sch 2.2(a)(ii)

[Learn](#)

[why this is important](#)

Caution: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe. [Learn why this is important](#)

Dear Carol,

Apologies for not getting the evidence attached to you before today. There was confusion over the required date to supply evidence of improvement as the notice Number N:0000010232 is due on 11 June.

We have developed an additional document to attach to relevant policies with necessary definitions. The document is attached as is a screen shot to show how the definitions have been added to CompliSpace for easy access of all staff. We have also downloaded the notifiable incidents poster for staff to view in each staff room space.

Please let me know if you require further evidence of the measures Orana has taken to meet the requirements.

Sch 2.2(a)(ii)

From: WorkSafe ACT <worksafe@act.gov.au>

Sent: Tuesday, 28 May 2024 2:47 PM

To: Orana Steiner School - [Sch 2.2\(a\)\(ii\)](#)

Cc: carol.hblackadder@worksafe.act.gov.au

Subject: Improvement Notice N-0000010231

Hi,

Please see attached PDFs to view a copy of your Notice.

Inspection number: 00205483

Lead Inspector: Carol Hand-Blackadder

Company Name: Canberra Rudolf Steiner School Association Incorporated

Notice Number: N-0000010231

For any further information please contact WorkSafe on:
Telephone: (02) 6207 3000

Facsimile: (02) 6205 0336

Email: worksafe@act.gov.au

WORKPLACE VISIT REPORT

Initial Information

Inspection Number: 00205483
Lead Inspector: Carol Hand-Blackadder
Inspector ID: P53802
Lead inspector email address: carol.hblackadder@worksafe.act.gov.au
Is there any accompanying inspectors? Yes
David West P57269
Date visit commenced: 28 May, 2024 10:00
Legislation visit conducted under: WHS

Entity Information

Type of entity: Other
Name of individual or registered company: Canberra Rudolf Steiner School Association Incorporated
Trading as: Orana Steiner School
ACN:
ABN: 85091899426
Industry Group: Education
Address: Unwin Place Canberra ACT 2611
Contact Name: Canberra Rudolf Steiner School Association Incorporated
Contact Number: 0262884283
Contact Email: Sch 2.2(a)(ii)

Details of Visit:

Address: Unwin Place Canberra ACT 2611
Notification of entry to (as required by s164): PCBU

Inspector Notes:

On 28th May 2024, WorkSafe ACT Inspectors HAND-BLACKADDER and WEST attended CANBERRA RUDOLF STEINER SCHOOL ASSOCIATION INCORPORATED at Unwin St Weston ACT 2611 with an ABN: 85 091 899 426.

Inspectors HAND-BLACKADDER and person assisting WEST entered the workplace under the Work Health and Safety Act 2011 (WHS act).

Inspectors HAND-BLACKADDER and person assisting WEST entered the workplace for a proactive visit under an Intelligence Led Campaign.

The site was identified by signage located in the car park.

Upon entry, inspectors identified themselves to persons who identified themselves as the Principal, Facilities Manager, HR Manager and Business Manager and authorised representatives of the Person Conducting Business Undertaking.

During the inspection, various questions were asked as part of the campaign with the following being identified:

Q1. Has the PCBU considered all the risks posed by hazardous manual tasks at their workplace? Are the control adequate to reduce the risks of body stressing and musculoskeletal disorders?

Answer: Yes

- Manual handling policy and procedures are covered within the induction training.
- All manual handling tasks are referred to the facilities team which is made up of 4 workers.
- The policy and procedures are available to all staff.
- due to the size of the school being 13 hectares, they have mobile plant such as tail lifters, tippers, tractors and trolleys to aid them in moving awkward and heavy items around the school.
- Teachers and corporate support teams are not required to carry objects that involve heavy lifting, this is instructed to them at onboard training.
- Facilities manager has appropriate training and delegates tasks to team with a meeting every day and gives guidance on how many people for the task and how to do this safely.
- manual handling requests are reported online, via email or via phone.
- lockers are available for high school students and also drawers are available under the desk for students to store textbooks, stationary etc.
- students return books to library themselves.
- Incidents, accidents, hazards and near misses are reported through the workplace risk management system and via consultation. Action items are consulted within meetings and are actioned appropriately depending on the nature of the incident.

Q2. Has the PCBU considered all the slip, trip and falls at the workplace? Are the controls adequate for the identified risk?

Answer : Yes

- Policy and procedure are covered within onboard training.
- Policy and procedures are accessible via online portal and a link which is emailed to them.
- Proactive maintenance program with reporting platform for hazards and near misses.
- incidents, accidents, hazards and near misses are reported through the workplace risk management system. Those concerns are consulted with the facilities team and these are rectified according to urgency.
- signage is available for use, facilities team is actively available to clean or to maintain faulty equipment. Areas have bollards and flagging when being fixed.
- general cleaning is done by a third party company and cleaning happens outside of school hours and deep cleans happen between school terms.
- playground equipment is regularly checked and maintained.
- onboard training includes a presentation with facilities manager to discuss procedures in regards to slips, trips, falls and maintenance and hazard reporting.

Q3. Does the PCBU have the appropriate safety data sheets (SDS) for chemical present in the workplace? Is the SDS current and readily available to all workers who use or may be affected by the chemicals?

Answer : No

- SDS are available and in date and maintain these with an online company which regularly updates.
- SDS are not readily available outside the chemical storage areas. These need to be in a centralised area and available in case of a first aid emergency.
- Workers and students are instructed on how to use chemicals with regular risk assessments. Risk assessments are done for every class for students.
- First aid workers on site.

Q4. Has the PCBU considered the risk of occupational violence in their workplace? Are the controls adequate for the identified risk?

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

Q5. Has the PCBU have a system in place to ensure that notifiable incidents including sexual assault incidents are reported to WorkSafe ACT?

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

Overall a good school with a lot of work put into policies and procedures.

School has identified their biggest hazard is the public road which runs through the school and are working with ACT Government in getting this rectified as the road has no signage, speed bumps or pedestrian crossing for students and teachers to cross from one side of the school to another. I was informed this was to be rectified last holiday period, but nothing has happened as yet. The school has noticed that cars speed up on this road. School has traffic persons available through peak times and teachers are to escort younger children.

Notice that is being issued following the visit:

- Improvement Notice WHS Reg 2011 - 39
- Improvement Notice WHS Reg 2011 - 344

HAND-BLACKADDER and WEST left at 11:55am the same day

Disclaimer: The issues identified during this inspection are only indicative of compliance with the Work Health and Safety Act 2011, the Work Health and Safety Regulations 2011, the Dangerous Substances Act 2004 and the Workers Compensation Act 1951 on the date of the inspection. If compliance is identified during this inspection, it does not remove the obligation of any person to comply with any further requirement of the above mentioned Acts and Regulations.

Previous Action

Previous notice/s issued (either written or verbal)?

Recipient/s of this form:

Email: Sch 2.2(a)(ii)
Email:
Email 3:

Privacy Notice: The information collected for the purpose of the Work Health and Safety Act 2011 and is in accordance with the Information Privacy Act 2014. WorkSafe ACT prevents any unreasonable intrusion into person's privacy in accordance with the Privacy Act 1988 (C'Wlth) and Information Privacy Act 2014. WorkSafe ACT provides identifiable information which can be disclosed to other law enforcement agencies and authorised organisation that have legal authority to request information under prescribed circumstances.

WORKPLACE VISIT REPORT

Initial Information

Inspection Number: 00214975
Lead Inspector: Heather Seagrove
Inspector ID: P61016
Lead inspector email address: heather.seagrove@worksafe.act.gov.au
Is there any accompanying inspectors? Yes
Jason Dale P49547
Date visit commenced: 27 August, 2024 09:25
Legislation visit conducted under: WHS

Entity Information

Type of entity: Business Entity
Name of individual or registered company: ACT Education Directorate
Trading as: Chapman Primary School
ACN:
ABN: 123456789
Industry Group: Education
Address:
Contact Name: ACT Education Directorate
Contact Number: 62412400
Contact Email: james.barnett@ed.act.edu.au

Details of Visit:

Address: Perry Drive Chapman ACT 2611
Notification of entry to (as required by s164): PCBU

Inspector Notes:

On the 27th August 2024 at about 9:25 AM WorkSafe ACT Inspectors Jason Dale and Heather Seagrove attended Chapman Primary School located at 46 – 50 Perry Drive Chapman as part of an intelligence lead proactive campaign.

Inspectors Dale and Seagrove entered the workplace under the Work Health and Safety Act 2011 (WHS Act). Upon entry, Inspectors identified themselves to the Business Manager and school Principal who identified that Chapman Primary School is the person conducting a business or undertaking (PCBU).

Q1 - Has the PCBU considered all the risks posed by manual tasks at their workplace? Are the controls adequate for the identified risk?

- Within the school all objects that are heavier than 5kg are moved by the building service officer with the use of trolleys. Teachers can request assistance through the use of an internal building services officer request portal.
- When asked about the considerations taken for workers standing for long periods of time and awkward postures while working the business manager answered advised that all teachers have access to chairs within the classroom in addition to their own offices to avoid standing for long periods of time. The teachers also have regular breaks available to them.
- They were unable to identify policy or risk assessments taken in relation to manual tasks and the associated risks of body stressing and musculoskeletal disorders.

Q2 - Has the PCBU considered all the fall, trip and slip risks at the workplace? Are the controls adequate for the identified risk?

- When a slips trips or falls hazard isare identified it is all staff members responsibility to identify and report these hazards to the building services officer (BSO) if the risk cannot be immediately eliminated.
- If a hazard is cannot be immediately actioned, the area is isolated until a control measure can be put in place.
- All staff members have access to an internal job logging request system in which the details of the hazard can be detailed in addition to the response taken.
- This log is checked regularly by both the business manager and building services officer.
- While doing a walkthrough of the school Inspectors observed
 - o All steps had nonslip material attached tape to minimize the risk of a slips or trips on the steps.
 - o All stairs also had bannisters for additional assistance if required.
 - o The large stair well in the middle of the school had a sit stand lift for easy access for those that required it.
 - o All corridors within the school were free from trip hazards and the layout of the school allowed for safe movement within the school.
 - o Classrooms are free from clutter and work materials such as books, arts and craft supplies and board games were all neatly stacked on appropriate shelving.
 - o The workplace has demonstrated compliance its assessment and actioning of slips, trips and falls within the workplace.

Q3 - Has the PCBU considered the risk of hazardous chemicals their workplace. Are the controls in place adequate for the identified risks?

- The Safety Data Sheet registry within the school has been prepared in the last five years
- In the school front office there is a master set register of the safety data sheets for all the chemicals within the school. This document is broken into subsections and lists the locations where chemicals are stored within school and which chemicals are stored in each location.
- Each chemical storage area is locked to minimise access and has signage indicating that there are safety data sheets located in the area.

Q4 - Has the PCBU considered the risk of occupational violence in their workplace? Are the controls adequate for the identified risk?

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

Q5 - Does the PCBU have systems in place to ensure that sexual assault incidents are notified to WorkSafe ACT? Are the controls adequate for the identified risk?

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

Contemporaneous notes were taken in Notebook A10359 Pages 70-72 (Seagrove) and Notebook A10381 Pages 113-116 (Dale)

At 10.47am the same day, Inspectors left site.

Disclaimer: The issues identified during this inspection are only indicative of compliance with the Work Health and Safety Act 2011, the Work Health and Safety Regulations 2011, the Dangerous Substances Act 2004 and the Workers Compensation Act 1951 on the date of the inspection. If compliance is identified during this inspection, it does not remove the obligation of any person to comply with any further requirement of the above mentioned Acts and Regulations.

Previous Action

Previous notice/s issued (either written or verbal)?

Recipient/s of this form:

Email: james.barnett@ed.act.edu.au

Email 2:

Email 3:

Privacy Notice: The information collected for the purpose of the Work Health and Safety Act 2011 and is in accordance with the Information Privacy Act 2014. WorkSafe ACT prevents any unreasonable intrusion into person's privacy in accordance with the Privacy Act 1988 (C'With) and Information Privacy Act 2014. WorkSafe ACT provides identifiable information which can be disclosed to other law enforcement agencies and authorised organisation that have legal authority to request information under prescribed circumstances.



IMPROVEMENT NOTICE

This notice is issued under section 191 of the *Work Health and Safety Act 2011*. Section 210 requires that the person to whom an improvement notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace at which work is being carried out that is affected by the notice.

You must comply with this notice within the period specified. Failure to comply may incur a maximum penalty of \$50, 000 for an individual and \$250, 000 for a body corporate.

Notice issued to:

Legal name of person/business or undertaking: COVENANT COLLEGE TUGGERANONG ACT ASSOCIATION INCORPORATED

Address: 1 Woodcock Drive, Gordon, ACT, 2906

Due Date: 4 June, 2024

Details of contravention:

Site location: 1 Woodcock Drive, Gordon ACT 2906

I, Shani Skorich, reasonably believe on 14 May 2024 at 2:30 PM that Covenant Christian School are contravening a provision of the Work Health and Safety Act, section 19 (3) (c). You have failed to ensure so far as is reasonably practicable, the provision and maintenance of a work environment without risks to health and safety, exposing workers to the risk of physical and psychological injury where the hazard of work-related violence and aggression has not been adequately controlled.

Brief description of how the provision is being or has been contravened:

This is evidenced through enquiries at the workplace, whereby, at the time of the workplace visit the workplace was unable to demonstrate evidence of:
Having an adequate safe system of work for the hazard of work-related violence and aggression.

Review of documents evidence and the Inspector's contemporaneous notes revealed:

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

Directions as to the measures to be taken to remedy or prevent the contravention or likely contravention: *(it is mandatory to comply with these directions)*

You must ensure, so far as reasonably practicable, the health and safety of workers by:

- (1) Implementing a safe system of work for risk management that ensures the hazard of work-related violence and aggression is controlled and allows continuous review of control measures in place.
- (2) Undertaking genuine consultation with relevant workers while carrying out the implementation of the new safe system of work.
- (3) Being able to demonstrate evidence of points 1 and 2.
- (4) Displaying a copy of the notice in a prominent location of the workplace.

Recommendations (if any): *(it is not an offence not to comply with these recommendations)*

- (1) Email Shani.Skorich@worksafe.act.gov.au when you are in receipt of this notice
- (2) Refer to the Work Health and Safety Act 2011 (<https://www.legislation.act.gov.au/View/a/2011-35/current/html/2011-35.html>)
- (3) Refer to the Work Health and Safety Regulation 2011 (<https://www.legislation.act.gov.au/View/sl/2011-36/current/html/2011-36.html>)
- (4) Refer to the ACT Work Health and Safety (Managing Psychosocial Hazards at Work Code of Practice) Approval 2023 (<https://www.legislation.act.gov.au/View/ni/2023-482/current/html/2023-482.html>)
- (5) Email Shani.Skorich@worksafe.act.gov.au to provide evidence of compliance prior to the due date of compliance.

Issuing Details

Issued by: Shani Skorich

ID number: P52634

Date issued: 15/05/2024

Service method: Email

Notice emailed to: Sch 2.2(a)(ii)

Improvement Notice issued under section 191 of the Work Health and Safety Act 2011 - further information

If you have any questions you may contact the inspector who issued this notice.

Display of Notices

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice (s 210(1)). A person must not intentionally remove, destroy, damage or deface a notice displayed under s 210(1) while the notice is in force (s 210(2)). The maximum penalty for failing to comply with these provisions is \$5,000 for an individual or \$25,000 for a corporation.

Compliance with direction or notice

The person to whom an improvement notice is issued must comply with the notice within the period specified in the notice.

Maximum penalty:

- (a) in the case of an individual—\$50 000; or
- (b) in the case of a body corporate—\$250 000

Extension of time for compliance with improvement notices

If a person has been issued with an improvement notice, they may contact the inspector who issued this notice, or email worksafe@act.gov.au to apply for an extension of time to comply with that notice. This must be done within the compliance period which ends at midnight on the due date stated in the notice. An inspector may, by written notice given to the person, extend the compliance period for the improvement notice. However, the inspector may extend the compliance period only if the period has not ended.

Directions and recommendations

A direction may refer to a code of practice and may offer the person a choice of ways in which to remedy the contravention (s 204). A Improvement notice may include recommendations. It is not an offence to fail to comply with recommendations in a notice (s205).

Changes to notice by inspector

An inspector may make minor changes to a notice for clarification, to correct errors or references, or to reflect changes of address or other circumstances (s206).

Privacy statement

WorkSafe ACT may obtain personal information about you in connection with this notice. The information may be collected and stored using the powers, and to carry out functions or activities, under the Work Health and Safety Act 2011 and related work safety laws. Under that Act, the information can be disclosed to other ACT Government agencies or non-government organisations, and other Australian work safety enforcement agencies. WorkSafe ACT is obliged to handle your information openly, transparently and in accordance with the Territory Privacy Principles set out in the Information Privacy Act 2014. For more information about how WorkSafe ACT will collect, use, share, and store your personal information and how you can access and correct the information, please see the Privacy Statement at www.act.gov.au/privacy.

Review of this *Work Health and Safety Act* notice

If you have any questions or need more information you may contact the inspector who issued this notice, or email worksafe@act.gov.au.

You, or another person whose interests are affected by the decision, may apply for an internal review of the decision to issue this notice.

A review may be sought within 14 days, or in the case of an improvement notice within the compliance date period specified in the notice, whichever is lesser. You may also make an application for the reviewer to stay the operation of the Improvement notice.

Please ensure you include the notice number in your application for a review, together with the applicant's name and address, and the reason you are seeking the review.

An application for a review can be made in writing to: The Work Health and Safety Commissioner WorkSafe ACT, GPO Box 158 Canberra City ACT 2601 or by email: worksafe@act.gov.au.

You may then seek a review of an internal reviewer's decision in the ACT Civil and Administrative Tribunal (ACAT). Information about that process can be found at www.acat.act.gov.au.

The decision to issue this notice is also reviewable under the *Administrative Decisions (Judicial Review) Act 1989* on application to the ACT Supreme Court.

Further, a person may make a complaint to the ACT Ombudsman about the issue of this notice.

WorkSafe ACT contact details

PO Box 158, Canberra ACT 2601

Email: worksafe@act.gov.au

Phone: (02) 6207 3000

Fax: (02) 6205 0336

Translating and Interpreting Service

Phone: 131 450



IMPROVEMENT NOTICE

This notice is issued under section 191 of the *Work Health and Safety Act 2011*. Section 210 requires that the person to whom an improvement notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace at which work is being carried out that is affected by the notice.

You must comply with this notice within the period specified. Failure to comply may incur a maximum penalty of \$50, 000 for an individual and \$250, 000 for a body corporate.

Notice issued to:

Legal name of person/business or undertaking: COVENANT COLLEGE TUGGERANONG ACT ASSOCIATION INCORPORATED

Address: 1 Woodcock Drive, Gordon, ACT, 2906

Due Date: 4 June, 2024

Details of contravention:

Site location: 1 Woodcock Drive, Gordon ACT 2906

I, Shani Skorich, reasonably believe on 14 May 2024 at 2:30 PM that Covenant Christian School are contravening section 19 (3) (d) of the Work Health and Safety Act 2011 (ACT), namely a person conducting a business or undertaking must ensure, so far as is reasonably practicable, the safe use, handling, storage and transport of plant, structures and substances. Further, section 344 of the Work Health and Safety Regulation requires safety data sheet information to be current and up-to-date.

Brief description of how the provision is being or has been contravened:

Workers are exposed to a risk to their health and safety from the using, handling or storage of hazardous chemicals in the workplace without current safety data sheets stored at the workplace. When asked, the person conducting a business or undertaking located the safety data sheets for the Inspectors to review. The Inspectors identified multiple safety data sheets that were not current whereby the safety data sheets were prepared more than five years prior. This was including but not limited to Acetone and Agar 100 Gel which had issue dates of 2013 and a print date of 2015.

Directions as to the measures to be taken to remedy or prevent the contravention or likely contravention: *(it is mandatory to comply with these directions)*

You must ensure, so far as reasonably practicable, that:

- (1) You obtain current and up-to-date safety data sheets.
- (2) The current safety data sheets for the hazardous chemicals are readily accessible to—
 - (a) a worker who is involved in using, handling or storing the hazardous chemicals at the workplace; and
 - (b) an emergency service worker, or anyone else, who is likely to be exposed to the hazardous chemicals at the workplace.
- (3) You display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice.

Recommendations (if any): *(it is not an offence not to comply with these recommendations)*

That you:

- (1) Please contact the inspector who issued this notice, by emailing Shani.Skorich@worksafe.act.gov.au, to confirm compliance prior to the day by which the person is required to remedy the contravention.
- (2) Refer to the following:
 - (a) Work Health and Safety Act 2011 (<https://www.legislation.act.gov.au/View/a/2011-35/current/html/2011-35.html>)
 - (b) Work Health and Safety Regulation 2011 (<https://www.legislation.act.gov.au/View/sl/2011-36/current/html/2011-36.html>)
 - (c) Work Health and Safety (Managing Risks of Hazardous Chemicals in the Workplace Code of Practice) Approval 2022 (<https://www.legislation.act.gov.au/View/ni/2022-687/current/html/2022-687.html>)

Issuing Details

Issued by: Shani Skorich

ID number: P52634

Date issued: 16/05/2024

Service method: Email

Notice emailed to: [REDACTED] Sch 2.2(a)(ii)

Improvement Notice issued under section 191 of the Work Health and Safety Act 2011 - further information

If you have any questions you may contact the inspector who issued this notice.

Display of Notices

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice (s 210(1)). A person must not intentionally remove, destroy, damage or deface a notice displayed under s 210(1) while the notice is in force (s 210(2)). The maximum penalty for failing to comply with these provisions is \$5,000 for an individual or \$25,000 for a corporation.

Compliance with direction or notice

The person to whom an improvement notice is issued must comply with the notice within the period specified in the notice.

Maximum penalty:

- (a) in the case of an individual—\$50 000; or
- (b) in the case of a body corporate—\$250 000

Extension of time for compliance with improvement notices

If a person has been issued with an improvement notice, they may contact the inspector who issued this notice, or email worksafe@act.gov.au to apply for an extension of time to comply with that notice. This must be done within the compliance period which ends at midnight on the due date stated in the notice. An inspector may, by written notice given to the person, extend the compliance period for the improvement notice. However, the inspector may extend the compliance period only if the period has not ended.

Directions and recommendations

A direction may refer to a code of practice and may offer the person a choice of ways in which to remedy the contravention (s 204). A Improvement notice may include recommendations. It is not an offence to fail to comply with recommendations in a notice (s205).

Changes to notice by inspector

An inspector may make minor changes to a notice for clarification, to correct errors or references, or to reflect changes of address or other circumstances (s206).

Privacy statement

WorkSafe ACT may obtain personal information about you in connection with this notice. The information may be collected and stored using the powers, and to carry out functions or activities, under the Work Health and Safety Act 2011 and related work safety laws. Under that Act, the information can be disclosed to other ACT Government agencies or non-government organisations, and other Australian work safety enforcement agencies. WorkSafe ACT is obliged to handle your information openly, transparently and in accordance with the Territory Privacy Principles set out in the Information Privacy Act 2014. For more information about how WorkSafe ACT will collect, use, share, and store your personal information and how you can access and correct the information, please see the Privacy Statement at www.act.gov.au/privacy.

Review of this *Work Health and Safety Act* notice

If you have any questions or need more information you may contact the inspector who issued this notice, or email worksafe@act.gov.au.

You, or another person whose interests are affected by the decision, may apply for an internal review of the decision to issue this notice.

A review may be sought within 14 days, or in the case of an improvement notice within the compliance date period specified in the notice, whichever is lesser. You may also make an application for the reviewer to stay the operation of the Improvement notice.

Please ensure you include the notice number in your application for a review, together with the applicant's name and address, and the reason you are seeking the review.

An application for a review can be made in writing to: The Work Health and Safety Commissioner WorkSafe ACT, GPO Box 158 Canberra City ACT 2601 or by email: worksafe@act.gov.au.

You may then seek a review of an internal reviewer's decision in the ACT Civil and Administrative Tribunal (ACAT). Information about that process can be found at www.acat.act.gov.au.

The decision to issue this notice is also reviewable under the *Administrative Decisions (Judicial Review) Act 1989* on application to the ACT Supreme Court.

Further, a person may make a complaint to the ACT Ombudsman about the issue of this notice.

WorkSafe ACT contact details

PO Box 158, Canberra ACT 2601

Email: worksafe@act.gov.au

Phone: (02) 6207 3000

Fax: (02) 6205 0336

Translating and Interpreting Service

Phone: 131 450



IMPROVEMENT NOTICE EXTENSION

This notice is issued under section 191 of the *Work Health and Safety Act 2011*. Section 210 requires that the person to whom an improvement notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace at which work is being carried out that is affected by the notice.

You must comply with this notice within the period specified. Failure to comply may incur a maximum penalty of \$50, 000 for an individual and \$250, 000 for a body corporate.

Notice issued to:

Legal name of person/business or undertaking: COVENANT COLLEGE TUGGERANONG ACT ASSOCIATION INCORPORATED

Address: 1 Woodcock Drive, Gordon, ACT, 2906

Details of contravention:

Site location: 1 Woodcock Drive, Gordon ACT 2906

I, Shani Skorich, reasonably believe on 14 May 2024 at 2:30 PM that Covenant Christian School are contravening a provision of the Work Health and Safety Act, section 19 (3) (c). You have failed to ensure so far as is reasonably practicable, the provision and maintenance of a work environment without risks to health and safety, exposing workers to the risk of physical and psychological injury where the hazard of work-related violence and aggression has not been adequately controlled.

Brief description of how the provision is being or has been contravened:

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

This is evidenced through enquiries at the workplace, whereby, at the time of the workplace visit the workplace was unable to demonstrate evidence of:

Having an adequate safe system of work for the hazard of work-related violence and aggression.

Review of documents, evidence and the Inspector's contemporaneous notes revealed:

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

Directions as to the measures to be taken to remedy or prevent the contravention or likely contravention: *(it is mandatory to comply with these directions)*

You must ensure, so far as reasonably practicable, the health and safety of workers by:

- (1) Implementing a safe system of work for risk management that ensures the hazard of work-related violence and aggression is controlled and allows continuous review of control measures in place.
- (2) Undertaking genuine consultation with relevant workers while carrying out the implementation of the new safe system of work.
- (3) Being able to demonstrate evidence of points 1 and 2.
- (4) Displaying a copy of the notice in a prominent location of the workplace.

Recommendations (if any): *(it is not an offence not to comply with these recommendations)*

- (1) Email Shani.Skorich@worksafe.act.gov.au when you are in receipt of this notice
- (2) Refer to the Work Health and Safety Act 2011 (<https://www.legislation.act.gov.au/View/a/2011-35/current/html/2011-35.html>)
- (3) Refer to the Work Health and Safety Regulation 2011 (<https://www.legislation.act.gov.au/View/sl/2011-36/current/html/2011-36.html>)
- (4) Refer to the ACT Work Health and Safety (Managing Psychosocial Hazards at Work Code of Practice) Approval 2023 (<https://www.legislation.act.gov.au/View/ni/2023-482/current/html/2023-482.html>)
- (5) Email Shani.Skorich@worksafe.act.gov.au to provide evidence of compliance prior to the due date of compliance.

Issuing Details

Issued by: Shani Skorich

ID number: P52634

Date issued: 04/06/2024

Service method: Email

Notice emailed to: [REDACTED] Sch 2.2(a)(ii)

Improvement Notice issued under section 191 of the Work Health and Safety Act 2011 - further information

If you have any questions you may contact the inspector who issued this notice.

Display of Notices

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice (s 210(1)). A person must not intentionally remove, destroy, damage or deface a notice displayed under s 210(1) while the notice is in force (s 210(2)). The maximum penalty for failing to comply with these provisions is \$5,000 for an individual or \$25,000 for a corporation.

Compliance with direction or notice

The person to whom an improvement notice is issued must comply with the notice within the period specified in the notice.

Maximum penalty:

- (a) in the case of an individual—\$50 000; or
- (b) in the case of a body corporate—\$250 000

Contents of Notice

This Notice may state one or more of the following: (a) a workplace, or part of a workplace, at which the activity is not to be carried out; (b) anything that is not to be used in connection with the activity; (c) any procedure that is not to be followed in connection with the activity (s196(3)).

Directions and recommendations

A direction may refer to a code of practice and may offer the person a choice of ways in which to remedy the contravention (s 204). A Improvement notice may include recommendations. It is not an offence to fail to comply with recommendations in a notice (s205).

Changes to notice by inspector

An inspector may make minor changes to a notice for clarification, to correct errors or references, or to reflect changes of address or other circumstances (s206).

Privacy statement

WorkSafe ACT may obtain personal information about you in connection with this notice. The information may be collected and stored using the powers, and to carry out functions or activities, under the Work Health and Safety Act 2011 and related work safety laws. Under that Act, the information can be disclosed to other ACT Government agencies or non-government organisations, and other Australian work safety enforcement agencies. WorkSafe ACT is obliged to handle your information openly, transparently and in accordance with the Territory Privacy Principles set out in the Information Privacy Act 2014. For more information about how WorkSafe ACT will collect, use, share, and store your personal information and how you can access and correct the information, please see the Privacy Statement at www.act.gov.au/privacy.

Review of this Work Health and Safety Act notice

If you have any questions or need more information you may contact the inspector who issued this notice, or email worksafe@act.gov.au.

You, or another person whose interests are affected by the decision, may apply for an internal review of the decision to issue this notice.

A review may be sought within 14 days, or in the case of an improvement notice within the compliance date period specified in the notice, whichever is lesser. You may also make an application for the reviewer to stay the operation of the Improvement notice.

Please ensure you include the notice number in your application for a review, together with the applicant's name and address, and the reason you are seeking the review.

An application for a review can be made in writing to: The Work Health and Safety Commissioner WorkSafe ACT, GPO Box 158 Canberra City ACT 2601 or by email: worksafe@act.gov.au.

You may then seek a review of an internal reviewer's decision in the ACT Civil and Administrative Tribunal (ACAT). Information about that process can be found at www.acat.act.gov.au.

The decision to issue this notice is also reviewable under the *Administrative Decisions (Judicial Review) Act 1989* on application to the ACT Supreme Court.

Further, a person may make a complaint to the ACT Ombudsman about the issue of this notice.

WorkSafe ACT contact details

PO Box 158, Canberra ACT 2601

Email: worksafe@act.gov.au

Phone: (02) 6207 3000

Fax:(02) 6205 0336

Translating and Interpreting Service

Phone: 131 450

WORKPLACE VISIT REPORT

Initial Information

Inspection Number: 00204193
Lead Inspector: Shani Skorich
Inspector ID: P52634
Lead inspector email address: shani.skorich@worksafe.act.gov.au
Is there any accompanying inspectors? Yes
David West P57269
Date visit commenced: 14 May, 2024 10:15
Legislation visit conducted under: WHS

Entity Information

Type of entity: Other
Name of individual or registered company: COVENANT COLLEGE TUGGERANONG ACT ASSOCIATION INCORPORATED
Trading as: Covenant Christian School (ACT)
ACN:
ABN: 80161716452
Industry Group: Education
Address: 1 Woodcock Drive Gordon ACT 2906
Contact Name: COVENANT COLLEGE TUGGERANONG ACT ASSOCIATION INCORPORATED
Contact Number: 62942455
Contact Email: Sch 2.2(a)(ii)

Details of Visit:

Address: 1 Woodcock Drive Gordon ACT 2906
Notification of entry to (as required by s164): PCBU

Inspector Notes:

On 14 May 2024 at 10:15 AM, Inspectors Shani Skorich and David West arrived at Covenant Christian School located at 1 Woodcock Dr Gordon ACT 2906 for the purpose of conducting a proactive inspection as part of an Education Industry intelligence-led campaign.

Upon arrival, Skorich and West met with [redacted] Sch 2.2(a)(ii)

Sch 2.2(a)(iii) before conducting enquiries in a private office.

During the inspection, various questions were asked as part of the campaign with the following being identified:

Q1 - Has the PCBU considered the risks posed by hazardous manual tasks at their workplace? Are the measures that the PCBU implemented adequate to reduce risks of body stressing and musculoskeletal disorders?

A1 – Yes – The workplace utilises adjustable machinery in woodwork classes to avoid awkward posture and heavier machinery remains stationary to avoid strain and/or injury. Ergonomic chairs are used in classrooms however teaching staff have the option to physically move around frequently during lessons. The property manager uses trolleys to move equipment around the premises.

Q2 – Has the PCBU identified any slips, trips and falls risks at their workplace? How adequate are the controls that the PCBU put in place to ensure tidy workspaces and reduce the risks?

A2 – Yes – The workplace utilises a maintenance register and has a property manager stationed on the premises to rectify slips, trips and falls risks in a timely manner. The workplace utilises safety cones and tape to create barriers when required as well as wet floor signage. Chemicals and supplies are secured in lockable cabinets and also on high-shelves out of reach of younger students. Waste is emptied from the school grounds daily. Chords are carpeted in some areas to avoid trips.

Q3 – Does the PCBU have the appropriate safety data sheets (SDS) for every hazardous chemical present in the workplace? Is the SDS current and readily available to all workers who use or may be affected by the chemicals?

A3 – No – The workplace contained multiple out of date safety data sheets whereby they were prepared over five years ago. No other issues identified.

Q4 – Has the PCBU considered the risk of the psychosocial hazard of violence and aggression in their workplace?

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

Q5 – Does the PCBU have a system in place to ensure that sexual assault incidents are notified to WorkSafe ACT?

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

Skorich and West informed [redacted] Sch 2.2(a)(ii) of the oncoming improvement notices relating to questions 3 and 4.

Inspectors left site at 12:02 PM on the same day.

Disclaimer: The issues identified during this inspection are only indicative of compliance with the Work Health and Safety Act 2011, the Work Health and Safety Regulations 2011, the Dangerous Substances Act 2004 and the Workers Compensation Act 1951 on the date of the inspection. If compliance is identified during this inspection, it does not remove the obligation of any person to comply with any further requirement of the above mentioned Acts and Regulations.

Previous Action

Previous notice/s issued (either written or verbal)?

Recipient/s of this form:

Email	Sch 2.2(a)(ii)
Email	
Email	

Privacy Notice: The information collected for the purpose of the Work Health and Safety Act 2011 and is in accordance with the Information Privacy Act 2014. WorkSafe ACT prevents any unreasonable intrusion into person's privacy in accordance with the Privacy Act 1988 (C'Wlth) and Information Privacy Act 2014. WorkSafe ACT provides identifiable information which can be disclosed to other law enforcement agencies and authorised organisation that have legal authority to request information under prescribed circumstances.

From: "Skorich, Shani"
Sent: 11/06/2024 9:56 AM
To: Sch 2.2(a)(ii)
Subject: Re: WorkSafe Improvement Notice N-0000010101 Response

Hi Kerry,

Just correcting my earlier email.

The evidence supplied is in relation to Improvement Notice N-0000010282, whereby Improvement Notice N-0000010101 was extended - producing a new notice with a new reference number.

I'll get back to you shortly to confirm whether or not we're ready to close off the case.

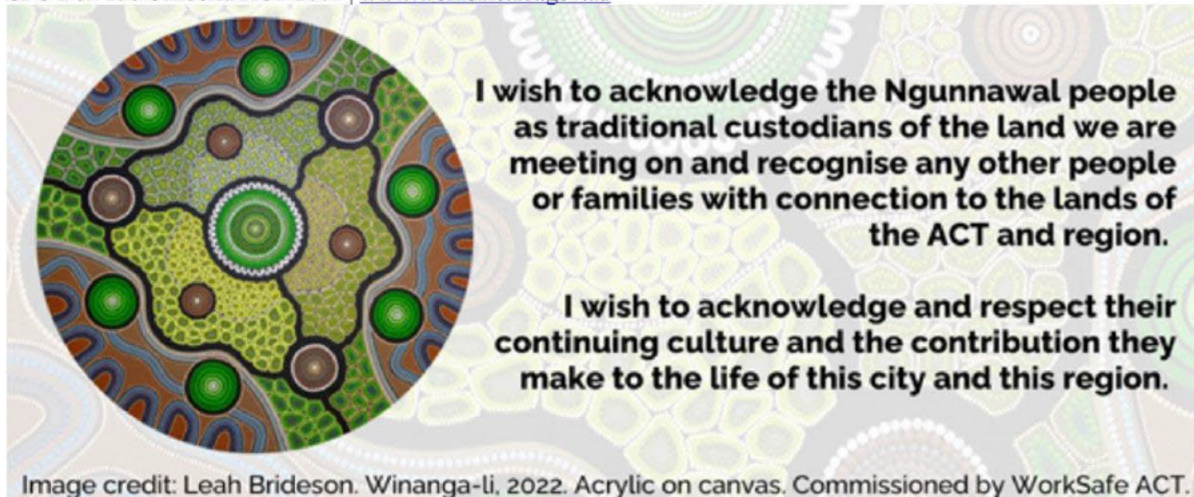
Kind regards,

Shani Skorich (she/her) | Inspector – Psychosocial

P: Sch 2.2(a)(ii) | **E:** Shani.Skorich@worksafe.act.gov.au

Office of the Work Health and Safety Commissioner

GPO Box 158 Canberra ACT 2601 | www.worksafe.act.gov.au



IMPORTANT

This email, any attachment and the information and material contained in them, is for the use of the intended recipient. The intended recipient must not review, forward, disclose, distribute or make any other use of the email, any attachment or the information or material in them. This email is not intended to constitute or provide financial or legal advice and you must not rely or act on the information or material in the email or any attachment for those purposes. If you are not the intended recipient please notify us.

Out of Scope

WORKPLACE VISIT REPORT

Initial Information

Inspection Number: 00173144
Lead Inspector: Jodie Fletcher
Inspector ID: P05554
Lead inspector email address: jodie.fletcher@worksafe.act.gov.au
Is there any accompanying inspectors? Yes

Damon Muller

Date visit commenced: 8 September, 2023
Legislation visit conducted under: WHS

Entity Information

Type of entity: Directorate
Name of individual or registered company: ACT Education Directorate
Trading as: ACT Education
ACN:
ABN: 29148723251
Industry Group: Education
Address:

Contact Name: Leighton Mann
Contact Number:
Contact Email: leighton.mann@ed.act.edu.au

Details of Visit:

Address:
Notification of entry to (as required by s164): PCBU

Inspector Notes:

On 8 September 2023 at 11:03 am Inspector Fletcher and person assisting Muller attended Gold Creek School Senior Campus located at 130 Kelleway Avenue Nicholls ACT to follow up on a Notifiable Incident that occurred 1 September 2023 where a student was struck by a falling ceiling fan.

WorkSafe ACT Inspector identified themselves as an authorised Inspector under the Work Health and Safety Act 2011 and explained the purpose of the visit.

Inspector and person assisting met with the Facilities Manager and School Principal who advised the following:

- x 4 fans were installed approx 12 months ago
- Sch 2.2(a)(xi) were contracted to complete the works and engaged Sch 2.2(a)(xi)
- Fans screw onto a rod that is installed in the ceiling with 2 grub screws that lock it in place
- Fan was operating at time of incident, where students were sitting on the floor leaning against the wall
- Fan fell hitting the ground and breaking a blade and it hit a student in chest/arm
- Student was taken to sick bay and checked for injury / bruising reporting he was fine, parent was contacted and asked to inform school of any issues arising from incident
- Education Property Officer and ACT Major Projects were notified immediately after incident and had contractor Sch 2.2(a)(xi) onsite within an hour
- Remaining 3 fans were checked to ensure they were securely installed - 1 was found to also be loose.
- All 4 fans have been isolated to prevent any further use
- Contractor has advised they believe it to be a manufacturing fault and will take it up with the manufacturer
- Waiting to see hear what manufacturer comes back with and waiting on contractor to come back with a solution on repair / replacement as the works are within the defect period

Inspectors viewed incident area.

Photos taken and notes entered into notebook A10334.

Inspectors left premises at 11:35 am

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Previous Action

Previous notice/s issued (either written or verbal)?

Recipient/s of this form:

Email: daniel.breen@ed.act.edu.au
Email 2: leighton.mann@ed.act.edu.au

Privacy Notice: The information collected for the purpose of the Work Health and Safety Act 2011 and is in accordance with the Information Privacy Act 2014. WorkSafe ACT prevents any unreasonable intrusion into person's privacy in accordance with the Privacy Act 1988 (C'Wlth) and Information Privacy Act 2014. WorkSafe ACT provides identifiable information which can be disclosed to other law enforcement agencies and authorised organisation that have legal authority to request information under prescribed circumstances.



IMPROVEMENT NOTICE

This notice is issued under section 191 of the *Work Health and Safety Act 2011*. Section 210 requires that the person to whom an improvement notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace at which work is being carried out that is affected by the notice.

You must comply with this notice within the period specified. Failure to comply may incur a maximum penalty of \$50, 000 for an individual and \$250, 000 for a body corporate.

Notice issued to:

Legal name of person/business or undertaking: TRUSTEES FOR CATHOLIC EDUCATION OFFICE ARCHDIOCESE OF CANBERRA & GOULBURN
 ABN: 47824127996
 ACN:
 Trading As: Good Shepherd Primary School - Amaroo
 Address: 93-99 Burdekin Avenue, Amaroo, ACT, 2914
 Due Date: 18 June, 2024

Details of contravention:

Site location: 93-99 Burdekin Avenue, Amaroo ACT 2914

I Carol Hand-Blackadder reasonably believe on 21/05/2024 12:14 PM that you contravened section 38 of the Work Health and Safety Act 2011 (ACT).

The PCBU has not provided enough information to workers as to what a notifiable incident is within their policies and procedures, including sexual assault.

Brief description of how the provision is being or has been contravened:

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

A person who conducts a business or undertaking must ensure that the regulator is notified immediately after becoming aware that a notifiable incident arising out of the conduct of the business or undertaking has occurred.

The notice must be given by telephone or in writing.

For a sexual assault incident, the person conducting the business or undertaking—

(a) need only give the following details about the incident:

(i) the name and contact details of the person conducting the business or undertaking;

(ii) a description of the workplace where the incident happened;

(iii) whether or not the incident was reported to police; and

(b) must not give information disclosing the identity of any person involved in the incident when notifying the regulator

Directions as to the measures to be taken to remedy or prevent the contravention or likely contravention: *(it is mandatory to comply with these directions)*

You must ensure, so far as reasonably practicable that you provide information to workers regarding sexual assault within your policies and procedures to control those risks and to identify what is considered a notifiable incident under WHS legislation.

A person who conducts a business or undertaking must ensure that the regulator is notified immediately after becoming aware that a notifiable incident including sexual assault which is included being arising out of the conduct of the business or undertaking has occurred.

Please update your policies and procedures regarding reporting of notifiable incidents to include sexual assault as a notifiable incident and improve your

online system to reflect this and any checklists that you provide to workers.

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice

Recommendations (if any): *(it is not an offence not to comply with these recommendations)*

Please contact the inspector who issued this notice to confirm compliance prior to the day by which the person is required to remedy the contravention or likely contravention.

Please provide evidence of compliance with all directions via email to carol.hblackadder@worksafe.act.gov.au Please

Work Health and Safety Act 2011 - Section 38 , Section 37A

<https://www.legislation.act.gov.au/a/2011-35/default.asp>

WorkSafe ACT Website.

<https://www.worksafe.act.gov.au/health-and-safety-portal/notify-worksafe>

Issuing Details

Issued by: Carol Hand-Blackadder

ID number: P53802

Date issued: 28/05/2024

Service method: Email

Notice emailed to: office.goodshepherd@cg.catholic.edu.au

Improvement Notice issued under section 191 of the Work Health and Safety Act 2011 - further information

If you have any questions you may contact the inspector who issued this notice.

Display of Notices

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice (s 210(1)). A person must not intentionally remove, destroy, damage or deface a notice displayed under s 210(1) while the notice is in force (s 210(2)). The maximum penalty for failing to comply with these provisions is \$5,000 for an individual or \$25,000 for a corporation.

Compliance with direction or notice

The person to whom an improvement notice is issued must comply with the notice within the period specified in the notice.

Maximum penalty:

- (a) in the case of an individual—\$50 000; or
- (b) in the case of a body corporate—\$250 000

Extension of time for compliance with improvement notices

If a person has been issued with an improvement notice, they may contact the inspector who issued this notice, or email worksafe@act.gov.au to apply for an extension of time to comply with that notice. This must be done within the compliance period which ends at midnight on the due date stated in the notice. An inspector may, by written notice given to the person, extend the compliance period for the improvement notice. However, the inspector may extend the compliance period only if the period has not ended.

Directions and recommendations

A direction may refer to a code of practice and may offer the person a choice of ways in which to remedy the contravention (s 204). A Improvement notice may include recommendations. It is not an offence to fail to comply with recommendations in a notice (s205).

Changes to notice by inspector

An inspector may make minor changes to a notice for clarification, to correct errors or references, or to reflect changes of address or other circumstances (s206).

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Review of this *Work Health and Safety Act* notice

If you have any questions or need more information you may contact the inspector who issued this notice, or email worksafe@act.gov.au.

You, or another person whose interests are affected by the decision, may apply for an internal review of the decision to issue this notice.

A review may be sought within 14 days, or in the case of an improvement notice within the compliance date period specified in the notice, whichever is lesser. You may also make an application for the reviewer to stay the operation of the Improvement notice.

Please ensure you include the notice number in your application for a review, together with the applicant's name and address, and the reason you are seeking the review.

An application for a review can be made in writing to: The Work Health and Safety Commissioner WorkSafe ACT, GPO Box 158 Canberra City ACT 2601 or by email: worksafe@act.gov.au.

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Further, a person may make a complaint to the ACT Ombudsman about the issue of this notice.

WorkSafe ACT contact details

PO Box 158, Canberra ACT 2601

Email: worksafe@act.gov.au

Phone: (02) 6207 3000

Fax: (02) 6205 0336

Translating and Interpreting Service

Phone: 131 450



IMPROVEMENT NOTICE EXTENSION

This notice is issued under section 191 of the *Work Health and Safety Act 2011*. Section 210 requires that the person to whom an improvement notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace at which work is being carried out that is affected by the notice.

You must comply with this notice within the period specified. Failure to comply may incur a maximum penalty of \$50, 000 for an individual and \$250, 000 for a body corporate.

Notice issued to:

Legal name of person/business or undertaking: TRUSTEES FOR CATHOLIC EDUCATION OFFICE ARCHDIOCESE OF CANBERRA & GOULBURN
 ABN: 47824127996
 ACN:
 Trading As: Good Shepherd Primary School - Amaroo
 Address: 93-99 Burdekin Avenue, Amaroo, ACT, 2914

Details of contravention:

Site location: 93-99 Burdekin Avenue, Amaroo ACT 2914

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Sch 2.2(a)(iii), Sch 2.2(a)(xii)

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(a) need only give the following details about the incident:

- (i) the name and contact details of the person conducting the business or undertaking;
- (ii) a description of the workplace where the incident happened;
- (iii) whether or not the incident was reported to police; and

(b) must not give information disclosing the identity of any person involved in the incident when notifying the regulator

Directions as to the measures to be taken to remedy or prevent the contravention or likely contravention: *(it is mandatory to comply with these directions)*

You must ensure, so far as reasonably practicable that you provide information to workers regarding sexual assault within your policies and procedures to control those risks and to identify what is considered a notifiable incident under WHS legislation.

A person who conducts a business or undertaking must ensure that the regulator is notified immediately after becoming aware that a notifiable incident including sexual assault which is included being arising out of the conduct of the business or undertaking has occurred.

Please update your policies and procedures regarding reporting of notifiable incidents to include sexual assault as a notifiable incident and improve your online system to reflect this and any checklists that you provide to workers.

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice

Recommendations (if any): *(it is not an offence not to comply with these recommendations)*

Please contact the inspector who issued this notice to confirm compliance prior to the day by which the person is required to remedy the contravention or likely contravention.

Please provide evidence of compliance with all directions via email to carol.hblackadder@worksafe.act.gov.au Please

Work Health and Safety Act 2011 - Section 38 , Section 37A

<https://www.legislation.act.gov.au/a/2011-35/default.asp>

WorkSafe ACT Website.

<https://www.worksafe.act.gov.au/health-and-safety-portal/notify-worksafe>

Issuing Details

Issued by: Carol Hand-Blackadder

ID number: P53802

Date issued: 17/06/2024

Service method: Email

Notice emailed to: office.goodshepherd@cg.catholic.edu.au

Improvement Notice issued under section 191 of the Work Health and Safety Act 2011 - further information

If you have any questions you may contact the inspector who issued this notice.

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Contents of Notice

This Notice may state one or more of the following: (a) a workplace, or part of a workplace, at which the activity is not to be carried out; (b) anything that is not to be used in connection with the activity; (c) any procedure that is not to be followed in connection with the activity (s196(3)).

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A direction may refer to a code of practice and may offer the person a choice of ways in which to remedy the contravention (s 204). A Improvement notice may include recommendations. It is not an offence to fail to comply with recommendations in a notice (s205).

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An inspector may make minor changes to a notice for clarification, to correct errors or references, or to reflect changes of address or other circumstances (s206).

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Review of this Work Health and Safety Act notice

If you have any questions or need more information you may contact the inspector who issued this notice, or email worksafe@act.gov.au.

You, or another person whose interests are affected by the decision, may apply for an internal review of the decision to issue this notice.

A review may be sought within 14 days, or in the case of an improvement notice within the compliance date period specified in the notice, whichever is lesser. You may also make an application for the reviewer to stay the operation of the Improvement notice.

Please ensure you include the notice number in your application for a review, together with the applicant's name and address, and the reason you are seeking the review.

An application for a review can be made in writing to: The Work Health and Safety Commissioner WorkSafe ACT, GPO Box 158 Canberra City ACT 2601 or by email: worksafe@act.gov.au.

You may then seek a review of an internal reviewer's decision in the ACT Civil and Administrative Tribunal (ACAT). Information about that process can be found at www.acat.act.gov.au.

The decision to issue this notice is also reviewable under the *Administrative Decisions (Judicial Review) Act 1989* on application to the ACT Supreme Court.

Further, a person may make a complaint to the ACT Ombudsman about the issue of this notice.

WorkSafe ACT contact details

PO Box 158, Canberra ACT 2601

Email: worksafe@act.gov.au

Phone: (02) 6207 3000

Fax:(02) 6205 0336

Translating and Interpreting Service

Phone: 131 450

WORKPLACE VISIT REPORT

Initial Information

Inspection Number: 00204958
Lead Inspector: Carol Hand-Blackadder
Inspector ID: P53802
Lead inspector email address: carol.hblackadder@worksafe.act.gov.au
Is there any accompanying inspectors? Yes
Kathryn Terracini P50369
Date visit commenced: 21 May, 2024 10:26
Legislation visit conducted under: WHS

Entity Information

Type of entity: Trust
Name of individual or registered company: TRUSTEES FOR CATHOLIC EDUCATION OFFICE ARCHDIOCESE OF CANBERRA & GOULBURN
Trading as: Good Shepherd Primary School - Amaroo
ACN:
ABN: 47824127996
Industry Group: Education
Address: 93-99 Burdekin Avenue Amaroo ACT 2914
Contact Name: TRUSTEES FOR CATHOLIC EDUCATION OFFICE ARCHDIOCESE OF CANBERRA & GOULBURN
Contact Number: 62557888
Contact Email: office.goodshepherd@cg.catholic.edu.au

Details of Visit:

Address: 93-99 Burdekin Avenue Amaroo ACT 2914
Notification of entry to (as required by s164): PCBU

Inspector Notes:

On 21st May 2024, WorkSafe Inspector HAND-BLACKADDER and person assisting TERRACINI attended TRUSTEES FOR CATHOLIC EDUCATION OFFICE ARCHDIOCESE OF CANBERRA AND GOULBURN trading as GOOD SHEPHERD PRIMARY SCHOOL - AMAROO with an ABN: 47 824 127 996.

Inspectors HAND-BLACKADDER and person assisting TERRACINI entered the workplace under the Work Health and Safety Act 2011 (WHS act).

Inspectors HAND-BLACKADDER and person assisting TERRACINI entered the workplace for a proactive visit under an Intelligence Led Campaign.

The site was identified by signage located in the car park.

Upon entry, inspectors identified themselves to persons who identified themselves as the Office Manager and an authorised representative of the PCBU.

During the inspection, various questions were asked as part of the campaign with the following being identified:

Q1. Has the PCBU considered all the risks posed by hazardous manual tasks at their workplace? Are the control adequate to reduce the risks of body stressing and musculoskeletal disorders?

Answer: Yes

- Manual handling policy and procedures are covered within the induction training.
- Most manual handling is done by maintenance person who has appropriate trolleys and training to do these tasks. Teachers are able to contact maintenance via google drive or by phone.
- the policy and procedures are available to all staff via their google drive.
- Teachers and corporate support teams are not required to carry objects that involve heavy lifting.
- library teacher who collects books from classrooms have appropriate trolleys to do so.
- A range of trolleys are available to use for different tasks.
- Incidents, accidents, hazards and near misses are reported through the workplace risk management system and via meetings. Action items are consulted within the executive meetings, all staff meetings and are actioned appropriately depending on the nature of the incident.

Q2. Has the PCBU considered all the slip, trip and falls at the workplace? Are the controls adequate for the identified risk?

Answer : Yes

- Policy and procedure are covered within induction training.
- Policy and procedures are accessible via the google drive or by asking admin staff.
- Proactive maintenance program with reporting platform for hazards and near misses.
- WHS committee are active with issues that may arise and consult on a regular basis.
- WHS quizzes are mandatory for all staff throughout the year.
- Playground supervision trainings are provided to staff and to students that participate in being a good shepherd, students who are in Hi Vis and look out for students whilst not in classes, this is conducted on a roster basis.
- incidents, accidents, hazards and near misses are reported through the workplace risk management system. Those concerns are consulted with exec team and maintenance to rectify.
- hazards are proactively actioned - school has adapted soft covers for the poles outside classroom.

Q3. Does the PCBU have the appropriate safety data sheets (SDS) for chemical present in the workplace? Is the SDS current and readily available to all workers who use or may be affected by the chemicals?

Answer: Yes

- SDS are readily available near chemicals and copies available in office near first aid room and readily accessible by all staff.
- All SDS are in date and also available as electronic version.
- Workers are instructed on how to use chemicals correctly and all teachers have first aid training to assist in a case of an emergency.

Q4. Has the PCBU considered the risk of occupational violence in their workplace? Are the controls adequate for the identified risk?

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

Q5. Has the PCBU have a system in place to ensure that notifiable incidents including sexual assault incidents are reported to WorkSafe ACT?

Answer: No

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

Notice that is being issued following the visit:

- Improvement Notice WHS Act 2011 - 38 (1)

HAND- BLACKADDER took photographs and recorded observations in contemporaneous notebook A10385 - pages 13-21

Disclaimer: The issues identified during this inspection are only indicative of compliance with the Work Health and Safety Act 2011, the Work Health and Safety Regulations 2011, the Dangerous Substances Act 2004 and the Workers Compensation Act 1951 on the date of the inspection. If compliance is identified during this inspection, it does not remove the obligation of any person to comply with any further requirement of the above mentioned Acts and Regulations.

Previous Action

Previous notice/s issued (either written or verbal)?

Recipient/s of this form:

Email: office.goodshepherd@cg.catholic.edu.au

Email 2:

Email 3:

Privacy Notice: The information collected for the purpose of the Work Health and Safety Act 2011 and is in accordance with the Information Privacy Act 2014.

WorkSafe ACT prevents any unreasonable intrusion into person's privacy in accordance with the Privacy Act 1988 (C'With) and Information Privacy Act 2014.
WorkSafe ACT provides identifiable information which can be disclosed to other law enforcement agencies and authorised organisation that have legal authority to request information under prescribed circumstances.

From: Sch 2.2(a)(ii)
To: [H Blackadder, Carol](#)
Subject: RE: Improvement Notice N-0000010233
Date: Monday, 22 July 2024 11:21:05 AM
Attachments: [image001.png](#)
[image002.jpg](#)
[image003.jpg](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
[image007.png](#)
[image538761.jpg](#)
[image251994.jpg](#)
[image946620.png](#)
[image628083.png](#)
[image530869.png](#)
[image603791.png](#)

OFFICIAL

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Thanks Carol

Regards

Sch 2.2(a)(ii)

From: H Blackadder, Carol <Carol.HBlackadder@worksafe.act.gov.au>
Sent: Monday, July 22, 2024 10:36 AM
To: Sch 2.2(a)(ii)
Subject: RE: Improvement Notice N-0000010233

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OFFICIAL

Hi Sch 2.2(a),

Thank you for sending this. I will now close the improvement notice that I have, and close this case.

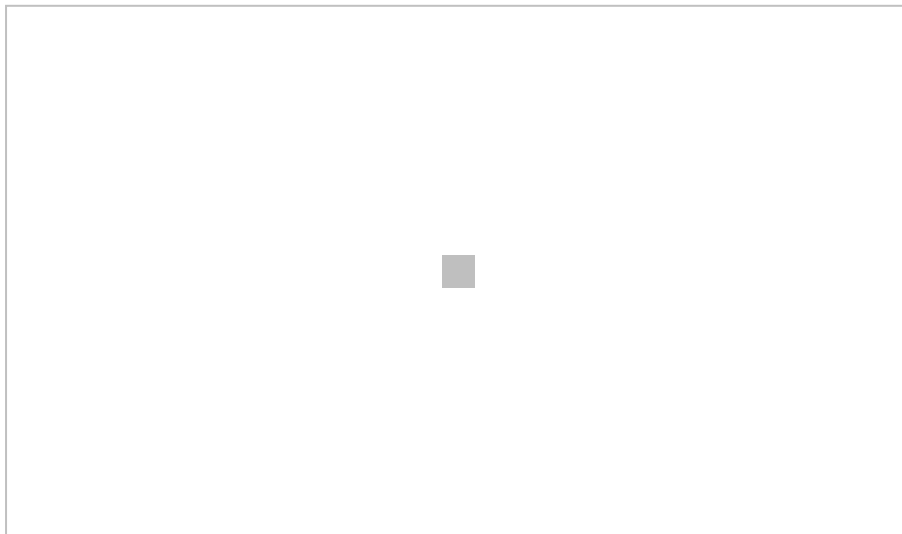
Thanks Carol

Carol Hand-Blackadder **Senior Inspector – Civil, Residential & Commercial Construction Team**

P: 02 6205 4357 | **M:** Sch 2.2(a)(ii) | **E:** carol.hblackadder@worksafe.act.gov.au

Office of the Work Health and Safety Commissioner

GPO Box 158 Canberra ACT 2601 | www.worksafe.act.gov.au



From: Sch 2.2(a)(ii)

Sent: Wednesday, July 17, 2024 1:11 PM

To: H Blackadder, Carol <Carol.HBlackadder@worksafe.act.gov.au>

Subject: RE: Improvement Notice N-0000010233

OFFICIAL

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Good Afternoon Carol,

Please see attached Incident Management & Reporting Guide, which has been revised to include

sexual assaults. This is now live on the CECG policy library. The Principal/Assistant Principal bulletin to advise of the revision has been drafted and should be released mid-late next week (communications released during student vacation tend to be less effective).

Regards

Sch 2.2(a)(ii)

OFFICIAL

Hi Sch 2.2(a)

Thank you for this email. I will await this email.

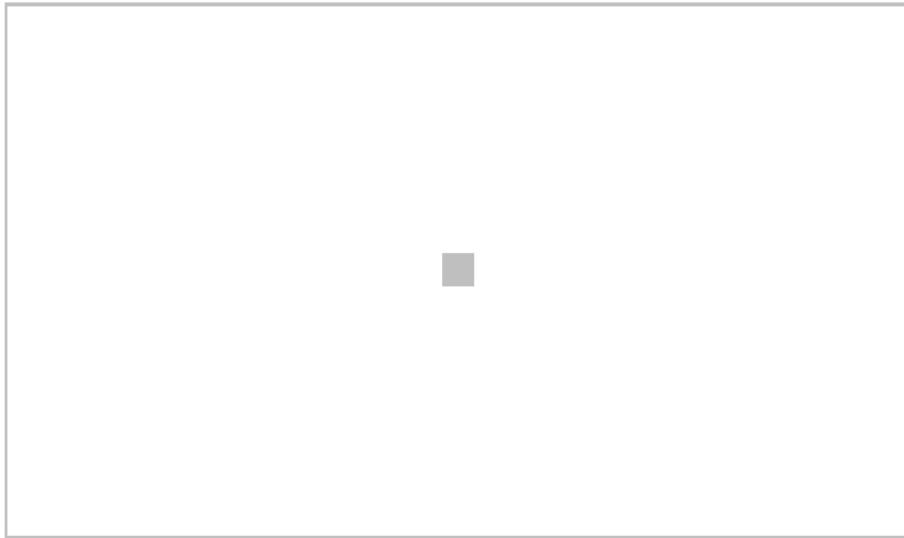
Thanks Carol

Carol Hand-Blackadder **Senior Inspector – Civil, Residential & Commercial Construction Team**

P: 02 6205 4357 | **M:** Sch 2.2(a)(ii) | **E:** carol.hblackadder@worksafe.act.gov.au

Office of the Work Health and Safety Commissioner

GPO Box 158 Canberra ACT 2601 | www.worksafe.act.gov.au



From: [REDACTED]
Sent: Tuesday, July 16, 2024 1:55 PM
To: H Blackadder, Carol <Carol.HBlackadder@worksafe.act.gov.au>
Subject: RE: Improvement Notice N-0000010233

OFFICIAL

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Good Afternoon Carol,

I have now had the revised Incident Management & Reporting Guide (adding sexual assaults to the listing of notifiable incidents) approved. I'll send you a copy of the document once formatting etc is finalised.

Communication (generally a bulletin to all Principals and Assistant Principals) should be finalised & distributed later this week.

Regards

Sch 2.2(a)(ii)

Sch 2.2(a)(ii)

From: H Blackadder, Carol <Carol.HBlackadder@worksafe.act.gov.au>

Sent: Monday, July 1, 2024 12:36 PM

To: Sch 2.2(a)(ii)

Subject: RE: Improvement Notice N-0000010233

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OFFICIAL

Hi Sch 2.2(a)(ii)

Thank you for this email. The notice is still overdue awaiting this documentation.

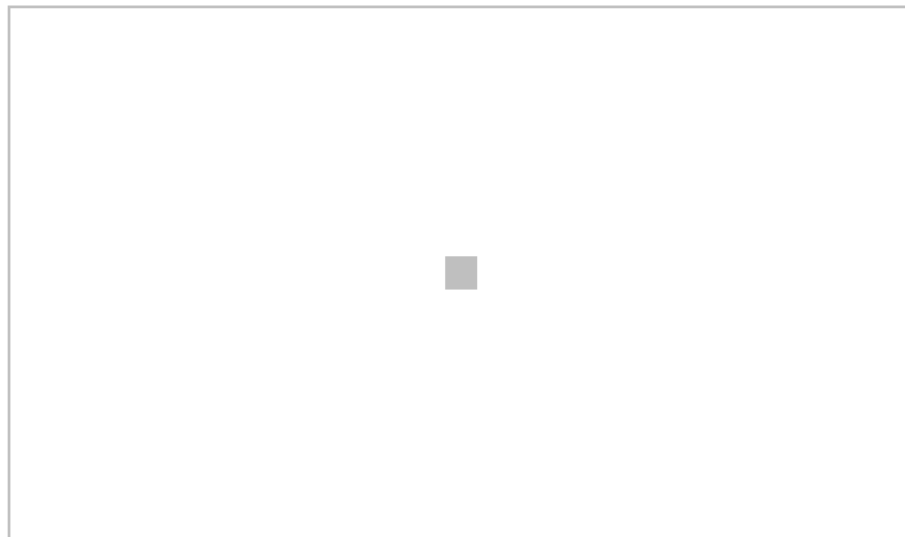
Thanks Carol

Carol Hand-Blackadder **Senior Inspector – Civil, Residential & Commercial Construction Team**

P: 02 6205 4357 | M: Sch 2.2(a)(ii) | E: carol.hblackadder@worksafe.act.gov.au

Office of the Work Health and Safety Commissioner

GPO Box 158 Canberra ACT 2601 | www.worksafe.act.gov.au



From: Sch 2.2(a)(ii)

Sent: Friday, June 28, 2024 3:45 PM

To: H Blackadder, Carol <Carol.HBlackadder@worksafe.act.gov.au>

Subject: RE: Improvement Notice N-0000010233

OFFICIAL

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Good Afternoon Carol,

See attached email to Andrew Woolgar on another matter; just wanted to give you an idea of the likely timeframe around this review. I have put changes to my Manager for review/approval today.

Regards

Sch 2.2(a)(ii)

From: H Blackadder, Carol <Carol.HBlackadder@worksafe.act.gov.au>

Sent: Wednesday, June 26, 2024 11:50 AM

To: Sch 2.2(a)(ii)

Subject: FW: Improvement Notice N-0000010233

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OFFICIAL

Hi Sch 2.2(a)(ii)

Thanks for this email and will await further information from yourself. Sounds good. Thank you for the conversation about the notice yesterday.

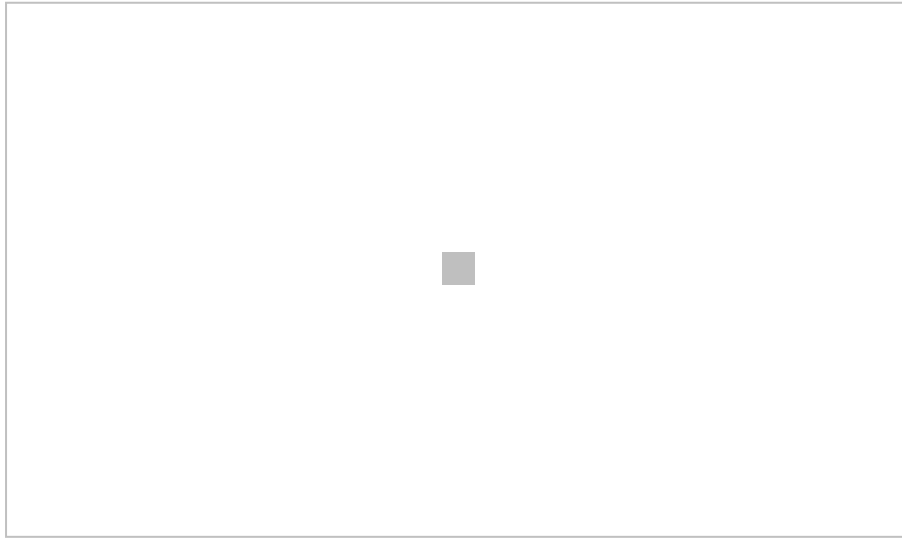
Thank You Carol

Carol Hand-Blackadder **Senior Inspector – Civil, Residential & Commercial Construction Team**

P: 02 6205 4357 | **M:** Sch 2.2(a)(ii) | **E:** carol.hblackadder@worksafe.act.gov.au

Office of the Work Health and Safety Commissioner

GPO Box 158 Canberra ACT 2601 | www.worksafe.act.gov.au



From: Sch 2.2(a)(ii)
Sent: Wednesday, June 26, 2024 10:30 AM
To: H Blackadder, Carol <Carol.HBlackadder@worksafe.act.gov.au>
Cc: Sch 2.2(a)(ii)
Subject: RE: Improvement Notice N-0000010233

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OFFICIAL

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Good Morning Carol,

Further to our conversation yesterday afternoon, the WHS incident Reporting and Management Guide (attached) will be reviewed this week; one change will be to add sexual assault incidents and other 'non injury' incidents to the table in Appendix 1.

Regards

Sch 2.2(a)(ii)

Sch 2.2(a)(ii)

From: [REDACTED] Sch 2.2(a)(ii)
Sent: Thursday, June 20, 2024 3:19 PM
To: H Blackadder, Carol <Carol.HBlackadder@worksafe.act.gov.au>
Cc: [REDACTED] Sch 2.2(a)(ii)
Subject: RE: Improvement Notice N-0000010233

Good Afternoon Carol,

Please see attached:

- Improvement Notice N-0000010233
- Response to Improvement Notice
- Associated attachments

I look forward to hearing from you in due course.

Regards

Sch 2.2(a)(ii)

Sch 2.2(a)(ii)

From: H Blackadder, Carol <Carol.HBlackadder@worksafe.act.gov.au>

Sent: Monday, June 17, 2024 3:58 PM

To: Sch 2.2(a)(ii)

Subject: RE: Improvement Notice N-0000010233

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OFFICIAL

Hi Sch 2.2(a)(ii)

I have extended this till Friday for you based on your circumstances. Please ensure you have this for me on Friday as there will be no options for extension after this date.

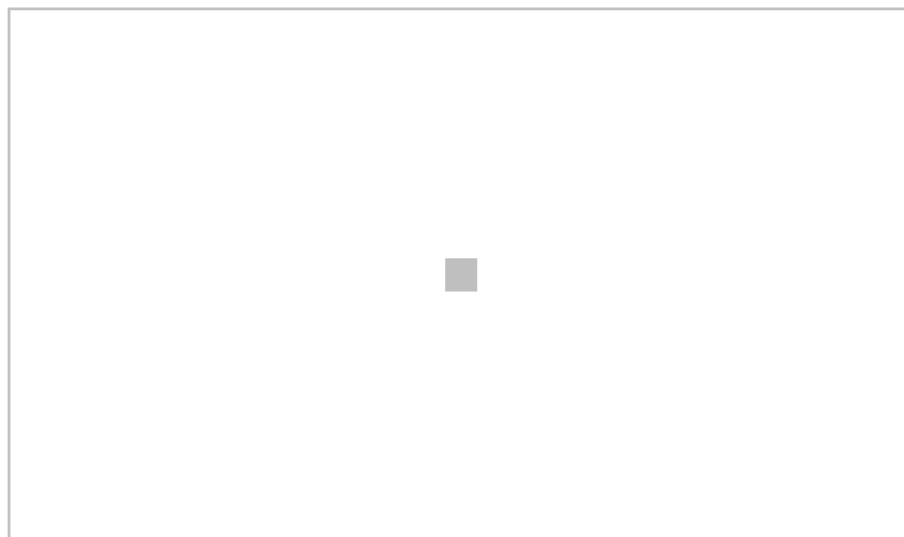
Thanks Carol

Carol Hand-Blackadder **Senior Inspector – Civil, Residential & Commercial Construction Team**

P: 02 6205 4357 | M: Sch 2.2(a)(ii) | E: carol.hblackadder@worksafe.act.gov.au

Office of the Work Health and Safety Commissioner

GPO Box 158 Canberra ACT 2601 | www.worksafe.act.gov.au



From: Sch 2.2(a)(ii)

Sent: Monday, June 17, 2024 11:38 AM

To: H Blackadder, Carol <Carol.HBlackadder@worksafe.act.gov.au>

Cc: Sch 2.2(a)(ii)

Subject: RE: Improvement Notice N-0000010233

You don't often get email from Sch 2.2(a)(ii) . [Learn why this is important](#)

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Good Morning Carol,

I have completed a draft response to this notice which is awaiting sign-off by my Manager; unfortunately I was unable to obtain this late last week due to competing demands and she is on leave today/tomorrow. I was hoping therefore you might be able to extend the response timeframe until the end of the week to enable signoff and return.

I look forward to hearing from you.

Regards

Sch 2.2(a)(ii)

From: Sch 2.2(a)(ii)
Sent: Thursday, May 30, 2024 4:46 PM
To: carol.hblackadder@worksafe.act.gov.au
Cc: Sch 2.2(a)(ii)
Subject: RE: Improvement Notice N-0000010233

Good Afternoon Carol

Apologies for the delay. Receipt of the notice attached is acknowledged. I will provide a response on behalf of the school in due course.

Regards

Sch 2.2(a)(ii)

From: WorkSafe ACT <worksafe@act.gov.au>

Sent: Tuesday, May 28, 2024 3:18 PM

To: Amaroo - Good Shepherd Primary School <office.goodshepherd@cg.catholic.edu.au>

Cc: carol.hblackadder@worksafe.act.gov.au

Subject: Improvement Notice N-0000010233

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Hi,

Please see attached PDFs to view a copy of your Notice.

Inspection number: 00204958

Lead Inspector: Carol Hand-Blackadder

Company Name: TRUSTEES FOR CATHOLIC EDUCATION OFFICE
ARCHDIOCESE OF CANBERRA & GOULBURN

Notice Number: N-0000010233

For any further information please contact WorkSafe on:

Telephone: (02) 6207 3000

Facsimile: (02) 6205 0336

Email: worksafe@act.gov.au

This email, and any attachments, may be confidential and also privileged. If you are not the intended recipient, please notify the sender and delete all copies of this transmission

along with any attachments immediately. You should not copy or use it for any purpose, nor disclose its contents to any other person.



IMPROVEMENT NOTICE

This notice is issued under section 191 of the *Work Health and Safety Act 2011*. Section 210 requires that the person to whom an improvement notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace at which work is being carried out that is affected by the notice.

You must comply with this notice within the period specified. Failure to comply may incur a maximum penalty of \$50, 000 for an individual and \$250, 000 for a body corporate.

Notice issued to:

Legal name of person/business or undertaking: TRUSTEES FOR CATHOLIC EDUCATION OFFICE ARCHDIOCESE OF CANBERRA & GOULBURN

Address: Clinton Street, Goulburn, NSW, 2580

Due Date: 28 June, 2024

Details of contravention:

Site location: , ACT

I Garrison Hudson reasonably believe on 21/05/2024 9:54 AM that you contravened section 19 (1) of the Work Health and Safety Act 2011 (ACT), section 344 of the Work Health and Safety Regulation 2011. Duty to protect all persons from risks to their health and safety arising from work carried out as part of the conduct of the business or undertaking; from not having an up-to-date SDS information available for all hazardous chemicals on site.

Brief description of how the provision is being or has been contravened:

Persons are exposed to a risk to their health and safety from persons are exposed to a risk to their health and safety from not having current safety data sheets for all hazardous chemicals prepared in accordance with this regulation from the manufacturer, importer or supplier of the hazardous chemicals.

Directions as to the measures to be taken to remedy or prevent the contravention or likely contravention: *(it is mandatory to comply with these directions)*

You must ensure, so far as reasonably practicable that you obtain the current safety data sheet for a hazardous chemical prepared in accordance with this regulation from the manufacturer, importer or supplier of the hazardous chemical in the following circumstances:

(a) either—

(i) not later than when the hazardous chemical is first supplied for use at the workplace; or

(ii) if the person is not able to obtain the safety data sheet under subparagraph (i)—as soon as practicable after the hazardous chemical is first supplied to the workplace but before the hazardous chemical is used at the workplace;

(b) if the safety data sheet for the hazardous chemical is amended—either—

(i) not later than when the hazardous chemical is first supplied to the workplace after the safety data sheet is amended; or

(ii) if the person is not able to obtain the amended safety data sheet under subparagraph (i)—as soon as practicable after the hazardous chemical is first supplied to the workplace after the safety data sheet is amended and before the hazardous chemical supplied is used at the workplace.

Ensure evidence of expired SDS information is filed to stop accesses to out-of-date information.

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice

Recommendations (if any): *(it is not an offence not to comply with these recommendations)*

Your attention is drawn to:

WHS Act 2011 Section 19 “Primary Duty of Care”

WHS Regulation 2011 Section 344“Person conducting business or undertaking to obtain and give access to safety data sheets”.

Please contact the inspector who issued this notice to confirm compliance prior to the day by which the person is required to remedy the contravention or likely contravention.

Issuing Details

Issued by: Garrison Hudson

ID number: P32676

Date issued: 17/06/2024

Service method: Email

Notice emailed to: Sch 2.2(a)(ii)

Improvement Notice issued under section 191 of the Work Health and Safety Act 2011 - further information

If you have any questions you may contact the inspector who issued this notice.

Display of Notices

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice (s 210(1)). A person must not intentionally remove, destroy, damage or deface a notice displayed under s 210(1) while the notice is in force (s 210(2)). The maximum penalty for failing to comply with these provisions is \$5,000 for an individual or \$25,000 for a corporation.

Compliance with direction or notice

The person to whom an improvement notice is issued must comply with the notice within the period specified in the notice.

Maximum penalty:

- (a) in the case of an individual—\$50 000; or
- (b) in the case of a body corporate—\$250 000

Extension of time for compliance with improvement notices

If a person has been issued with an improvement notice, they may contact the inspector who issued this notice, or email worksafe@act.gov.au to apply for an extension of time to comply with that notice. This must be done within the compliance period which ends at midnight on the due date stated in the notice. An inspector may, by written notice given to the person, extend the compliance period for the improvement notice. However, the inspector may extend the compliance period only if the period has not ended.

Directions and recommendations

A direction may refer to a code of practice and may offer the person a choice of ways in which to remedy the contravention (s 204). A Improvement notice may include recommendations. It is not an offence to fail to comply with recommendations in a notice (s205).

Changes to notice by inspector

An inspector may make minor changes to a notice for clarification, to correct errors or references, or to reflect changes of address or other circumstances (s206).

Privacy statement

WorkSafe ACT may obtain personal information about you in connection with this notice. The information may be collected and stored using the powers, and to carry out functions or activities, under the Work Health and Safety Act 2011 and related work safety laws. Under that Act, the information can be disclosed to other ACT Government agencies or non-government organisations, and other Australian work safety enforcement agencies. WorkSafe ACT is obliged to handle your information openly, transparently and in accordance with the Territory Privacy Principles set out in the Information Privacy Act 2014. For more information about how WorkSafe ACT will collect, use, share, and store your personal information and how you can access and correct the information, please see the Privacy Statement at www.act.gov.au/privacy.

Review of this *Work Health and Safety Act* notice

If you have any questions or need more information you may contact the inspector who issued this notice, or email worksafe@act.gov.au.

You, or another person whose interests are affected by the decision, may apply for an internal review of the decision to issue this notice.

A review may be sought within 14 days, or in the case of an improvement notice within the compliance date period specified in the notice, whichever is lesser. You may also make an application for the reviewer to stay the operation of the Improvement notice.

Please ensure you include the notice number in your application for a review, together with the applicant's name and address, and the reason you are seeking the review.

An application for a review can be made in writing to: The Work Health and Safety Commissioner WorkSafe ACT, GPO Box 158 Canberra City ACT 2601 or by email: worksafe@act.gov.au.

You may then seek a review of an internal reviewer's decision in the ACT Civil and Administrative Tribunal (ACAT). Information about that process can be found at www.acat.act.gov.au.

The decision to issue this notice is also reviewable under the *Administrative Decisions (Judicial Review) Act 1989* on application to the ACT Supreme Court.

Further, a person may make a complaint to the ACT Ombudsman about the issue of this notice.

WorkSafe ACT contact details

PO Box 158, Canberra ACT 2601

Email: worksafe@act.gov.au

Phone: (02) 6207 3000

Fax:(02) 6205 0336

Translating and Interpreting Service

Phone: 131 450

WORKPLACE VISIT REPORT

Initial Information

Inspection Number: 00206596
Lead Inspector: Garrison Hudson
Inspector ID: P32676
Lead inspector email address: garrison.hudson@worksafe.act.gov.au
Is there any accompanying inspectors? Yes
Jesse Parker P05559
Date visit commenced: 21 May, 2024 09:54
Legislation visit conducted under: WHS

Entity Information

Type of entity: Trust
Name of individual or registered company: TRUSTEES FOR CATHOLIC EDUCATION OFFICE ARCHDIOCESE OF CANBERRA & GOULBURN
Trading as: Holy Trinity Primary School
ACN:
ABN: 47824127996
Industry Group: Education
Address: Clinton Street Goulburn NSW 2580
Contact Name: TRUSTEES FOR CATHOLIC EDUCATION OFFICE ARCHDIOCESE OF CANBERRA & GOULBURN
Contact Numb Sch 2.2(a)(ii)
Contact Email:

Details of Visit:

Address: ACT
Notification of entry to (as required by s164): PCBU

Inspector Notes:

On 21st of May 2024 at about 9:54am WorkSafe ACT Inspectors Hudson and Parker attended Trustees for Catholic Education Office Archdiocese of Canberra & Goulburn t-as Holy Trinity Primary School at 18 to 20 Theodore Street Curtin, ACT, 2605 as part of an intelligence-led campaign of the education industry.

Hudson and Parker entered the workplace under the Work Health and Safety Act 2011 (WHS Act). Upon entry, Inspectors identified themselves to a person who identified themselves as the acting Principle being a person in charge of school and confirmed that Holy Trinity Primary School is the person conducting a business or undertaking (PCBU) and themselves as authorised representatives of the PCBU.

Inspector Hudson asked the following questions:

Q1 - Has the PCBU considered all the risks posed by manual tasks at their workplace? Are the controls adequate for the identified risk?

Yes – There are wellbeing measures in place. If staff have concerns with their working area, external providers are engaged with to provide advice and adjustments to work areas to make them more comfortable or appropriate for tasks being undertaken. Catholic education is contacted via a ordering system that generates a work order resulting in a external service provider being engaged to complete tasks.

Q2 - Has the PCBU considered all the fall, trip and slip risks at the workplace? Are the controls adequate for the identified risk?

Yes – Risk assessments are completed yearly, actions are implimented where required from those outcomes.

Q3 – Does the PCBU have appropriate safety data sheets?

No – SDS information observed was past the five-year review period.

Q4 - Has the PCBU considered the risk of occupational violence in their workplace? Are the controls adequate for the identified risk?

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

Q5 - Does the PCBU have systems in place to ensure that sexual assault incidents are notified to WorkSafe ACT? Are the controls adequate for the identified risk?

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

PCBU was advise at time of attendance that there will be notices issued.

Case notes added to issued notebook 35 to include images added to the case.

Inspectors Hudson and Parker exited the premises at approximately 12:10pm.

Disclaimer: The issues identified during this inspection are only indicative of compliance with the Work Health and Safety Act 2011, the Work Health and Safety Regulations 2011, the Dangerous Substances Act 2004 and the Workers Compensation Act 1951 on the date of the inspection. If compliance is identified during this inspection, it does not remove the obligation of any person to comply with any further requirement of the above mentioned Acts and Regulations.

Previous Action

Previous notice/s issued (either written or verbal)?

Recipient/s of this form:

Email: Sch 2.2(a)(ii)
Email
Email 3:

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From: Hudson, Garrison
To: Sch 2.2(a)(ii)
Subject: RE: Improvement Notice N-0000010363
Date: Friday, 28 June 2024 1:45:00 PM
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image003.png](#)
[image004.png](#)
[image005.png](#)
[image006.png](#)
Importance: High

Thank Sch 2.2(a)(ii)

I wish to confirm that I have received your SDS in date sheet and this has complied to the improvement notice with no further actions required and I wish to inform you that the notice can now be removed, and the case is now closed.

Regards
Garrison Hudson

From: Sch 2.2(a)(ii)
Sent: Friday, June 28, 2024 1:32 PM
To: Hudson, Garrison <Garrison.Hudson@worksafe.act.gov.au>
Subject: RE: Improvement Notice N-0000010363

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Good Afternoon Garrison,

Please see attached – reflecting the first substance listed on the register (agar Counterflu Disinfectant).

Regards

Sch 2.2(a)(ii)

Sch 2.2(a)(ii)

From: Hudson, Garrison <Garrison.Hudson@worksafe.act.gov.au>

Sent: Friday, June 28, 2024 1:14 PM

To: Sch 2.2(a)(ii)

Subject: RE: Improvement Notice N-0000010363

Importance: High

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OFFICIAL

Hi Sch 2.2(a)(ii)

Thanks for sending the information but the WorkSafe system will not allow me to access the hypo links for the SDS information could you send me only one in date SDS for one chemical that is in date and I will be able to close.

Regards
Garrison Hudson

From: Sch 2.2(a)(ii)
Sent: Thursday, June 27, 2024 5:01 PM
To: Hudson, Garrison <Garrison.Hudson@worksafe.act.gov.au>
Cc: Sch 2.2(a)(ii)
Subject: RE: Improvement Notice N-0000010363

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Good Afternoon Garrison,

Please see attached response and supporting document in relation to this matter. We await your further advice in due course.

Regards

Sch 2.2(a)(ii)

From: WorkSafe ACT <worksafe@act.gov.au>

Sent: 17 June 2024 15:02

To: Sch 2.2(a)(ii)

Cc: garrison.hudson@worksafe.act.gov.au <garrison.hudson@worksafe.act.gov.au>

Subject: Improvement Notice N-0000010363

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[Report Suspicious](#)

Hi,

Please see attached PDFs to view a copy of your Notice.

Inspection number: 00206596

Lead Inspector: Garrison Hudson

Company Name: TRUSTEES FOR CATHOLIC EDUCATION OFFICE
ARCHDIOCESE OF CANBERRA & GOULBURN

Notice Number: N-0000010363

For any further information please contact WorkSafe on:

Telephone: (02) 6207 3000

Facsimile: (02) 6205 0336

Email: worksafe@act.gov.au

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WORKPLACE VISIT REPORT

Initial Information

Inspection Number: 00206862
Lead Inspector: Kurt Kuehl
Inspector ID: P53987
Lead inspector email address: kurt.kuehl@worksafe.act.gov.au
Is there any accompanying inspectors? Yes
Tony Jadric P63036
Date visit commenced: 11 June, 2024 09:56
Legislation visit conducted under: WHS

Entity Information

Type of entity: Business Entity
Name of individual or registered company: Islamic Practice and Dawah Circle Inc.
Trading as: Islamic School of Canberra
ACN:
ABN: 67141669093
Industry Group: Education
Address: 33 Heysen Street Weston ACT 2611
Contact Name: Islamic Practice and Dawah Circle Inc.
Contact Number: Sch 2.2(a)(ii)
Contact Email: [REDACTED]

Details of Visit:

Address: 33 Heysen Street WESTON ACT 2611
Notification of entry to (as required by s164): Manager

Inspector Notes:

On 11 June 2024 at about 0956h, WorkSafe ACT Inspectors Kurt KUEHL and Tony JADRIC attended Islamic School of Canberra at 33 Heysen Street, Weston ACT (the workplace). The workplace visit was part of the current proactive campaign in the Education sector.

A search of the ACT Education Non-Government Schools (NGS) Register confirms that Islamic Practice and Dawah Circle Incorporated, ABN 67 141 669 093 is the person conducting a business or undertaking (PCBU).

Inspectors KUEHL and JADRIC entered the workplace under the Work Health and Safety Act 2011 (WHS Act). Upon entry, inspectors identified themselves to persons who identified themselves as representatives of the PCBU in the following positions:

- Principal
- Business Manager
- Office Manager

Inspectors asked questions in relation to WorkSafe ACT strategic priorities and received the following responses:

Q1 - Has the PCBU considered all the risks posed by manual tasks at their workplace? Are the controls adequate for the identified risk?

Yes. PCBU does not permit staff to undertake manual tasks such as lifting heavy items without assistance. Tasks auxiliary to teaching functions are not permitted by teachers, with the PCBU engaging other businesses as required. The Principal highlighted that teaching is a revered profession within the Islamic faith, that resources are directed to enable teaching staff to focus on education duties, and that employee wellbeing is prioritised to attract and retain talented staff.

Q2 - Has the PCBU considered all the fall, trip and slip risks at the workplace? Are the controls adequate for the identified risk?

Yes. The Principal advised that all worker induction includes requirement to report hazards and that the PCBU representatives conduct regular inspection around the school.

KUEHL observed:

- Worker and students clearing lunchboxes away from the floor to minimise slip/trip risk.
- A covered area, appearing newer than other buildings at the workplace, with balustrade around the perimeter to minimise the risk of falling, even in areas with fall hazards less than one metre. The Principal stated that the PCBU paid extra for the balustrade, that while the fall did not require balustrade [per the National Construction Code] it was installed in case a child fell backwards, adding "I always think of the what-if."

Q3 - Has the PCBU considered the risk of hazardous chemicals their workplace. Are the controls in place adequate for the identified risks?

Yes. Inspectors were taken to the science laboratory. KUEHL observed:

- Corrosives storage cabinet is locked to minimise risk of unauthorised access. Chemicals in liquid state are banded to contain spills. Chemicals are stored in separate compartments and no incompatible chemicals were observed to be stored together.
- First aid kit is prominent and displayed a record of servicing dated February 2024.
- Safety shower and eyewash station is plumbed. Access to the station is free from obstructions.
- Fire blanket and ABE-class fire extinguisher display records of routine inspections, most recent date April 2024. Access to the fire response equipment is free from obstructions.
- Emergency gas shut-off is present and access is free from obstructions.

Q4 - Has the PCBU considered the risk of occupational violence in their workplace? Are the controls adequate for the identified risk?

Sch 2.2(a)(iii)

that they didn't want their wife to find out about the circumstances. The Principal agreed to allow the teacher to resign and to still provide employment reference. The teacher provided seven weeks' notice (the time remaining on the teacher's contract) and the Principal paid out the period in lieu.

- Following the incident, the PCBU notified the relevant authorities as required by statute.
- Interactions between the PCBU and the teacher continued, with the teacher attempting to reapply to work for the PCBU.

Sch 2.2(a)(ii)

KUEHL and the PCBU Representatives discussed the importance of documentation and good systems of management, particularly to mitigate the potential impacts of vexatious allegations.

Q5 - Does the PCBU have a system in place to ensure that sexual assault incidents are notified to WorkSafe ACT?

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

Inspectors generally observed the following at the workplace:

- Workplace is clean and tidy with no issues observed in relation to general workplace layout, work areas, flooring, lighting, ventilation, temperature, or services.
- Housekeeping is maintained to allow for persons to enter and exit and to move about without risk to health and safety, both under normal working conditions and in an emergency

Inspectors took photographs and KUEHL made records in contemporaneous notebook A10337, pages 105 to 109. No Notices are issued following this visit.

At about 1127h the same day, Inspectors KUEHL and JADRIC departed the workplace.

Disclaimer: The issues identified during this inspection are only indicative of compliance with the Work Health and Safety Act 2011, the Work Health and Safety Regulations 2011, the Dangerous Substances Act 2004 and the Workers Compensation Act 1951 on the date of the inspection. If compliance is identified during this inspection, it does not remove the obligation of any person to comply with any further requirement of the above mentioned Acts and Regulations.

Previous Action

Previous notice/s issued (either written or verbal)?

Recipient/s of this form:

Email: Sch 2.2(a)(ii)

Email 2:

Email 3:

Privacy Notice: The information collected for the purpose of the Work Health and Safety Act 2011 and is in accordance with the Information Privacy Act 2014. WorkSafe ACT prevents any unreasonable intrusion into person's privacy in accordance with the Privacy Act 1988 (C'Wlth) and Information Privacy Act 2014. WorkSafe ACT provides identifiable information which can be disclosed to other law enforcement agencies and authorised organisation that have legal authority to request information under prescribed circumstances.



IMPROVEMENT NOTICE

This notice is issued under section 191 of the *Work Health and Safety Act 2011*. Section 210 requires that the person to whom an improvement notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace at which work is being carried out that is affected by the notice.

You must comply with this notice within the period specified. Failure to comply may incur a maximum penalty of \$50, 000 for an individual and \$250, 000 for a body corporate.

Notice issued to:

Legal name of person/business or undertaking: MARIST COLLEGE CANBERRA

Address: Marr Street, Pearce, ACT, 2607

Due Date: 12 June, 2024

Details of contravention:

Site location: Marr Street, Pearce ACT 2607

I Andrew Woolgar reasonably believe on 28/05/2024 10:45 AM that you contravened section 19 (3) (g) of the Work Health and Safety Act 2011 (ACT), section 344 of the Work Health and Safety Regulation 2011 workers are exposed to risk of injury due to not having hazardous chemical safety data sheets readily accessible to workers involved in using, handling or storing the hazardous chemical

Brief description of how the provision is being or has been contravened:

On 28th May 2024 at about 09:55am WorkSafe ACT Inspectors Woolgar and Sibree attended Marist College Canberra located at Marr Street Pearce to conduct a proactive inspection as part of the current Education campaign. Woolgar and Sibree entered the workplace under the Work Health and Safety Act 2011 (WHS Act). Observation and discussions revealed:

- Safety Data Sheets are kept in several locations as physical mini Chemwatch SDS as well as the SDS register.
- Three people have access to the complete manufacturer safety data sheets available on Chemwatch.
- SDSs is broken up into building areas, with each area documenting what is kept there.
- The science lab has a SDS register in the science prep room and in each science lab, an individual risk assessment is carried out for each science experiment using Risk Assess.
- A complete hazardous chemical register is available at the Maintenance office

Persons are exposed to a risk to their health and safety due to not having hazardous chemical safety data sheets readily accessible to workers involved in using, handling or storing the hazardous chemical

Directions as to the measures to be taken to remedy or prevent the contravention or likely contravention: *(it is mandatory to comply with these directions)*

You must ensure, so far as reasonably practicable that you must ensure an appropriate safe system of work is developed and implemented to ensure manufacturer safety data sheets are readily accessible to workers involved in using, handling or storing the hazardous chemical to control those risks.

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice

Recommendations (if any): *(it is not an offence not to comply with these recommendations)*

In complying with the direction, you may give consideration to further guidance available from:

- Work Health and Safety (Managing Risks of Hazardous Chemicals in the Workplace Code of Practice) Approval 2022

Please contact the inspector who issued this notice to confirm compliance prior to the day by which the person is required to remedy the contravention or likely contravention.

Issuing Details

Issued by: Andrew Woolgar

ID number: P32662

Date issued: 29/05/2024

Service method: Email

Notice emailed to: Sch 2.2(a)(ii)

Improvement Notice issued under section 191 of the Work Health and Safety Act 2011 - further information

If you have any questions you may contact the inspector who issued this notice.

Display of Notices

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice (s 210(1)). A person must not intentionally remove, destroy, damage or deface a notice displayed under s 210(1) while the notice is in force (s 210(2)). The maximum penalty for failing to comply with these provisions is \$5,000 for an individual or \$25,000 for a corporation.

Compliance with direction or notice

The person to whom an improvement notice is issued must comply with the notice within the period specified in the notice.

Maximum penalty:

- (a) in the case of an individual—\$50 000; or
- (b) in the case of a body corporate—\$250 000

Extension of time for compliance with improvement notices

If a person has been issued with an improvement notice, they may contact the inspector who issued this notice, or email worksafe@act.gov.au to apply for an extension of time to comply with that notice. This must be done within the compliance period which ends at midnight on the due date stated in the notice. An inspector may, by written notice given to the person, extend the compliance period for the improvement notice. However, the inspector may extend the compliance period only if the period has not ended.

Directions and recommendations

A direction may refer to a code of practice and may offer the person a choice of ways in which to remedy the contravention (s 204). A Improvement notice may include recommendations. It is not an offence to fail to comply with recommendations in a notice (s205).

Changes to notice by inspector

An inspector may make minor changes to a notice for clarification, to correct errors or references, or to reflect changes of address or other circumstances (s206).

Privacy statement

WorkSafe ACT may obtain personal information about you in connection with this notice. The information may be collected and stored using the powers, and to carry out functions or activities, under the Work Health and Safety Act 2011 and related work safety laws. Under that Act, the information can be disclosed to other ACT Government agencies or non-government organisations, and other Australian work safety enforcement agencies. WorkSafe ACT is obliged to handle your information openly, transparently and in accordance with the Territory Privacy Principles set out in the Information Privacy Act 2014. For more information about how WorkSafe ACT will collect, use, share, and store your personal information and how you can access and correct the information, please see the Privacy Statement at www.act.gov.au/privacy.

Review of this Work Health and Safety Act notice

If you have any questions or need more information you may contact the inspector who issued this notice, or email worksafe@act.gov.au.

You, or another person whose interests are affected by the decision, may apply for an internal review of the decision to issue this notice.

A review may be sought within 14 days, or in the case of an improvement notice within the compliance date period specified in the notice, whichever is lesser. You may also make an application for the reviewer to stay the operation of the Improvement notice.

Please ensure you include the notice number in your application for a review, together with the applicant's name and address, and the reason you are seeking the review.

An application for a review can be made in writing to: The Work Health and Safety Commissioner WorkSafe ACT, GPO Box 158 Canberra City ACT 2601 or by email: worksafe@act.gov.au.

You may then seek a review of an internal reviewer's decision in the ACT Civil and Administrative Tribunal (ACAT). Information about that process can be found at www.acat.act.gov.au.

The decision to issue this notice is also reviewable under the *Administrative Decisions (Judicial Review) Act 1989* on application to the ACT Supreme Court.

Further, a person may make a complaint to the ACT Ombudsman about the issue of this notice.

WorkSafe ACT contact details

PO Box 158, Canberra ACT 2601

Email: worksafe@act.gov.au

Phone: (02) 6207 3000

Fax:(02) 6205 0336

Translating and Interpreting Service

Phone: 131 450

WORKPLACE VISIT REPORT

Initial Information

Inspection Number: 00205486
Lead Inspector: Andrew Woolgar
Inspector ID: P32662
Lead inspector email address: andrew.woolgar@act.gov.au
Is there any accompanying inspectors? Yes

Amanda Sibree P57950

Date visit commenced: 28 May, 2024 09:55
Legislation visit conducted under: WHS

Entity Information

Type of entity: Other
Name of individual or registered company: MARIST COLLEGE CANBERRA
Trading as: MARIST COLLEGE CANBERRA
ACN:
ABN: 62466078521
Industry Group: Education
Address: Marr Street Pearce ACT 2607

Contact Name: MARIST COLLEGE CANBERRA
Contact Number: 02 62987200
Contact Email:

Details of Visit:

Address: Marr Street Pearce ACT 2607
Notification of entry to (as required by s164): Manager

Inspector Notes:

On 28th May 2024 at about 09:55am WorkSafe ACT Inspectors Woolgar and Sibree attended Marist College Canberra located at Marr Street Pearce to conduct a proactive inspection as part of the current Education campaign. Woolgar and Sibree entered the workplace under the Work Health and Safety Act 2011 (WHS Act). Upon entry, Inspector Woolgar identified themselves to persons who identified themselves as the person in charge and that Marist College Canberra is the person conducting a business or undertaking (PCBU) and themselves as authorised representatives of the PCBU.

Inspector Woolgar and Sibree asked the following questions:

Q1 - Has the PCBU considered all the risks posed by manual tasks at their workplace? Are the controls adequate for the identified risk? Yes.

- Workers are aware of and trained in the manual handling policy and framework
- The maintenance staff have access to a forklift, electrical and manual pallets jacks and trolleys to assist with the undertaking manual handling tasks.
- A risk assessment can be undertaken for different manual handling tasks when required which identifies the risk and develops appropriate corrective actions to manage the risk.
- All workers have an on-line induction training which covers manual handling.

Q2 - Has the PCBU considered all the fall, trip and slip risks at the workplace? Are the controls adequate for the identified risk? Yes.

- Within the safety policy is a requirement for any worker who observes a slip trip falls risk, to fix it if possible and/or report to an appropriate section for the risk to addressed.
- In wet weather conditions – rubber mats, mops and signage are used. Cleaning staff clean up spills immediately, wet floor signage used to isolate the area and the area is cleaned up and made safe.
- Incidents and near misses recorded in an incident register.
- Workers can self-report an incident and/or their supervisor can report the incident on their behalf.
- All workers and volunteers are training (on-line and/or face-to-face) in the incident reporting policy

Q3 - Has the PCBU considered the risk of hazardous chemicals their workplace. Are the controls in place adequate for the identified risks? No

- Safety Data Sheets are kept in several locations as physical mini Chemwatch SDS as well as the SDS register.
- One person has access to the complete safety data sheets available on Chemwatch.
- SDS is broken up into building areas, with each area documenting what is kept there.
- The science lab has a SDS register in the science prep room and in each science lab, an individual risk assessment is carried out for each science experiment using Risk Assess.
- A complete hazardous chemical register is available at the Maintenance office

Q4 - Has the PCBU considered the risk of occupational violence in their workplace? Are the controls adequate for the identified risk? Sch 2.2

[Redacted]

Observations were made of the maintenance office and science prep lab and mini Chemwatch SDS were observed to be readily available, but workers did not have access to a complete safety data sheet for each hazardous chemical stored, handled and used at the area.

Inspectors Woolgar and Sibree left the premises at 11:20am on the same day.

Disclaimer: The issues identified during this inspection are only indicative of compliance with the Work Health and Safety Act 2011, the Work Health and Safety Regulations 2011, the Dangerous Substances Act 2004 and the Workers Compensation Act 1951 on the date of the inspection. If compliance is identified during this inspection, it does not remove the obligation of any person to comply with any further requirement of the above mentioned Acts and Regulations.

Previous Action

Previous notice/s issued (either written or verbal)?

Recipient/s of this form:

Email: Sch 2.2(a)(ii)

Email 2:

Email 3:

Privacy Notice: The information collected for the purpose of the Work Health and Safety Act 2011 and is in accordance with the Information Privacy Act 2014. WorkSafe ACT prevents any unreasonable intrusion into person's privacy in accordance with the Privacy Act 1988 (C'Wlth) and Information Privacy Act 2014. WorkSafe ACT provides identifiable information which can be disclosed to other law enforcement agencies and authorised organisation that have legal authority to request information under prescribed circumstances.



IMPROVEMENT NOTICE

This notice is issued under section 191 of the *Work Health and Safety Act 2011*. Section 210 requires that the person to whom an improvement notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace at which work is being carried out that is affected by the notice.

You must comply with this notice within the period specified. Failure to comply may incur a maximum penalty of \$50, 000 for an individual and \$250, 000 for a body corporate.

Notice issued to:

Legal name of person/business or undertaking: Trustees for Catholic Education Office Archdiocese of Canberra & Goulburn

Address: 10 Wise Street, Braddon, ACT, 2612

Due Date: 30 September, 2024

Details of contravention:

Site location: Wise Street, BRADDON ACT 2612

I Kurt Kuehl reasonably believe on 18/06/2024 2:55 PM that you contravened section 19 (3) (d) of the Work Health and Safety Act 2011 (ACT), section 346 of the Work Health and Safety Regulation 2011.

The business has not ensured that a register of hazardous chemicals used, handled or stored at the workplace is kept current and readily available, as is required by Work Health and Safety Regulation 2011, section 346 - Hazardous chemicals register, exposing persons to a risk of chemical burns and harmful health effects from chemical hazards and impeding emergency response due to a lack of information on the chemicals at the workplace.

Brief description of how the provision is being or has been contravened:

At the workplace I observed hazards chemicals, including non-domestic quantities of substances with corrosive and flammable warning decals.

When I asked workers and representatives of the business about the hazardous chemicals register for the workplace, the workers and representatives were unable to readily produce a current register.

From the information supplied to me by the representatives of the business in response to my inquiry, I have formed the reasonable belief that persons are exposed to a risk to their health and safety, such as by chemical burns, harmful health effects from chemical hazards, and impeded emergency response due to a lack of information on the chemicals at the workplace.

Directions as to the measures to be taken to remedy or prevent the contravention or likely contravention: *(it is mandatory to comply with these directions)*

You must ensure that—

- (a) a register of hazardous chemicals used, handled or stored at the workplace is prepared and kept at the workplace; and
- (b) the register is maintained to ensure the information in the register is up to date.

The register must include—

- (a) a list of hazardous chemicals used, handled or stored; and
- (b) the current safety data sheet for each hazardous chemical listed.

You must ensure that the register is readily accessible to—

- (a) a worker involved in using, handling or storing a hazardous chemical; and
- (b) an emergency service worker, or anyone else, who is likely to be affected by a hazardous chemical at the workplace.

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice

Recommendations (if any): *(it is not an offence not to comply with these recommendations)*

Please contact the inspector who issued this notice to confirm compliance prior to the day by which the person is required to remedy the contravention or likely contravention.

If you cannot comply with the Directions within the compliance period, contact the issuing inspector prior to day stated for compliance with this Improvement Notice. If attempts have been made to comply with the Directions or the Directions are unable to be met the inspector may, by written notice given to the person, extend the compliance period for the improvement notice. However, the inspector may extend the compliance period only if the period has not ended (s194 Work Health and Safety Act 2011).

In complying with the Directions, you may consider further guidance available from:

Work Health and Safety Act 2011 - legislation.act.gov.au/a/2011-35/

- Part 2 Health and safety duties

Work Health and Safety Regulation 2011 - legislation.act.gov.au/sl/2011-36/

- Part 3.1 Managing risks to health and safety

- Part 7.1 Hazardous chemicals

WorkSafe ACT Codes of Practice - www.worksafe.act.gov.au/laws-and-compliance/codes-of-practice

- Managing risks of hazardous chemicals in the workplace

Safe Work Australia Information Sheets - <https://www.safeworkaustralia.gov.au/>

- Hazardous chemicals register template

Issuing Details

Issued by: Kurt Kuehl

ID number: P53987

Date issued: 20/06/2024

Service method: Email

Notice emailed to: Sch 2.2(a)(ii)

Improvement Notice issued under section 191 of the Work Health and Safety Act 2011 - further information

If you have any questions you may contact the inspector who issued this notice.

Display of Notices

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice (s 210(1)). A person must not intentionally remove, destroy, damage or deface a notice displayed under s 210(1) while the notice is in force (s 210(2)). The maximum penalty for failing to comply with these provisions is \$5,000 for an individual or \$25,000 for a corporation.

Compliance with direction or notice

The person to whom an improvement notice is issued must comply with the notice within the period specified in the notice.

Maximum penalty:

- (a) in the case of an individual—\$50 000; or
- (b) in the case of a body corporate—\$250 000

Extension of time for compliance with improvement notices

If a person has been issued with an improvement notice, they may contact the inspector who issued this notice, or email worksafe@act.gov.au to apply for an extension of time to comply with that notice. This must be done within the compliance period which ends at midnight on the due date stated in the notice. An inspector may, by written notice given to the person, extend the compliance period for the improvement notice. However, the inspector may extend the compliance period only if the period has not ended.

Directions and recommendations

A direction may refer to a code of practice and may offer the person a choice of ways in which to remedy the contravention (s 204). A Improvement notice may include recommendations. It is not an offence to fail to comply with recommendations in a notice (s205).

Changes to notice by inspector

An inspector may make minor changes to a notice for clarification, to correct errors or references, or to reflect changes of address or other circumstances (s206).

Privacy statement

WorkSafe ACT may obtain personal information about you in connection with this notice. The information may be collected and stored using the powers, and to carry out functions or activities, under the Work Health and Safety Act 2011 and related work safety laws. Under that Act, the information can be disclosed to other ACT Government agencies or non-government organisations, and other Australian work safety enforcement agencies. WorkSafe ACT is obliged to handle your information openly, transparently and in accordance with the Territory Privacy Principles set out in the Information Privacy Act 2014. For more information about how WorkSafe ACT will collect, use, share, and store your personal information and how you can access and correct the information, please see the Privacy Statement at www.act.gov.au/privacy.

Review of this Work Health and Safety Act notice

If you have any questions or need more information you may contact the inspector who issued this notice, or email worksafe@act.gov.au.

You, or another person whose interests are affected by the decision, may apply for an internal review of the decision to issue this notice.

A review may be sought within 14 days, or in the case of an improvement notice within the compliance date period specified in the notice, whichever is lesser. You may also make an application for the reviewer to stay the operation of the Improvement notice.

Please ensure you include the notice number in your application for a review, together with the applicant's name and address, and the reason you are seeking the review.

An application for a review can be made in writing to: The Work Health and Safety Commissioner WorkSafe ACT, GPO Box 158 Canberra City ACT 2601 or by email: worksafe@act.gov.au.

You may then seek a review of an internal reviewer's decision in the ACT Civil and Administrative Tribunal (ACAT). Information about that process can be found at www.acat.act.gov.au.

The decision to issue this notice is also reviewable under the *Administrative Decisions (Judicial Review) Act 1989* on application to the ACT Supreme Court.

Further, a person may make a complaint to the ACT Ombudsman about the issue of this notice.

WorkSafe ACT contact details

PO Box 158, Canberra ACT 2601

Email: worksafe@act.gov.au

Phone: (02) 6207 3000

Fax:(02) 6205 0336

Translating and Interpreting Service

Phone: 131 450



IMPROVEMENT NOTICE EXTENSION

This notice is issued under section 191 of the *Work Health and Safety Act 2011*. Section 210 requires that the person to whom an improvement notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace at which work is being carried out that is affected by the notice.

You must comply with this notice within the period specified. Failure to comply may incur a maximum penalty of \$50, 000 for an individual and \$250, 000 for a body corporate.

Notice issued to:

Legal name of person/business or undertaking: Trustees for Catholic Education Office Archdiocese of Canberra & Goulburn

Address: 10 Wise Street, Braddon, ACT, 2612

Details of contravention:

Site location: Wise Street, BRADDON ACT 2612

I Kurt Kuehl reasonably believe on 18/06/2024 2:55 PM that you contravened section 19 (3) (d) of the Work Health and Safety Act 2011 (ACT), section 346 of the Work Health and Safety Regulation 2011.

The business has not ensured that a register of hazardous chemicals used, handled or stored at the workplace is kept current and readily available, as is required by Work Health and Safety Regulation 2011, section 346 - Hazardous chemicals register, exposing persons to a risk of chemical burns and harmful health effects from chemical hazards and impeding emergency response due to a lack of information on the chemicals at the workplace.

Brief description of how the provision is being or has been contravened:

At the workplace I observed hazards chemicals, including non-domestic quantities of substances with corrosive and flammable warning decals.

When I asked workers and representatives of the business about the hazardous chemicals register for the workplace, the workers and representatives were unable to readily produce a current register.

From the information supplied to me by the representatives of the business in response to my inquiry, I have formed the reasonable belief that persons are exposed to a risk to their health and safety, such as by chemical burns, harmful health effects from chemical hazards, and impeded emergency response due to a lack of information on the chemicals at the workplace.

Directions as to the measures to be taken to remedy or prevent the contravention or likely contravention: *(it is mandatory to comply with these directions)*

You must ensure that—

- (a) a register of hazardous chemicals used, handled or stored at the workplace is prepared and kept at the workplace; and
- (b) the register is maintained to ensure the information in the register is up to date.

The register must include—

- (a) a list of hazardous chemicals used, handled or stored; and
- (b) the current safety data sheet for each hazardous chemical listed.

You must ensure that the register is readily accessible to—

- (a) a worker involved in using, handling or storing a hazardous chemical; and
- (b) an emergency service worker, or anyone else, who is likely to be affected by a hazardous chemical at the workplace.

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice

Recommendations (if any): *(it is not an offence not to comply with these recommendations)*

Please contact the inspector who issued this notice to confirm compliance prior to the day by which the person is required to remedy the contravention or likely contravention.

If you cannot comply with the Directions within the compliance period, contact the issuing inspector prior to day stated for compliance with this Improvement Notice. If attempts have been made to comply with the Directions or the Directions are unable to be met the inspector may, by written notice given to the person, extend the compliance period for the improvement notice. However, the inspector may extend the compliance period only if the period has not ended (s194 Work Health and Safety Act 2011).

In complying with the Directions, you may consider further guidance available from:

Work Health and Safety Act 2011 - legislation.act.gov.au/a/2011-35/

- Part 2 Health and safety duties

Work Health and Safety Regulation 2011 - legislation.act.gov.au/sl/2011-36/

- Part 3.1 Managing risks to health and safety

- Part 7.1 Hazardous chemicals

WorkSafe ACT Codes of Practice - www.worksafe.act.gov.au/laws-and-compliance/codes-of-practice

- Managing risks of hazardous chemicals in the workplace

Safe Work Australia Information Sheets - <https://www.safeworkaustralia.gov.au/>

- Hazardous chemicals register template

Issuing Details

Issued by: Kurt Kuehl

ID number: P53987

Date issued: 30/09/2024

Service method: Email

Notice emailed to: Sch 2.2(a)(ii)

Improvement Notice issued under section 191 of the Work Health and Safety Act 2011 - further information

If you have any questions you may contact the inspector who issued this notice.

Display of Notices

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice (s 210(1)). A person must not intentionally remove, destroy, damage or deface a notice displayed under s 210(1) while the notice is in force (s 210(2)). The maximum penalty for failing to comply with these provisions is \$5,000 for an individual or \$25,000 for a corporation.

Compliance with direction or notice

The person to whom an improvement notice is issued must comply with the notice within the period specified in the notice.

Maximum penalty:

- (a) in the case of an individual—\$50 000; or
- (b) in the case of a body corporate—\$250 000

Contents of Notice

This Notice may state one or more of the following: (a) a workplace, or part of a workplace, at which the activity is not to be carried out; (b) anything that is not to be used in connection with the activity; (c) any procedure that is not to be followed in connection with the activity (s196(3)).

Directions and recommendations

A direction may refer to a code of practice and may offer the person a choice of ways in which to remedy the contravention (s 204). A Improvement notice may include recommendations. It is not an offence to fail to comply with recommendations in a notice (s205).

Changes to notice by inspector

An inspector may make minor changes to a notice for clarification, to correct errors or references, or to reflect changes of address or other circumstances (s206).

Privacy statement

WorkSafe ACT may obtain personal information about you in connection with this notice. The information may be collected and stored using the powers, and to carry out functions or activities, under the Work Health and Safety Act 2011 and related work safety laws. Under that Act, the information can be disclosed to other ACT Government agencies or non-government organisations, and other Australian work safety enforcement agencies. WorkSafe ACT is obliged to handle your information openly, transparently and in accordance with the Territory Privacy Principles set out in the Information Privacy Act 2014. For more information about how WorkSafe ACT will collect, use, share, and store your personal information and how you can access and correct the information, please see the Privacy Statement at www.act.gov.au/privacy.

Review of this Work Health and Safety Act notice

If you have any questions or need more information you may contact the inspector who issued this notice, or email worksafe@act.gov.au.

You, or another person whose interests are affected by the decision, may apply for an internal review of the decision to issue this notice.

A review may be sought within 14 days, or in the case of an improvement notice within the compliance date period specified in the notice, whichever is lesser. You may also make an application for the reviewer to stay the operation of the Improvement notice.

Please ensure you include the notice number in your application for a review, together with the applicant's name and address, and the reason you are seeking the review.

An application for a review can be made in writing to: The Work Health and Safety Commissioner WorkSafe ACT, GPO Box 158 Canberra City ACT 2601 or by email: worksafe@act.gov.au.

You may then seek a review of an internal reviewer's decision in the ACT Civil and Administrative Tribunal (ACAT). Information about that process can be found at www.acat.act.gov.au.

The decision to issue this notice is also reviewable under the *Administrative Decisions (Judicial Review) Act 1989* on application to the ACT Supreme Court.

Further, a person may make a complaint to the ACT Ombudsman about the issue of this notice.

WorkSafe ACT contact details

PO Box 158, Canberra ACT 2601

Email: worksafe@act.gov.au

Phone: (02) 6207 3000

Fax:(02) 6205 0336

Translating and Interpreting Service

Phone: 131 450

WORKPLACE VISIT REPORT

Initial Information

Inspection Number: 00207627
Lead Inspector: Kurt Kuehl
Inspector ID: P53987
Lead inspector email address: kurt.kuehl@worksafe.act.gov.au
Is there any accompanying inspectors? Yes
Christopher Genther P49547
Date visit commenced: 18 June, 2024 01:00
Legislation visit conducted under: WHS

Entity Information

Type of entity: Trust
Name of individual or registered company: Trustees for Catholic Education Office Archdiocese of Canberra & Goulburn
Trading as: Merici College
ACN:
ABN: 89671558335
Industry Group: Education
Address: 10 Wise Street Braddon ACT 2612
Contact Name: Trustees for Catholic Education Office Archdiocese of Canberra & Goulburn
Contact Number: (02) 6243 4100
Contact Email: Sch 2.2(a)(ii)

Details of Visit:

Address: Wise Street BRADDON ACT 2612
Notification of entry to (as required by s164): Manager

Inspector Notes:

On 18 June 2024 at about 1300h, WorkSafe ACT Inspectors Kurt KUEHL and Chris GENTHER attended Merici Catholic College at Wise Street, BRADDON ACT (the workplace). The workplace visit was part of the current proactive campaign in the Education sector.

A search of the ACT Education Non-Government Schools (NGS) Register confirms that Trustees for Catholic Education Office Archdiocese of Canberra & Goulburn, ABN 47 824 127 996 is the person conducting a business or undertaking (PCBU).

Inspectors KUEHL and GENTHER entered the workplace under the Work Health and Safety Act 2011 (WHS Act). Upon entry, inspectors identified themselves to persons who identified themselves as representatives of the PCBU in the following positions:

- Business Manager
- Administrator
- Health and Safety Representative (HSR) and Maintenance Manager

The PCBU Representatives provided Inspectors demographics information for the workplace:

- 918 students. All girls. No boarding. Years 7 to 12.
- Approximately 143 staff, comprising ~90 full-time equivalents and rising to 100 for next year.
- Class sizes range from 14 to 30, typically 25.
- Targets are 13:1 teaching ratio, 35:1 administrative staff ratio.
- Facilities and maintenance comprising 2 full-time staff, plus casuals of 2-4 days/week.
- Contacted services include cleaning, mowing, and landscaping as needed.

Inspectors asked questions in relation to WorkSafe ACT strategic priorities and received the following responses:

Q1 - Has the PCBU considered all the risks posed by manual tasks at their workplace? Are the controls adequate for the identified risk?

Yes. Resources such as faculty assistants and facilities & maintenance staff are available to be drawn from to undertake manual tasks as required. A deliveries entrance is established off Limestone Avenue for bulk items, with small items handled through reception. Inspectors taken to unloading area. KUEHL observed area is free from obstructions and "OUT OF BOUNDS" painted around area to delineate.

Q2 - Has the PCBU considered all the fall, trip and slip risks at the workplace? Are the controls adequate for the identified risk?

Yes. Inspectors and PCBU representatives discussed age of the school (65 years) and the impacts of dilapidation and historic design. Examples of repairs and improvements provided, including recent flooring replacement in the science area following a fall incident and subsequent injury. Hazards are known throughout and improved as funding permits. Facilities & maintenance are available to respond to spills. PCBU Representatives showed Inspectors areas where concrete had been ground down by contractors to reduce trip hazards. KUEHL provided advice on Chapter 7A (Crystalline silica) WHS Regulation 2011, including controls required for the cutting of crystalline silica-containing material and mandatory silica awareness training for workers performing high risk crystalline silica work and workers in prescribed occupations (including Handyperson).

Q3 - Has the PCBU considered the risk of hazardous chemicals their workplace. Are the controls in place adequate for the identified risks?

Yes. PCBU Representatives took Inspectors to chemical handling and storage locations throughout the workplace. KUEHL observed:

- At the maintenance store:

- o Door is padlocked to minimise risk of unauthorised access.
- o First aid kit is present and accessible. Some sterile items, including saline and dressings, are expired increasing the risk of infection if used to treat open wounds.
- o Electrical testing is in date.
- o ABE-class fire extinguisher is unobstructed, routinely tested, and appears appropriate for the chemicals present.
- o Flammables cabinet is present and unobstructed. An open fuel container was present and not in use outside the cabinet.
- o Safety data sheets (SDS) are present but not current. First SDS inspected (for Glyphosate 360) was issued December 2009, outside the 5 year currency period.
- o No hazardous chemicals register was present with the SDSs.

- At the science department chemical store:

- o Warning decal is displayed. Signage advises SDSs are available at the front office.
- o Door was locked.
- o Test results displayed for fume management system. Last test September 2023, due Sep 2024.
- o Substances are separated by compound type and class. Separate flammable storage cabinets are present for different categories of flammable liquids. Corrosives cabinet is split for alkali and acidic substances.
- o Safety data sheets (SDS) are present but not current, with issue date of 2011 observed. KUEHL discussed SDS currency with a person who identified themselves as a lab technician. The Lab Technician informed KUEHL that an updated SDS is obtained when purchasing hazardous chemicals, but that a complete audit has not occurred for some time.

Discussed sections 330 and 344 WHS Regulation and the effect to the PCBU:

- o Per s344(1), a PCBU must obtain a SDS for the chemical before being first supplied to the workplace.
- o Per s344(2), the chemical is taken to be first supplied to a workplace if the supply is the first supply of the hazardous chemical to the workplace within 5 years.
- o If the PCBU can demonstrate that the chemical has not been supplied in the last 5 years, and the SDS at the time of last supply is present, then the PCBU will not have contravened s344.
- o The 5 year period follows the requirement of manufacturers and importers of hazardous chemicals to review a SDS every 5 years or as necessary per s330(3).

- At the science prep room and lab 105:

- o Hazardous chemicals are labelled, including decanted substances.
- o Electrical testing is in date.
- o Emergency gas shut-off is unobstructed.
- o Spill response supplies are present.
- o Flooring appears to be in good condition.
- o Shower and eyewash station are unobstructed. The Lab Technician advised that the station is tested annually by students, providing a concurrent function test and training opportunity.

- At the art store E2 117, E9:

- o Paints are present. No solvents observed.

- At the front office:

- o Multiple safety data sheet (SDS) folders observed. On cursory inspection, SDSs within folders are not current, with issue dates ranging 2011 to 2016.

Q4 - Has the PCBU considered the risk of occupational violence in their workplace? Are the controls adequate for the identified risk?

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

Q5 - Does the PCBU have a system in place to ensure that sexual assault incidents are notified to WorkSafe ACT?

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

Inspectors observed the following at the workplace:

- Workplace is generally clean and tidy with no issues observed in relation to general workplace layout, work areas, flooring, lighting, ventilation, temperature, or services.
- Housekeeping is maintained to allow for persons to enter and exit and to move about without risk to health and safety, both under normal working conditions and in an emergency

KUEHL discussed observed contraventions with PCBU Representatives, including an improvement notice to be issued for section 346 (Hazardous chemicals register) Work Health and Safety Regulation 2011.

Inspectors took photographs and KUEHL made records in contemporaneous notebook RED-65, pages 0 to 3.

At about 1455h the same day, Inspectors KUEHL and GENTHER departed the workplace.

Disclaimer: The issues identified during this inspection are only indicative of compliance with the Work Health and Safety Act 2011, the Work Health and Safety Regulations 2011, the Dangerous Substances Act 2004 and the Workers Compensation Act 1951 on the date of the inspection. If compliance is identified during this inspection, it does not remove the obligation of any person to comply with any further requirement of the above mentioned Acts and Regulations.

Previous Action

Previous notice/s issued (either written or verbal)?

Recipient/s of this form:

Email: Sch 2.2(a)(ii)

Email 2:

Email 3:

Privacy Notice: The information collected for the purpose of the Work Health and Safety Act 2011 and is in accordance with the Information Privacy Act 2014. WorkSafe ACT prevents any unreasonable intrusion into person's privacy in accordance with the Privacy Act 1988 (C'Wlth) and Information Privacy Act 2014. WorkSafe ACT provides identifiable information which can be disclosed to other law enforcement agencies and authorised organisation that have legal authority to request information under prescribed circumstances.

From: "Yulia, Dina"
Sent: 01/10/2024 1:50 PM
To: [REDACTED] Sch 2.2(a)(ii) [REDACTED]
[REDACTED]
[REDACTED]
Subject: WorkSafe ACT | Case Closure Notice | Reference Number 00433774

Good morning Tim and Adrian,

Thank you for assisting us with the case and providing additional information to comply with the notice. No further action is required at this stage.

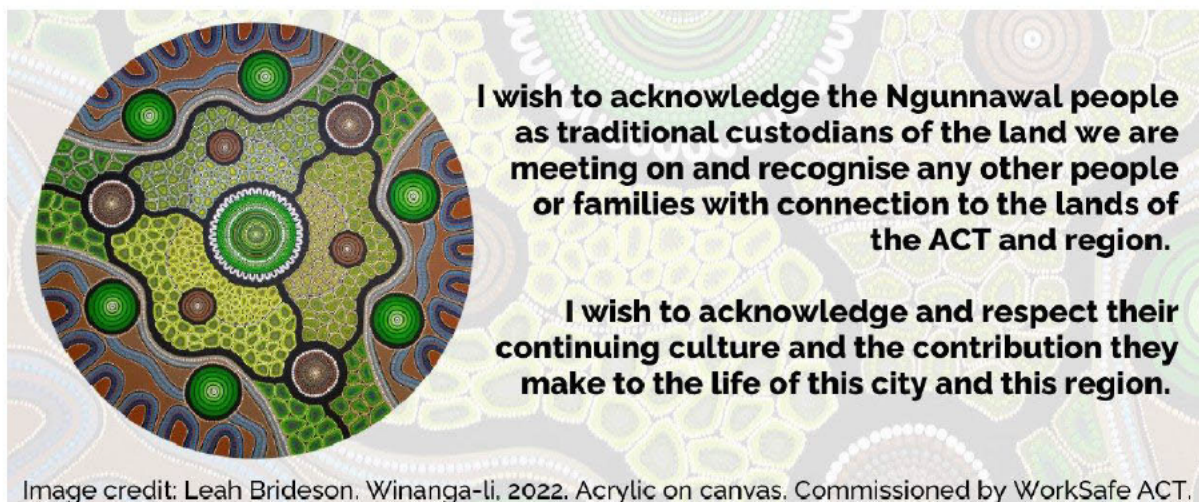
Therefore, the case will now be closed off on our system.

If you have any enquiry, please feel free to contact me or reach out to WorkSafe ACT via <https://www.worksafe.act.gov.au/contact-us>.

Kind Regards,

Dina Yulia | **Inspector – General Industries**
M [REDACTED] E: dina.yulia@worksafe.act.gov.au
Office of the Work Health and Safety Commissioner
GPO Box 158 Canberra ACT 2601 | www.worksafe.act.gov.au

WORKSAFEACT



IMPORTANT

This email, any attachment and the information and material contained in them, is for the use of the intended recipient. The intended recipient must not review, forward, disclose, distribute or make any other use of the email, any attachment or the information or material in them. This email is not intended to constitute or provide financial or legal advice and you must not rely or act on the information or material in the email or any attachment for those purposes. If you are not the intended recipient please notify us.



IMPROVEMENT NOTICE

This notice is issued under section 191 of the *Work Health and Safety Act 2011*. Section 210 requires that the person to whom an improvement notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace at which work is being carried out that is affected by the notice.

You must comply with this notice within the period specified. Failure to comply may incur a maximum penalty of \$50, 000 for an individual and \$250, 000 for a body corporate.

Notice issued to:

Legal name of person/business or undertaking: Trustees for Catholic Education Office Archdiocese of Canberra & Goulburn

Address: 40 Wimmera St, Harrison, ACT, 2914

Due Date: 28 June, 2024

Details of contravention:

Site location: 40 Wimmera St, Harrison ACT 2914

I Garrison Hudson reasonably believe on 4/06/2024 1:10 PM that you contravened section 19 (1) of the Work Health and Safety Act 2011 (ACT), section 344 of the Work Health and Safety Regulation 2011. Duty to protect all persons from risks to their health and safety arising from work carried out as part of the conduct of the business or undertaking; from not having an up-to-date SDS information available for all hazardous chemicals on site.

Brief description of how the provision is being or has been contravened:

Persons are exposed to a risk to their health and safety from persons are exposed to a risk to their health and safety from not having current safety data sheets for all hazardous chemicals prepared in accordance with this regulation from the manufacturer, importer or supplier of the hazardous chemicals.

Directions as to the measures to be taken to remedy or prevent the contravention or likely contravention: *(it is mandatory to comply with these directions)*

You must ensure, so far as reasonably practicable that you obtain the current safety data sheet for a hazardous chemical prepared in accordance with this regulation from the manufacturer, importer or supplier of the hazardous chemical in the following circumstances:

(a) either—

(i) not later than when the hazardous chemical is first supplied for use at the workplace; or

(ii) if the person is not able to obtain the safety data sheet under subparagraph (i)—as soon as practicable after the hazardous chemical is first supplied to the workplace but before the hazardous chemical is used at the workplace;

(b) if the safety data sheet for the hazardous chemical is amended—either—

(i) not later than when the hazardous chemical is first supplied to the workplace after the safety data sheet is amended; or

(ii) if the person is not able to obtain the amended safety data sheet under subparagraph (i)—as soon as practicable after the hazardous chemical is first supplied to the workplace after the safety data sheet is amended and before the hazardous chemical supplied is used at the workplace.

Ensure evidence of expired SDS information is filed to stop accesses to out-of-date information.

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Recommendations (if any): *(it is not an offence not to comply with these recommendations)*

Your attention is drawn to:

WHS Act 2011 Section 19 “Primary Duty of Care”

WHS Regulation 2011 Section 344“Person conducting business or undertaking to obtain and give access to safety data sheets”.

Please contact the inspector who issued this notice to confirm compliance prior to the day by which the person is required to remedy the contravention or likely contravention.

Issuing Details

Issued by: Garrison Hudson

ID number: P32676

Date issued: 17/06/2024

Service method: Email

Notice emailed to: office.mts@cg.catholic.edu.au

Improvement Notice issued under section 191 of the Work Health and Safety Act 2011 - further information

If you have any questions you may contact the inspector who issued this notice.

Display of Notices

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice (s 210(1)). A person must not intentionally remove, destroy, damage or deface a notice displayed under s 210(1) while the notice is in force (s 210(2)). The maximum penalty for failing to comply with these provisions is \$5,000 for an individual or \$25,000 for a corporation.

Compliance with direction or notice

The person to whom an improvement notice is issued must comply with the notice within the period specified in the notice.

Maximum penalty:

- (a) in the case of an individual—\$50 000; or
- (b) in the case of a body corporate—\$250 000

Extension of time for compliance with improvement notices

If a person has been issued with an improvement notice, they may contact the inspector who issued this notice, or email worksafe@act.gov.au to apply for an extension of time to comply with that notice. This must be done within the compliance period which ends at midnight on the due date stated in the notice. An inspector may, by written notice given to the person, extend the compliance period for the improvement notice. However, the inspector may extend the compliance period only if the period has not ended.

Directions and recommendations

A direction may refer to a code of practice and may offer the person a choice of ways in which to remedy the contravention (s 204). A Improvement notice may include recommendations. It is not an offence to fail to comply with recommendations in a notice (s205).

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Review of this Work Health and Safety Act notice

If you have any questions or need more information you may contact the inspector who issued this notice, or email worksafe@act.gov.au.

You, or another person whose interests are affected by the decision, may apply for an internal review of the decision to issue this notice.

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Please ensure you include the notice number in your application for a review, together with the applicant's name and address, and the reason you are seeking the review.

An application for a review can be made in writing to: The Work Health and Safety Commissioner WorkSafe ACT, GPO Box 158 Canberra City ACT 2601 or by email: worksafe@act.gov.au.

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Further, a person may make a complaint to the ACT Ombudsman about the issue of this notice.

WorkSafe ACT contact details

PO Box 158, Canberra ACT 2601

Email: worksafe@act.gov.au

Phone: (02) 6207 3000

Fax:(02) 6205 0336

Translating and Interpreting Service

Phone: 131 450

WORKPLACE VISIT REPORT

Initial Information

Inspection Number: 00206595
Lead Inspector: Garrison Hudson
Inspector ID: P32676
Lead inspector email address: garrison.hudson@worksafe.act.gov.au
Is there any accompanying inspectors? Yes
Lisa Bopping P46390
Date visit commenced: 04 June, 2024 01:10
Legislation visit conducted under: WHS

Entity Information

Type of entity: Business Entity
Name of individual or registered company: Trustees for Catholic Education Office Archdiocese of Canberra & Goulburn
Trading as: Mother Teresa School
ACN:
ABN: 47824127996
Industry Group: Education
Address: 40 Wimmera St Harrison ACT 2914
Contact Name: Trustees for Catholic Education Office Archdiocese of Canberra & Goulburn
Contact Number: 62415604
Contact Email: office.mts@cg.catholic.edu.au

Details of Visit:

Address: 40 Wimmera St Harrison ACT 2914
Notification of entry to (as required by s164): PCBU

Inspector Notes:

On 4th of June 2024 at about 1:10pm WorkSafe ACT Inspectors Hudson and Bopping attended Trustees for Catholic Education Office Archdiocese of Canberra & Goulburn t-as Mother Teresa Primary School at 40 Wimmera St, Harrison, ACT, 2914 as part of an intelligence-led campaign of the education industry.

Hudson and Bopping entered the workplace under the Work Health and Safety Act 2011 (WHS Act). Upon entry, Inspector Hudson identified themselves to a person who identified themselves as the acting Principle being a person in charge of school and confirmed that Mother Teresa Primary School is the person conducting a business or undertaking (PCBU) and themselves as authorised representatives of the PCBU.

Inspector Hudson asked the following questions:

Q1 - Has the PCBU considered all the risks posed by manual tasks at their workplace? Are the controls adequate for the identified risk?

Yes – There are wellbeing measures in place. If staff have concerns with their working area, external providers are engaged with to provide advice and adjustments to work areas to make them more comfortable or appropriate for tasks being undertaken. Catholic education is contacted via a ordering system that generates a work order resulting in a external service provider being engaged to complete tasks.

Q2 - Has the PCBU considered all the fall, trip and slip risks at the workplace? Are the controls adequate for the identified risk?

Yes – Risk assessments are completed yearly, actions are implimented where required from those outcomes.

Q3 – Does the PCBU have appropriate safety data sheets?

No – SDS information observed was past the five-year review period.

Q4 - Has the PCBU considered the risk of occupational violence in their workplace? Are the controls adequate for the identified risk?

Sch 2.2(a)(iii)

Q5 - Does the PCBU have systems in place to ensure that sexual assault incidents are notified to WorkSafe ACT? Are the controls adequate for the identified risk?

Sch 2.2(a)(xii)

PCBU was advise at time of attendance that there will be notices issued.

Case notes added to issued notebook 35 to include images added to the case.

Inspectors Hudson and Parker exited the premises at approximately 2:30pm.

Disclaimer: The issues identified during this inspection are only indicative of compliance with the Work Health and Safety Act 2011, the Work Health and Safety Regulations 2011, the Dangerous Substances Act 2004 and the Workers Compensation Act 1951 on the date of the inspection. If compliance is identified during this inspection, it does not remove the obligation of any person to comply with any further requirement of the above mentioned Acts and Regulations.

Previous Action

Previous notice/s issued (either written or verbal)?

Recipient/s of this form:

Email: office.mts@cg.catholic.edu.au

Email 2: office.mts@cg.catholic.edu.au

Email 3:

Privacy Notice: The information collected for the purpose of the Work Health and Safety Act 2011 and is in accordance with the Information Privacy Act 2014. WorkSafe ACT prevents any unreasonable intrusion into person's privacy in accordance with the Privacy Act 1988 (C'With) and Information Privacy Act 2014. WorkSafe ACT provides identifiable information which can be disclosed to other law enforcement agencies and authorised organisation that have legal authority to request information under prescribed circumstances.

From: [Hudson, Garrison](#)
To: Sch 2.2(a)(ii)
Subject: RE: SDS Coversheet
Date: Friday, 28 June 2024 12:39:00 PM
Attachments: [image001.png](#)
Importance: High

Hi Sch 2.2(a)(ii),

Thank you for sending in the requested information and I wish to inform you that improvement notice N-0000010362 has now been complied with no further actions required and the notice can be removed as the notice has now been closed.

Regards
Garrison Hudson

From: Sch 2.2(a)(ii)
Sent: Friday, June 28, 2024 12:27 PM
To: Hudson, Garrison <Garrison.Hudson@worksafe.act.gov.au>
Subject: SDS Coversheet

You don't often get email from Sch 2.2(a)(ii). [Learn why this is important](#)

Caution: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Garrison

Please find attached coversheet as discussed.

Kind regards

Sch 2.2(a)(ii)



IMPROVEMENT NOTICE

This notice is issued under section 191 of the *Work Health and Safety Act 2011*. Section 210 requires that the person to whom an improvement notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace at which work is being carried out that is affected by the notice.

You must comply with this notice within the period specified. Failure to comply may incur a maximum penalty of \$50, 000 for an individual and \$250, 000 for a body corporate.

Notice issued to:

Legal name of person/business or undertaking: ACT Education Directorate
 Head of Directorate name: ACT Education
 ABN: 29148723251
 ACN:
 Trading As: Mount Stromlo High School
 Address: 220 Badimara Street, Waramanga, ACT, 2611
 Due Date: 24 May, 2024

Details of contravention:

Site location: 220 Badimara Street, Waramanga ACT 2611

I Garrison Hudson reasonably believe on 1/05/2024 12:00 PM that you contravened section 19 (1) of the Work Health and Safety Act 2011 (ACT), section 346 of the Work Health and Safety Regulation 2011. Duty to protect all persons from risks to their health and safety arising from work carried out as part of the conduct of the business or undertaking; from not having a hazardous chemical register available for each chemical stored onsite.

Brief description of how the provision is being or has been contravened:

Persons are exposed to a risk to their health and safety from work carried out as part of the conduct of the business or undertaking from not having a register of hazardous chemicals used, handled or stored at the workplace, the register was not readily available at the workplace, the register was not maintained to ensure the information in the register was up to date.

Directions as to the measures to be taken to remedy or prevent the contravention or likely contravention: *(it is mandatory to comply with these directions)*

You must ensure, so far as reasonably practicable that you update the register of hazardous chemicals used, handled, or stored at the workplace is prepared and kept at the workplace.

- The register must include—
 - (a) a list of hazardous chemicals used, handled or stored; and
 - (b) the current safety data sheet for each hazardous chemical listed.
- You must ensure that the register is readily accessible to—
 - (a) a worker involved in using, handling or storing a hazardous chemical; and
 - (b) anyone else who is likely to be affected by a hazardous chemical at the workplace to control those risks.

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Recommendations (if any): *(it is not an offence not to comply with these recommendations)*

Your attention is drawn to:
 WHS Act 2011 Section 19 “Primary Duty of Care”
 WHS Regulation 2011 Section 346 “Hazardous chemicals register”.

Code of Practice "Managing Risks of Hazardous Chemicals in the Workplace Code of Practice".

Please contact the inspector who issued this notice to confirm compliance prior to the day by which the person is required to remedy the contravention or likely contravention.

Issuing Details

Issued by: Garrison Hudson

ID number: P32676

Date issued: 13/05/2024

Service method: Email

Notice emailed to: bm.stmh@ed.act.edu.au

Improvement Notice issued under section 191 of the Work Health and Safety Act 2011 - further information

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Review of this *Work Health and Safety Act* notice

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Please ensure you include the notice number in your application for a review, together with the applicant's name and address, and the reason you are seeking the review.

An application for a review can be made in writing to: The Work Health and Safety Commissioner WorkSafe ACT, GPO Box 158 Canberra City ACT 2601 or by email: worksafe@act.gov.au.

You may then seek a review of an internal reviewer's decision in the ACT Civil and Administrative Tribunal (ACAT). Information about that process can be found at www.acat.act.gov.au.

The decision to issue this notice is also reviewable under the *Administrative Decisions (Judicial Review) Act 1989* on application to the ACT Supreme Court.

Further, a person may make a complaint to the ACT Ombudsman about the issue of this notice.

WorkSafe ACT contact details

PO Box 158, Canberra ACT 2601

Email: worksafe@act.gov.au

Phone: (02) 6207 3000

Fax: (02) 6205 0336

Translating and Interpreting Service

Phone: 131 450



IMPROVEMENT NOTICE

This notice is issued under section 191 of the *Work Health and Safety Act 2011*. Section 210 requires that the person to whom an improvement notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace at which work is being carried out that is affected by the notice.

You must comply with this notice within the period specified. Failure to comply may incur a maximum penalty of \$50, 000 for an individual and \$250, 000 for a body corporate.

Notice issued to:

Legal name of person/business or undertaking: ACT Education Directorate
 Head of Directorate name: ACT Education
 ABN: 29148723251
 ACN:
 Trading As: Mount Stromlo High School
 Address: 220 Badimara Street, Waramanga, ACT, 2611
 Due Date: 24 May, 2024

Details of contravention:

Site location: 220 Badimara Street, Waramanga ACT 2611

I Garrison Hudson reasonably believe on 1/05/2024 12:00 PM that you contravened section 19 (1) of the Work Health and Safety Act 2011 (ACT), section 344 of the Work Health and Safety Regulation 2011. Duty to protect all persons from risks to their health and safety arising from work carried out as part of the conduct of the business or undertaking; from not having an up-to-date SDS information available for all hazardous chemicals on site.

Brief description of how the provision is being or has been contravened:

Persons are exposed to a risk to their health and safety from the exposed risk to their health and safety from not having current safety data sheets for all hazardous chemicals prepared in accordance with this regulation from the manufacturer, importer or supplier of the hazardous chemicals.

Directions as to the measures to be taken to remedy or prevent the contravention or likely contravention: *(it is mandatory to comply with these directions)*

You must ensure, so far as reasonably practicable that you must obtain the current safety data sheet for a hazardous chemical prepared in accordance with this regulation from the manufacturer, importer or supplier of the hazardous chemical.

- The hazardous chemical SDS information origin is Australia.
- Update the Safety Data Sheets (SDS) for all hazardous chemicals onsite, ensuring they are current (within 5 years) and are available and accessible to all workers at the Depot to control those risks.

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice

Recommendations (if any): *(it is not an offence not to comply with these recommendations)*

Your attention is drawn to:

WHS Act 2011 Section 19 "Primary Duty of Care"

WHS Regulation 2011 Section 344 "Person conducting business or undertaking to obtain and give access to safety data sheets".

Code of Practice "Managing Risks of Hazardous Chemicals in the Workplace Code of Practice".

Please contact the inspector who issued this notice to confirm compliance prior to the day by which the person is required to remedy the contravention or likely contravention.

Issuing Details

Issued by: Garrison Hudson

ID number: P32676

Date issued: 13/05/2024

Service method: Email

Notice emailed to: bm.stmh@ed.act.edu.au

Improvement Notice issued under section 191 of the Work Health and Safety Act 2011 - further information

If you have any questions you may contact the inspector who issued this notice.

Display of Notices

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice (s 210(1)). A person must not intentionally remove, destroy, damage or deface a notice displayed under s 210(1) while the notice is in force (s 210(2)). The maximum penalty for failing to comply with these provisions is \$5,000 for an individual or \$25,000 for a corporation.

Compliance with direction or notice

The person to whom an improvement notice is issued must comply with the notice within the period specified in the notice.

Maximum penalty:

- (a) in the case of an individual—\$50 000; or
- (b) in the case of a body corporate—\$250 000

Extension of time for compliance with improvement notices

If a person has been issued with an improvement notice, they may contact the inspector who issued this notice, or email worksafe@act.gov.au to apply for an extension of time to comply with that notice. This must be done within the compliance period which ends at midnight on the due date stated in the notice. An inspector may, by written notice given to the person, extend the compliance period for the improvement notice. However, the inspector may extend the compliance period only if the period has not ended.

Directions and recommendations

A direction may refer to a code of practice and may offer the person a choice of ways in which to remedy the contravention (s 204). A Improvement notice may include recommendations. It is not an offence to fail to comply with recommendations in a notice (s205).

Changes to notice by inspector

An inspector may make minor changes to a notice for clarification, to correct errors or references, or to reflect changes of address or other circumstances (s206).

Privacy statement

WorkSafe ACT may obtain personal information about you in connection with this notice. The information may be collected and stored using the powers, and to carry out functions or activities, under the Work Health and Safety Act 2011 and related work safety laws. Under that Act, the information can be disclosed to other ACT Government agencies or non-government organisations, and other Australian work safety enforcement agencies. WorkSafe ACT is obliged to handle your information openly, transparently and in accordance with the Territory Privacy Principles set out in the Information Privacy Act 2014. For more information about how WorkSafe ACT will collect, use, share, and store your personal information and how you can access and correct the information, please see the Privacy Statement at www.act.gov.au/privacy.

Review of this *Work Health and Safety Act* notice

If you have any questions or need more information you may contact the inspector who issued this notice, or email worksafe@act.gov.au.

You, or another person whose interests are affected by the decision, may apply for an internal review of the decision to issue this notice.

A review may be sought within 14 days, or in the case of an improvement notice within the compliance date period specified in the notice, whichever is lesser. You may also make an application for the reviewer to stay the operation of the Improvement notice.

Please ensure you include the notice number in your application for a review, together with the applicant's name and address, and the reason you are seeking the review.

An application for a review can be made in writing to: The Work Health and Safety Commissioner WorkSafe ACT, GPO Box 158 Canberra City ACT 2601 or by email: worksafe@act.gov.au.

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WorkSafe ACT contact details

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Translating and Interpreting Service

Phone: 131 450



IMPROVEMENT NOTICE

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You must comply with this notice within the period specified. Failure to comply may incur a maximum penalty of \$50, 000 for an individual and \$250, 000 for a body corporate.

Notice issued to:

Legal name of person/business or undertaking: ACT Education Directorate
Head of Directorate name: ACT Education
ABN: 29148723251
ACN:
Trading As: Mount Stromlo High School
Address: 220 Badimara Street, Waramanga, ACT, 2611
Due Date: 24 May, 2024

Details of contravention:

Site location: 220 Badimara Street, Waramanga ACT 2611

I Garrison Hudson reasonably believe on 1/05/2024 12:00 PM that you contravened section 19 (1) of the Work Health and Safety Act 2011 (ACT), section 42 of the Work Health and Safety Regulation 2011. Duty to ensure all first aid kits at the workplace are maintained and expired items are removed and replaced on a regular basis.

Brief description of how the provision is being or has been contravened:

Persons are exposed to a risk to their health and safety from none effective first aid provisions as some the first aid provisions supplied displayed that they were out of date.

Directions as to the measures to be taken to remedy or prevent the contravention or likely contravention: *(it is mandatory to comply with these directions)*

You must ensure, so far as reasonably practicable that you must be able to ensure access of first aid kit available at the workplace and maintained with in date materials and checked on a regular basis to control those risks.

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice

Recommendations (if any): *(it is not an offence not to comply with these recommendations)*

Your attention is drawn to:
WHS Act 2011 Section 19 "Primary Duty of Care"
WHS Regulation 2011 Section 42 "Duty to provide first aid"
WHS Code of Practice "First Aid in the Workplace Code of Practice"

Please contact the inspector who issued this notice to confirm compliance prior to the day by which the person is required to remedy the contravention or likely contravention.

Issuing Details

Issued by: Garrison Hudson

ID number: P32676

Date issued: 13/05/2024

Service method: Email

Notice emailed to: bm.stmh@ed.act.edu.au

Improvement Notice issued under section 191 of the Work Health and Safety Act 2011 - further information

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Display of Notices

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Compliance with direction or notice

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Directions and recommendations

A direction may refer to a code of practice and may offer the person a choice of ways in which to remedy the contravention (s 204). A Improvement notice may include recommendations. It is not an offence to fail to comply with recommendations in a notice (s205).

Changes to notice by inspector

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You, or another person whose interests are affected by the decision, may apply for an internal review of the decision to issue this notice.

A review may be sought within 14 days, or in the case of an improvement notice within the compliance date period specified in the notice, whichever is lesser. You may also make an application for the reviewer to stay the operation of the Improvement notice.

Please ensure you include the notice number in your application for a review, together with the applicant's name and address, and the reason you are seeking the review.

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The decision to issue this notice is also reviewable under the *Administrative Decisions (Judicial Review) Act 1989* on application to the ACT Supreme Court.

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Translating and Interpreting Service

Phone: 131 450



IMPROVEMENT NOTICE

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You must comply with this notice within the period specified. Failure to comply may incur a maximum penalty of \$50, 000 for an individual and \$250, 000 for a body corporate.

Notice issued to:

Legal name of person/business or undertaking: ACT Education Directorate
Head of Directorate name: ACT Education
ABN: 29148723251
ACN:
Trading As: Mount Stromlo High School
Address: 220 Badimara Street, Waramanga, ACT, 2611
Due Date: 24 May, 2024

Details of contravention:

Site location: 220 Badimara Street, Waramanga ACT 2611

I Garrison Hudson reasonably believe on 1/05/2024 12:00 PM that you contravened section 19 (1) of the Work Health and Safety Act 2011 (ACT), section 342 of the Work Health and Safety Regulation 2011. Duty to ensure correct labelling of decanted chemicals to display the contents of the containers with section 335 while the container contains the hazardous chemical.

Brief description of how the provision is being or has been contravened:

Persons are exposed to a risk to their health and safety from decanted chemicals on site being not labelled in accordance with the with section 335 while the container contains the hazardous chemical.

Directions as to the measures to be taken to remedy or prevent the contravention or likely contravention: *(it is mandatory to comply with these directions)*

You must ensure, so far as reasonably practicable that you:

- You ensure that a container labelled for a hazardous chemical is used only for the use, handling or storage of the hazardous chemical.
- You must ensure, so far as is reasonably practicable, that a container that stores a hazardous chemical is correctly labelled in accordance with section 335 while the container contains the hazardous chemical to control those risks.

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice

Recommendations (if any): *(it is not an offence not to comply with these recommendations)*

Your attention is drawn to:

WHS Act 2011 Section 19 “Primary Duty of Care”

WHS Regulation 2011 Section 342 “Labelling hazardous chemicals—containers”

Work Health and Safety “Labelling of Workplace Hazardous Chemicals Code of Practice”

Please contact the inspector who issued this notice to confirm compliance prior to the day by which the person is required to remedy the contravention or likely contravention.

Issuing Details

Issued by: Garrison Hudson

ID number: P32676

Date issued: 14/05/2024

Service method: Email

Notice emailed to: bm.stmh@ed.act.edu.au

Improvement Notice issued under section 191 of the Work Health and Safety Act 2011 - further information

If you have any questions you may contact the inspector who issued this notice.

Display of Notices

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Directions and recommendations

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Review of this *Work Health and Safety Act* notice

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Further, a person may make a complaint to the ACT Ombudsman about the issue of this notice.

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Translating and Interpreting Service

Phone: 131 450

WORKPLACE VISIT REPORT

Initial Information

Inspection Number: 00201484
Lead Inspector: Garrison Hudson
Inspector ID: P32676
Lead inspector email address: garrison.hudson@worksafe.act.gov.au
Is there any accompanying inspectors? Yes

Alan Hartcher P50869

Date visit commenced: 01 May, 2024 12:00
Legislation visit conducted under: WHS

Entity Information

Type of entity: Directorate
Name of individual or registered company: ACT Education Directorate
Trading as: Mount Stromlo High School
ACN:
ABN: 29148723251
Industry Group: Education
Address: 220 Badimara Street Waramanga ACT 2611

Contact Name: ACT Education Directorate
Contact Number: (02) 61423450
Contact Email: bm.stmh@ed.act.edu.au

Details of Visit:

Address: 220 Badimara Street Waramanga ACT 2611
Notification of entry to (as required by s164): PCBU

Inspector Notes:

On 1st May 2024 at about 12:00 pm WorkSafe ACT Inspector Hudson and persons assisting Hartcher attended Mount Stromlo High School, 220 Badimara Street, Waramanga ACT 2611 to conduct an inspection after receiving notification that dangerous incident occurred in the science laboratory.

Hudson and Hartcher entered the workplace under the Work Health and Safety Act 2011 (WHS Act).

Upon entry, Inspector Hudson identified themselves to persons who identified themselves as an employee with the position of Business Manager of the school. They confirmed that Mount Stromlo High school is the person conducting a business or undertaking (PCBU) and they themselves are authorised representatives of the PCBU.

Inspector Hudson observation and answers to questions to confirm the following:

1. The location of the incident occurred was in the school laboratory at approximately 10:00am.
2. Two employees were exposed to a vapour because of one the employee **Sch 2.2(a)(ii)** disposing of old chemicals in the laboratory, and during that process a chemical vapour was produced without leaving any evident to conclusively confirm the actual cause.
3. The emergency services unit could not identify the actual source of the chemicals that produced the vapour.
4. Emergency services completed a hand over of the site back to the school at 12:38pm.
5. After emergency services concluded the area was declared safe to re-enter a assessment of the laboratory area was conducted.
6. Spill kits were present and fully stocked.
7. Digital chemical register was present on site (Google Sheet) but was not readily available.
8. First aid kits were present, but some had out of date stock materials.
9. Eye wash centres were present, operational condition and operated off water mains pressure.
10. SDS information was observed in digital format within date information, and in hard copy form with out-of-date SDS information.
11. Decanted chemicals were mostly labelled correctly, but there was a small general amount of chemicals observed with not the full amount of labelled to comply to legislation.
12. Discussion regarding working alone in the area was conducted with the laboratory assistant and school assistant regarding the implementation of a MEDI alert pendant for when working in the area alone.

PCBU was advised that there will notices issued before leaving the site.

Inspector and persons assisting left the premises at 1:40 pm.

Disclaimer: The issues identified during this inspection are only indicative of compliance with the Work Health and Safety Act 2011, the Work Health and Safety Regulations 2011, the Dangerous Substances Act 2004 and the Workers Compensation Act 1951 on the date of the inspection. If compliance is identified during this inspection, it does not remove the obligation of any person to comply with any further requirement of the above mentioned Acts and Regulations.

Previous Action

Previous notice/s issued (either written or verbal)?

Recipient/s of this form:

Email: bm.stmh@ed.act.edu.au

Email 2: bm.stmh@ed.act.edu.au

Email 3:

Privacy Notice: The information collected for the purpose of the Work Health and Safety Act 2011 and is in accordance with the Information Privacy Act 2014. WorkSafe ACT prevents any unreasonable intrusion into person's privacy in accordance with the Privacy Act 1988 (C'Wlth) and Information Privacy Act 2014. WorkSafe ACT provides identifiable information which can be disclosed to other law enforcement agencies and authorised organisation that have legal authority to request information under prescribed circumstances.



IMPROVEMENT NOTICE

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You must comply with this notice within the period specified. Failure to comply may incur a maximum penalty of \$50, 000 for an individual and \$250, 000 for a body corporate.

Notice issued to:

Legal name of person/business or undertaking: ACT Education Directorate
 Head of Directorate name: Katy HAIRE
 ABN: 29148723251
 ACN:
 Trading As: ACT Education
 Address: , , ,
 Due Date: 31 October, 2023

Details of contravention:

Site location: Mabo Boulevard, BONNER ACT 2914

I, Kurt Kuehl, reasonably believe on 1 August 2023 2:55 PM that you contravened a provision of the Work Health and Safety Act 2011, section 39 - Duty to preserve incident sites.

The Directorate has not ensured, so far as is reasonably practicable, that the site where a notifiable incident occurred is not disturbed until an Inspector arrives at the site or any earlier time that an inspector directs.

Brief description of how the provision is being or has been contravened:

On 2 August 2023 5:43 PM, WorkSafe ACT was made aware of a notifiable incident which was reported to have occurred on 1 August 2023. Notification occurred by email of a notifiable incident report.

On 3 August 2023 at about 11:53 AM, I attended the workplace to investigate the incident. I met with a person who identified themselves to me as the Principal of Neville Bonner Primary School.

The Principal advised me:

- The incident involved a worker falling from a ladder at a height of between 2.5 and 3 metres. The worker sustained significant injuries, Sch 2.2(a)(ii). The worker received immediate treatment as an inpatient in a hospital due to the injuries. Therefore, the incident meets the definition of a notifiable injury in accordance with section 35 Work Health and Safety Act 2011.
- The incident occurred at approximately 2:55 PM on 1 August 2023. Therefore, the notification to WorkSafe ACT has occurred more than 24 hours after the incident.
- An ambulance was called at 3:04 PM the same day. Therefore, the fastest possible means for notification of the incident to WorkSafe ACT was by telephone.
- The Principal contacted School Operations and was provided incident response directions. The directions did not include instruction to preserve the scene until an Inspector arrives at the site.
- The incident scene had not been preserved, with the ladder having been removed so as not to be hazard for students. Photographic evidence was not collected prior to the ladder's removal. Scene was not isolated using reasonably practicable methods, such as using fencing, bunting, or similar so as to preserve the scene until an Inspector arrives.

Based on the information supplied to me through the notifiable incident report and the account from the Principal, I have formed the reasonable belief that the ACT Education Directorate has contravened section 39 (Duty to preserve incident scenes) Work Health and Safety Act 2011.

Directions as to the measures to be taken to remedy or prevent the contravention or likely contravention: *(it is mandatory to comply with these directions)*

The ACT Education Directorate must ensure, so far as reasonably practicable, that the site where a notifiable incident occurred is not disturbed until an Inspector arrives at the site or any earlier time that an inspector directs.

This may be through:

- additional training of school-level workers in the duty to notify of notifiable incidents and the duty to preserve incident scenes
- review the existing incident reporting system and implement additional procedures to instruct on scene preservation
- a combination of both

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice

Recommendations (if any): *(it is not an offence not to comply with these recommendations)*

Please contact the inspector who issued this notice to confirm compliance prior to the day by which the person is required to remedy the contravention or likely contravention.

If you cannot comply with the Directions within the compliance period, contact the issuing inspector prior to day stated for compliance with this Improvement Notice. If attempts have been made to comply with the Directions or the Directions are unable to be met the inspector may, by written notice given to the person, extend the compliance period for the improvement notice. However, the inspector may extend the compliance period only if the period has not ended. (s194 Work Health and Safety Act 2011)

In complying with the Directions, you may consider further guidance available from:

Work Health and Safety Act 2011 - legislation.act.gov.au/a/2011-35/
- Part 3 Incident Notification

Issuing Details

Issued by: Kurt Kuehl
ID number: P53987
Date issued: 08/08/2023

Service method: Email
Notice emailed to: kate.mcmahon@ed.act.edu.au

Improvement Notice issued under section 191 of the Work Health and Safety Act 2011 - further information

If you have any questions you may contact the inspector who issued this notice.

Display of Notices

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice (s 210(1)). A person must not intentionally remove, destroy, damage or deface a notice displayed under s 210(1) while the notice is in force (s 210(2)). The maximum penalty for failing to comply with these provisions is \$5,000 for an individual or \$25,000 for a corporation.

Compliance with direction or notice

The person to whom an improvement notice is issued must comply with the notice within the period specified in the notice.

Maximum penalty:

- (a) in the case of an individual—\$50 000; or
- (b) in the case of a body corporate—\$250 000

Contents of Notice

This Notice may state one or more of the following: (a) a workplace, or part of a workplace, at which the activity is not to be carried out; (b) anything that is not to be used in connection with the activity; (c) any procedure that is not to be followed in connection with the activity (s196(3)).

Directions and recommendations

A direction may refer to a code of practice and may offer the person a choice of ways in which to remedy the contravention (s 204). A Improvement notice may include recommendations. It is not an offence to fail to comply with recommendations in a notice (s205).

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WorkSafe ACT may obtain personal information about you in connection with this notice. The information may be collected and stored using the powers, and to carry out functions or activities, under the Work Health and Safety Act 2011 and related work safety laws. Under that Act, the information can be disclosed to other ACT Government agencies or non-government organisations, and other Australian work safety enforcement agencies. WorkSafe ACT is obliged to handle your information openly, transparently and in accordance with the Territory Privacy Principles set out in the Information Privacy Act 2014. For more information about how WorkSafe ACT will collect, use, share, and store your personal information and how you can access and correct the information, please see the Privacy Statement at www.act.gov.au/privacy.

Review of this Work Health and Safety Act notice

If you have any questions or need more information you may contact the inspector who issued this notice, or email worksafe@act.gov.au.

You, or another person whose interests are affected by the decision, may apply for an internal review of the decision to issue this notice.

A review may be sought within 14 days, or in the case of an improvement notice within the compliance date period specified in the notice, whichever is lesser. You may also make an application for the reviewer to stay the operation of the Improvement notice.

Please ensure you include the notice number in your application for a review, together with the applicant's name and address, and the reason you are seeking the review.

An application for a review can be made in writing to: The Work Health and Safety Commissioner WorkSafe ACT, GPO Box 158 Canberra City ACT 2601 or by email: worksafe@act.gov.au.

You may then seek a review of an internal reviewer's decision in the ACT Civil and Administrative Tribunal (ACAT). Information about that process can be found at www.acat.act.gov.au.

The decision to issue this notice is also reviewable under the *Administrative Decisions (Judicial Review) Act 1989* on application to the ACT Supreme Court.

Further, a person may make a complaint to the ACT Ombudsman about the issue of this notice.

WorkSafe ACT contact details

PO Box 158, Canberra ACT 2601

Email: worksafe@act.gov.au

Phone: (02) 6207 3000

Fax:(02) 6205 0336

Translating and Interpreting Service

Phone: 131 450

WORKPLACE VISIT REPORT

Initial Information

Inspection Number: 00169640
Lead Inspector: Kurt Kuehl
Inspector ID: P53987
Lead inspector email address: kurt.kuehl@worksafe.act.gov.au
Is there any accompanying inspectors? Yes

Ali MazharHayat P21119

Date visit commenced: 3 August, 2023
Legislation visit conducted under: WHS

Entity Information

Type of entity: Directorate
Name of individual or registered company: ACT Education Directorate
Trading as: ACT Education
ACN:
ABN: 29148723251
Industry Group: Education
Address:

Contact Name: William JOHNSTON
Contact Number: 02 6142 1201
Contact Email:

Details of Visit:

Address: Mabo Boulevard BONNER ACT 2914
Notification of entry to (as required by s164): Manager

Inspector Notes:

On 3 August 2023 at about 1153h, WorkSafe ACT Inspectors Kurt KUEHL and Ali HAYAT attended Neville Bonner Primary School at Mabo Boulevard BONNER ACT (the workplace). The workplace visit followed a notifiable incident (fall of a person) which occurred on 1 August 2023.

Inspectors KUEHL and HAYAT entered the workplace under the Work Health and Safety Act 2011 (WHS Act). Upon entry, inspectors identified themselves to a person who identified themselves as the Principal. They confirmed that the ACT Education Directorate is the person conducting a business or undertaking (PCBU) and themselves as an authorised representative of the PCBU.

The Principal advised Inspectors:

- Injured Person is in Sch 2.2(a)(ii)

- Incident was not directly witnessed. A teacher heard the incident at approximately 1455h 01 August 2023 and investigated. Injured Person was found at the base of the ladder, advised they had fallen during descent. Ladder had not been supported at the top or bottom.

- Teacher contacted the school's first aiders. Ambulance contacted 1504h and arrived 1518h. Injured Person attempted to self-move but pain was too high. No loss of consciousness was reported.

- Principal and the school's WHS Officer attended the incident scene. Principal contacted School Operations to advise of the incident and await directions. Principal completed incident report on RiskMan within one hour of the incident. School Operations gave directions including employee support and contacting the Injured Person's emergency contact. School Operations gave no instructions regarding notification to WorkSafe ACT or preserving incident scene until Inspectors could attend.

- Injured Person's family have already been notified.

- Support has been offered for workers involved in the incident (witnesses, first aiders).

- PCBU's 'Safe at Schools' incident response team have already attended and departed.

- Scene has not been preserved. Area is trafficable by primary school students.

Inspectors were taken to the stated Incident Scene and observed:

- Incident Scene is a covered walkway at 2.6 metres in height. Scene is a significant distance away from any buildings.

- Ladder access points are not installed along the length of the walkway.

The Principal advised Inspectors:

- Pole-mounted grabbers were being investigated by the PCBU to minimise the need for ladder use. Grabbers have not been common in schools up until now.

- No workers are using ladders until the incident is fully investigated.

Inspectors were taken to Storeroom B.21 and observed:

- A Stanley dual-purpose ladder, 1.8-3.2 metre, 120kg industrial rated. The Principal identified this ladder as that used during the incident.

- Ladder is clearly marked "Do Not Use." Door to the storeroom was locked to minimise the risk of unauthorised access.

- Ladder is visibly deformed to the structure between the fourth and fifth treads. The Principal advised the ladder would be disposed of after the incident investigation was complete.

Inspectors requested to inspect the ladder use procedure for the workplace. Procedure SOP 029 is located in digital format on the ConnectEd SharePoint site. Procedure Operational Safety Checks include "it is always a good idea to have someone holding the ladder when you are climbing or working on it. Long and heavy ladders require two people to erect."

KUEHL provided advice on Part 3 (Incident Notification) Work Health and Safety Act 2011. KUEHL advised:

- an Improvement Notice would be issued to the PCBU for review of the notifiable incident procedure.

- an Infringement may be issued for failure to notify, as the PCBU has not notified the regulator immediately after becoming aware that a notifiable incident arising out of the conduct of the PCBU has occurred.

Inspectors took photographs and recorded observations in contemporaneous notebook A10328, page 112 - 115 (KUEHL).

At about 1300h the same day, Inspectors KUEHL and HAYAT departed the workplace.

Disclaimer: The issues identified during this inspection are only indicative of compliance with the Work Health and Safety Act 2011, the Work Health and Safety Regulations 2011, the Dangerous Substances Act 2004 and the Workers Compensation Act 1951 on the date of the inspection. If compliance is identified during this inspection, it does not remove the obligation of any person to comply with any further requirement of the above mentioned Acts and Regulations.

Previous Action

Previous notice/s issued (either written or verbal)?

Recipient/s of this form:

Email: kate.mcmahon@ed.act.edu.au
Email 2: william.johnston@ed.act.edu.au

Privacy Notice: The information collected for the purpose of the Work Health and Safety Act 2011 and is in accordance with the Information Privacy Act 2014. WorkSafe ACT prevents any unreasonable intrusion into person's privacy in accordance with the Privacy Act 1988 (C'Wlth) and Information Privacy Act 2014. WorkSafe ACT provides identifiable information which can be disclosed to other law enforcement agencies and authorised organisation that have legal authority to request information under prescribed circumstances.

From: [Kuehl, Kurt](#)
To: [EDU, Safe at School](#)
Cc: [DDGEDUoffice](#); [EDU, Director-General Office](#); [Atkins, Jessie](#); [Brendas, Tina](#)
Subject: RE: EDU Response to Improvement Notice N-8261 - Neville Bonner Primary School
Date: Tuesday, 31 October 2023 4:36:33 PM
Attachments: [image002.png](#)
[image003.png](#)

OFFICIAL

Good afternoon, Jodie et al.

Letter received. Thank you and the team for your work. Improvement Notice N-8261 is complied with and is no longer required to be displayed.

I should note that as of 9 June 2023, sexual assault is also a notifiable incident - see s35(d) *Work Health and Safety Act 2011*. It may have been discussed during the training sessions but there's no mention in the slides. The Improvement Notice was for the Duty to Preserve Incident Scenes, which does not apply to a sexual assault incident - see s39(4) *Act*.

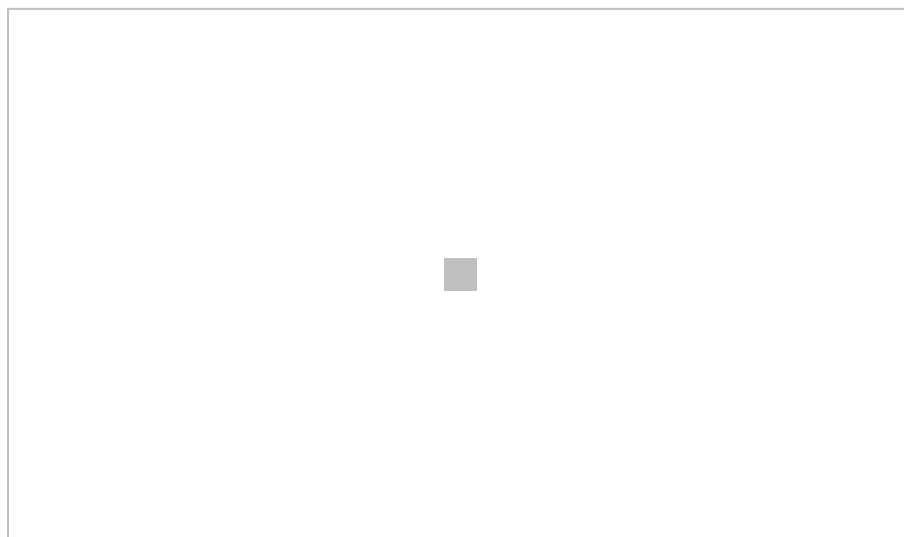
Further information is on our website: <https://www.worksafe.act.gov.au/health-and-safety-portal/safety-topics/psychosocial-hazards/workplace-sexual-assault>. If it wasn't included in the training, this information should be circulated.

Reach out to us if ever you need.

Regards,

Kurt Kuehl (he/they) | **A/g Assistant Director - General Industries**
P: 02 6205 3815 | **M:** [Sch 2.2\(a\)\(ii\)](#) | **E:** kurt.kuehl@worksafe.act.gov.au

Office of the Work Health and Safety Commissioner
GPO Box 158 Canberra ACT 2601



From: Hellyer, Jodie <Jodie.Hellyer@act.gov.au> **On Behalf Of** EDU, Safe at School
Sent: Tuesday, October 31, 2023 3:47 PM
To: Kuehl, Kurt <Kurt.Kuehl@worksafe.act.gov.au>
Cc: EDU, Safe at School <safeatschool@act.gov.au>; DDGEDUoffice



IMPROVEMENT NOTICE

This notice is issued under section 191 of the *Work Health and Safety Act 2011*. Section 210 requires that the person to whom an improvement notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace at which work is being carried out that is affected by the notice.

You must comply with this notice within the period specified. Failure to comply may incur a maximum penalty of \$50, 000 for an individual and \$250, 000 for a body corporate.

Notice issued to:

Legal name of person/business or undertaking: North Ainslie Primary School

Head of Directorate name:

ABN: 80289116708

ACN:

Trading As:

Address: , , ,

Due Date: 30 August, 2024

Details of contravention:

Site location: 122 Majura Ave, Ainslie ACT 2602

I, inspector Jesse Parker, reasonably believe on 20th of August 2024 at about 11:00am that the ACT Education Directorate t-as North Ainslie Primary School are contravening section 19 (1) of the Work Health and Safety Act 2011 (ACT), and section 344 of the Work Health and Safety Regulation 2011.

Workers are exposed to a risk to their health and safety from the using, handling or storage of hazardous chemicals in the workplace without current safety data sheets stored at the workplace.

Brief description of how the provision is being or has been contravened:

When asked, the person conducting a business or undertaking located the safety data sheets for the Inspectors to review. The Inspectors identified one safety data sheet that was not current whereby the safety data sheet was prepared more than five years prior. This safety data sheet was for Global Colour Student Acrylic which had an issue date of 2018.

Directions as to the measures to be taken to remedy or prevent the contravention or likely contravention: *(it is mandatory to comply with these directions)*

You must ensure, so far as reasonably practicable, that:

- (1) You obtain current and up-to-date safety data sheets.
- (2) The current safety data sheets for the hazardous chemicals are readily accessible to—
 - (a) a worker who is involved in using, handling or storing the hazardous chemicals at the workplace; and
 - (b) an emergency service worker, or anyone else, who is likely to be exposed to the hazardous chemicals at the workplace.
- (3) You display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice.

Recommendations (if any): *(it is not an offence not to comply with these recommendations)*

- (1) Please contact the inspector who issued this notice, by emailing Jesse.Parker@worksafe.act.gov.au, to confirm compliance prior to the day by which the person is required to remedy the contravention.
- (2) Refer to the following:
 - (a) Work Health and Safety Act 2011 (<https://www.legislation.act.gov.au/View/a/2011-35/current/html/2011-35.html>)

(b) Work Health and Safety Regulation 2011 (<https://www.legislation.act.gov.au/View/sl/2011-36/current/html/2011-36.html>)

(c) Work Health and Safety (Managing Risks of Hazardous Chemicals in the Workplace Code of Practice) Approval 2022

(<https://www.legislation.act.gov.au/View/ni/2022-687/current/html/2022-687.html>)

Issuing Details

Issued by: Jesse Parker

ID number: P05559

Date issued: 22/08/2024

Service method: Email

Notice emailed to: nadia.murad@ed.act.edu.au

Improvement Notice issued under section 191 of the Work Health and Safety Act 2011 - further information

If you have any questions you may contact the inspector who issued this notice.

Display of Notices

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice (s 210(1)). A person must not intentionally remove, destroy, damage or deface a notice displayed under s 210(1) while the notice is in force (s 210(2)). The maximum penalty for failing to comply with these provisions is \$5,000 for an individual or \$25,000 for a corporation.

Compliance with direction or notice

The person to whom an improvement notice is issued must comply with the notice within the period specified in the notice.

Maximum penalty:

- (a) in the case of an individual—\$50 000; or
- (b) in the case of a body corporate—\$250 000

Extension of time for compliance with improvement notices

If a person has been issued with an improvement notice, they may contact the inspector who issued this notice, or email worksafe@act.gov.au to apply for an extension of time to comply with that notice. This must be done within the compliance period which ends at midnight on the due date stated in the notice. An inspector may, by written notice given to the person, extend the compliance period for the improvement notice. However, the inspector may extend the compliance period only if the period has not ended.

Directions and recommendations

A direction may refer to a code of practice and may offer the person a choice of ways in which to remedy the contravention (s 204). A Improvement notice may include recommendations. It is not an offence to fail to comply with recommendations in a notice (s205).

Changes to notice by inspector

An inspector may make minor changes to a notice for clarification, to correct errors or references, or to reflect changes of address or other circumstances (s206).

Privacy statement

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Review of this Work Health and Safety Act notice

If you have any questions or need more information you may contact the inspector who issued this notice, or email worksafe@act.gov.au.

You, or another person whose interests are affected by the decision, may apply for an internal review of the decision to issue this notice.

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Please ensure you include the notice number in your application for a review, together with the applicant's name and address, and the reason you are seeking the review.

An application for a review can be made in writing to: The Work Health and Safety Commissioner WorkSafe ACT, GPO Box 158 Canberra City ACT 2601 or by email: worksafe@act.gov.au.

You may then seek a review of an internal reviewer's decision in the ACT Civil and Administrative Tribunal (ACAT). Information about that process can be found at www.acat.act.gov.au.

The decision to issue this notice is also reviewable under the *Administrative Decisions (Judicial Review) Act 1989* on application to the ACT Supreme Court.

Further, a person may make a complaint to the ACT Ombudsman about the issue of this notice.

WorkSafe ACT contact details

PO Box 158, Canberra ACT 2601

Email: worksafe@act.gov.au

Phone: (02) 6207 3000

Fax:(02) 6205 0336

Translating and Interpreting Service

Phone: 131 450

WORKPLACE VISIT REPORT

Initial Information

Inspection Number: 00214323
Lead Inspector: Jesse Parker
Inspector ID: P05559
Lead inspector email address: jesse.parker@worksafe.act.gov.au
Is there any accompanying inspectors? Yes

Danyelle Mildren

Date visit commenced: 20 August, 2024 10:50
Legislation visit conducted under: WHS

Entity Information

Type of entity: Business Entity
Name of individual or registered company: North Ainslie Primary School
Trading as:
ACN:
ABN: 80289116708
Industry Group:
Address:

Contact Name: Tania Collis
Contact Number: 61420760
Contact Email: tania.collis@ed.act.edu.au

Details of Visit:

Address: 122 Majura Ave Ainslie ACT 2602
Notification of entry to (as required by s164): PCBU

Inspector Notes:

At about 10:50am on the 20th of August 2024 WorkSafe ACT inspector Jesse Parker and Person Assisting Dany Mildren attended North Ainslie Primary School located at 122 Majura Ave, Ainslie ACT 2602 for the purpose of undertaking a workplace visit as part of an ongoing proactive campaign into ACT public schools. Upon arrival Parker and Mildren identified themselves as being from WorkSafe ACT. During the visit Parker and Mildren met with:

Tania Collis – Principal

Sharon Moloney – Deputy Principal

Nadia Murad – Business Manager

Information obtained during the visit included:

North Ainslie Primary School has one elected HSR – Sarah Buckley, who is the art teacher.

1. Has the PCBU considered the risks posed by hazardous manual handling tasks?

Yes, manual handling is controlled by the outsourcing of large manual handling jobs to trained removalists. Smaller jobs can be done by the school's Building Services officer (BSO) with the help of a relief BSO if it is a two-person job. BSO are provided with manual handling training and are provided with trollies to move heavy objects. Staff who are required to sit for long periods of time are given ergonomic chairs and sit/stand desks. Additionally, any other ergonomic adjustments such as ergonomic computer mouse or wrist rest.

2. Has the PCBU identified any slips trips and falls risks at their workplace?

Yes, primary identified hazards are tree roots growing under and causing concrete footpaths to lift, creating a tripping hazard and the build up of leaves in the carpark during autumn. The trees that grow around the school are protected and are unable to be removed. The school manages the risk of trips by marking the raised section of concrete with high visibility paint in the first instance, and then engaging contractors during the next school holidays to remediate during the following school holidays. The school has also engaged external contractors to remove excessive leaves from the school grounds. Tripping hazards that are identified within the school buildings are logged in the school's maintenance log within Central (school's management system) for actioning by the BSO. Staff are also regularly reminded to keep hallways free of furniture and not to place items or allow kids to place items in hallways.

3. Does the PCBU have the appropriate Safety Data Sheets for every hazardous chemical in the workplace and are they in date?

No, North Ainslie Primary School maintains a register of all SDS in the front office and folders with the relevant SDS in each of the storage areas where the chemicals are stored. The school does not maintain a science lab, so all chemicals kept on premises are used for cleaning or maintenance. The organisation of the SDS and of the chemicals themselves within the storage room was exemplary, with clear signage and organisation making the relevant SDS easy to locate. However, one SDS was identified as being older than 5 years and was non-compliant.

4. Has the PCBU considered the psychosocial hazard of violence and aggression in their workplace?

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

5. Does the PCBU have a system in place to ensure that sexual assault incidents are notified to Worksafe ACT?

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

Inspector Parker then took copies of the following documents.

1. Sexual assault in the workplace (printout from intranet)
2. Communicating with the school letter to parents
3. Instruction to parents about creating a parent portal access.
4. Correspondence between Tania Collis and Jacqui Etherington (Safe at Schools) re OVRA review
5. Incidents reportable to School Operations factsheet
6. Risk assessment from a ceramics activity at the school.
7. Year 2 Arts project, letter to parents for permission
8. Chemical management procedure
9. "Week Ahead" email newsletters sent out to staff
10. Slips, trips, and falls management procedure.
11. Printouts of maintenance log
12. Maintenance works flow chart
13. Invoices from external contractors
14. Hazardous manual tasks procedure

Parker and Mildren were then escorted by Sharon Moloney and Nadia Murad for a site walk through to inspect tripping hazard management and view chemical storage. Parker and Mildren took photos of the high vis paint parking raised areas of concrete and the storage of chemicals in the cleaning cupboard.

The workplace visit then concluded and Parker and Mildren left the workplace at about 1:30pm on the same day.

Disclaimer: The issues identified during this inspection are only indicative of compliance with the Work Health and Safety Act 2011, the Work Health and Safety Regulations 2011, the Dangerous Substances Act 2004 and the Workers Compensation Act 1951 on the date of the inspection. If compliance is identified during this inspection, it does not remove the obligation of any person to comply with any further requirement of the above mentioned Acts and Regulations.

Previous Action

Previous notice/s issued (either written or verbal)?

Recipient/s of this form:

Email: nadia.murad@ed.act.edu.au
Email 2: whs.edu@act.gov.au
Email 3: ebmcbs.whs@act.gov.au

Privacy Notice: The information collected for the purpose of the Work Health and Safety Act 2011 and is in accordance with the Information Privacy Act 2014. WorkSafe ACT prevents any unreasonable intrusion into person's privacy in accordance with the Privacy Act 1988 (C'Wlth) and Information Privacy Act 2014. WorkSafe ACT provides identifiable information which can be disclosed to other law enforcement agencies and authorised organisation that have legal authority to request information under prescribed circumstances.

From: [Parker, Jesse](#)
To: [Murad, Nadia](#)
Subject: RE: Improvement Notice N-0000011120
Date: Friday, 23 August 2024 9:06:00 AM
Attachments: [image002.png](#)
[image003.png](#)

Hi Nadia,

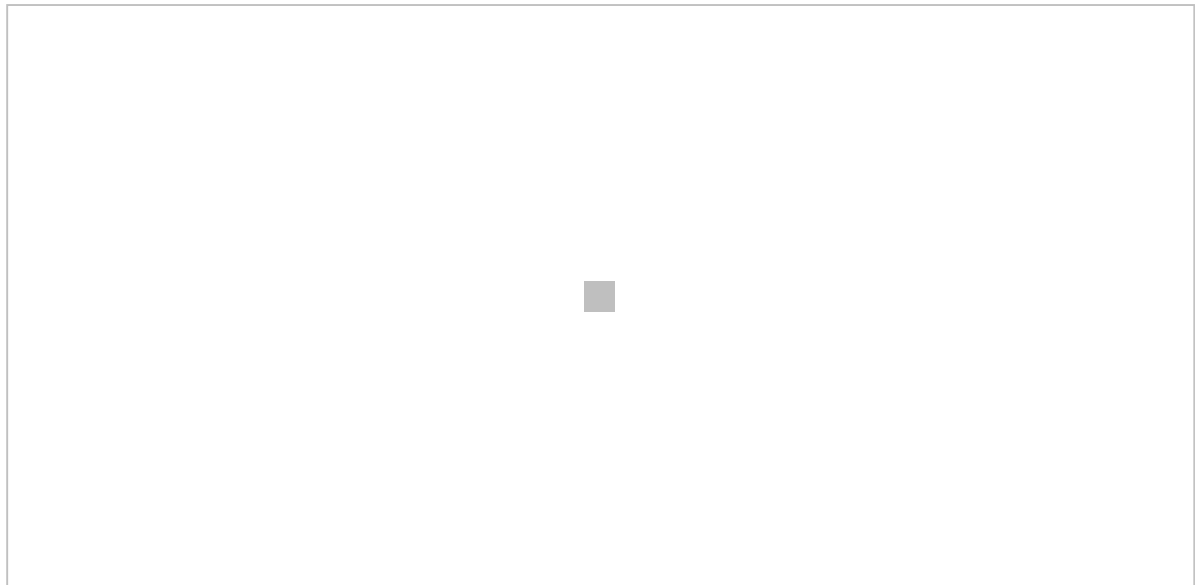
Thank you for supplying evidence of compliance with Improvement Notice N-0000011120.

I can confirm that the workplace has complied with the notice and no further action is required.

Let me know if you have any queries or require any further information.

Kind regards,

Jesse Parker (he/him) | Senior Inspector – Psychosocial
E: jesse.parker@worksafe.act.gov.au | P: [Sch 2.2\(a\)\(ii\)](#)
Office of the Work Health and Safety Commissioner
GPO Box 158 Canberra ACT 2601



IMPORTANT

This email, any attachment and the information and material contained in them, is for the use of the intended recipient. The intended recipient must not review, forward, disclose, distribute or make any other use of the email, any attachment or the information or material in them. This email is not intended to constitute or provide financial or legal advice and you must not rely or act on the information or material in the email or any attachment for those purposes. If you are not the intended recipient please notify us.

From: Murad, Nadia <Nadia.Murad@ed.act.edu.au>
Sent: Thursday, August 22, 2024 5:12 PM
To: WorkSafe <WorkSafe@worksafe.act.gov.au>
Cc: Parker, Jesse <Jesse.Parker@worksafe.act.gov.au>
Subject: RE: Improvement Notice N-0000011120

You don't often get email from nadia.murad@ed.act.edu.au. [Learn why this is important](#)

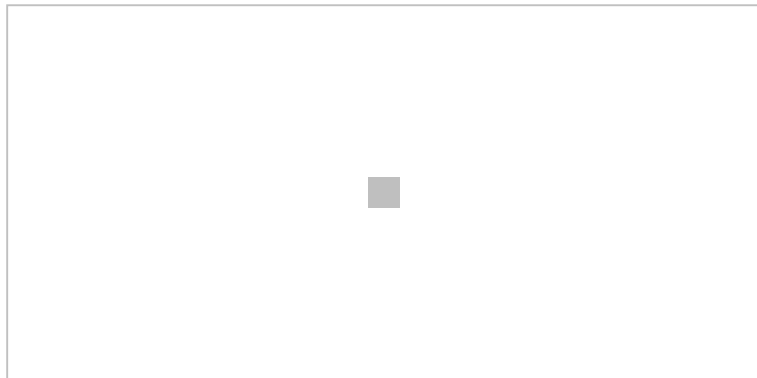
OFFICIAL

Hi Jesse

Please find attached the photos of the register with updated data sheet.

Please let me know if you require any further information.

Kind regards



From: WorkSafe ACT <worksafe@act.gov.au>

Sent: Thursday, August 22, 2024 4:49 PM

To: Murad, Nadia <Nadia.Murad@ed.act.edu.au>

Cc: Parker, Jesse (ACTGOV) <Jesse.Parker@worksafe.act.gov.au>

Subject: Improvement Notice N-0000011120

You don't often get email from worksafe@act.gov.au. [Learn why this is important](#)

Caution: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi,

Please see attached PDFs to view a copy of your Notice.

Inspection number: 00214323

Lead Inspector: Jesse Parker

Company Name: North Ainslie Primary School

Notice Number: N-0000011120

For any further information please contact WorkSafe on:

Telephone: (02) 6207 3000

Facsimile: (02) 6205 0336

Email: worksafe@act.gov.au



IMPROVEMENT NOTICE

This notice is issued under section 191 of the *Work Health and Safety Act 2011*. Section 210 requires that the person to whom an improvement notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace at which work is being carried out that is affected by the notice.

You must comply with this notice within the period specified. Failure to comply may incur a maximum penalty of \$50, 000 for an individual and \$250, 000 for a body corporate.

Notice issued to:

Legal name of person/business or undertaking: Trustees for Catholic Education Office Archdiocese of Canberra & Goulburn

Address: 29 Murphy Street, Pearce, ACT, 2607

Due Date: 14 June, 2024

Details of contravention:

Site location: , ACT

I Garrison Hudson reasonably believe on 28/05/2024 10:20 AM that you contravened section 19 (1) of the Work Health and Safety Act 2011 (ACT), section 150 of the Work Health and Safety Regulation 2011 by inadequate provision and maintenance of a work environment without risks to health and safety.

Brief description of how the provision is being or has been contravened:

Persons are exposed to a risk to their health and safety from electric shock as during the workplace visit a number of electrical items were found to be plugged in and in use without required indications of current electrical testing and tag inspections by a competent person.

Directions as to the measures to be taken to remedy or prevent the contravention or likely contravention: *(it is mandatory to comply with these directions)*

You must ensure, so far as reasonably practicable that you must, so far as reasonably practicable engage a competent person to:

1. Complete inspection and testing of all electrical equipment being supplied through some form of a plug-in power point.
2. Complete repairs of any damaged leads and plugs by a qualified and certified electrician, or otherwise decommission and remove unsafe equipment from the workplace
3. Ensure that a record of any testing carried out is kept until the electrical equipment is—
 - (a) next tested; or
 - (b) permanently removed from the workplace or disposed of.

The record of testing may be in the form of a tag attached to the electrical equipment tested.

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice

Recommendations (if any): *(it is not an offence not to comply with these recommendations)*

WHS Act 2011 Section 19 “Primary Duty of Care”

WHS Regulation 2011 Section 150 “Inspection and testing of electrical equipment”

WHS Code of Practice “Managing electrical risks at the workplace”

Please contact the inspector who issued this notice to confirm compliance prior to the day by which the person is required to remedy the contravention or likely contravention.

Issuing Details

Issued by: Garrison Hudson

ID number: P32676

Date issued: 30/05/2024

Service method: Email

Notice emailed to: Sch 2.2(a)(ii)

Improvement Notice issued under section 191 of the Work Health and Safety Act 2011 - further information

If you have any questions you may contact the inspector who issued this notice.

Display of Notices

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice (s 210(1)). A person must not intentionally remove, destroy, damage or deface a notice displayed under s 210(1) while the notice is in force (s 210(2)). The maximum penalty for failing to comply with these provisions is \$5,000 for an individual or \$25,000 for a corporation.

Compliance with direction or notice

The person to whom an improvement notice is issued must comply with the notice within the period specified in the notice.

Maximum penalty:

- (a) in the case of an individual—\$50 000; or
- (b) in the case of a body corporate—\$250 000

Extension of time for compliance with improvement notices

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Directions and recommendations

A direction may refer to a code of practice and may offer the person a choice of ways in which to remedy the contravention (s 204). A Improvement notice may include recommendations. It is not an offence to fail to comply with recommendations in a notice (s205).

Changes to notice by inspector

An inspector may make minor changes to a notice for clarification, to correct errors or references, or to reflect changes of address or other circumstances (s206).

Privacy statement

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Review of this Work Health and Safety Act notice

If you have any questions or need more information you may contact the inspector who issued this notice, or email worksafe@act.gov.au.

You, or another person whose interests are affected by the decision, may apply for an internal review of the decision to issue this notice.

A review may be sought within 14 days, or in the case of an improvement notice within the compliance date period specified in the notice, whichever is lesser. You may also make an application for the reviewer to stay the operation of the Improvement notice.

Please ensure you include the notice number in your application for a review, together with the applicant's name and address, and the reason you are seeking the review.

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The decision to issue this notice is also reviewable under the *Administrative Decisions (Judicial Review) Act 1989* on application to the ACT Supreme Court.

Further, a person may make a complaint to the ACT Ombudsman about the issue of this notice.

WorkSafe ACT contact details

PO Box 158, Canberra ACT 2601

Email: worksafe@act.gov.au

Phone: (02) 6207 3000

Fax:(02) 6205 0336

Translating and Interpreting Service

Phone: 131 450



IMPROVEMENT NOTICE

This notice is issued under section 191 of the *Work Health and Safety Act 2011*. Section 210 requires that the person to whom an improvement notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace at which work is being carried out that is affected by the notice.

You must comply with this notice within the period specified. Failure to comply may incur a maximum penalty of \$50, 000 for an individual and \$250, 000 for a body corporate.

Notice issued to:

Legal name of person/business or undertaking: Trustees for Catholic Education Office Archdiocese of Canberra & Goulburn

Address: 29 Murphy Street, Pearce, ACT, 2607

Due Date: 14 June, 2024

Details of contravention:

Site location: , ACT

I Garrison Hudson reasonably believe on 28/05/2024 10:20 AM that you contravened section 19 (1) of the Work Health and Safety Act 2011 (ACT), section 42 of the Work Health and Safety Regulation 2011. Duty to ensure all first aid kits at the workplace are maintained and expired items are removed and replaced on a regular basis.

Brief description of how the provision is being or has been contravened:

Persons are exposed to a risk to their health and safety from observed first aid contents being past there use by date that did not ensure access to in date, effective provisions of first aid equipment.

Directions as to the measures to be taken to remedy or prevent the contravention or likely contravention: *(it is mandatory to comply with these directions)*

You must ensure, so far as reasonably practicable that you ensure all workers must be able to access a first aid kit at their workplace and maintained on a regular basis to control those risks.

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice

Recommendations (if any): *(it is not an offence not to comply with these recommendations)*

WH&S Regulation section 42 "Duty to provide first-aid".

First aid in the workplace Code of Practice.

Please contact the inspector who issued this notice to confirm compliance prior to the day by which the person is required to remedy the contravention or likely contravention.

Issuing Details

Issued by: Garrison Hudson

ID number: P32676

Date issued: 30/05/2024

Service method: Email

Notice emailed to: Sch 2.2(a)(ii)

Improvement Notice issued under section 191 of the Work Health and Safety Act 2011 - further information

If you have any questions you may contact the inspector who issued this notice.

Display of Notices

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice (s 210(1)). A person must not intentionally remove, destroy, damage or deface a notice displayed under s 210(1) while the notice is in force (s 210(2)). The maximum penalty for failing to comply with these provisions is \$5,000 for an individual or \$25,000 for a corporation.

Compliance with direction or notice

The person to whom an improvement notice is issued must comply with the notice within the period specified in the notice.

Maximum penalty:

- (a) in the case of an individual—\$50 000; or
- (b) in the case of a body corporate—\$250 000

Extension of time for compliance with improvement notices

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Directions and recommendations

A direction may refer to a code of practice and may offer the person a choice of ways in which to remedy the contravention (s 204). A Improvement notice may include recommendations. It is not an offence to fail to comply with recommendations in a notice (s205).

Changes to notice by inspector

An inspector may make minor changes to a notice for clarification, to correct errors or references, or to reflect changes of address or other circumstances (s206).

Privacy statement

WorkSafe ACT may obtain personal information about you in connection with this notice. The information may be collected and stored using the powers, and to carry out functions or activities, under the Work Health and Safety Act 2011 and related work safety laws. Under that Act, the information can be disclosed to other ACT Government agencies or non-government organisations, and other Australian work safety enforcement agencies. WorkSafe ACT is obliged to handle your information openly, transparently and in accordance with the Territory Privacy Principles set out in the Information Privacy Act 2014. For more information about how WorkSafe ACT will collect, use, share, and store your personal information and how you can access and correct the information, please see the Privacy Statement at www.act.gov.au/privacy.

Review of this Work Health and Safety Act notice

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Phone: (02) 6207 3000

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Translating and Interpreting Service

Phone: 131 450



IMPROVEMENT NOTICE

This notice is issued under section 191 of the *Work Health and Safety Act 2011*. Section 210 requires that the person to whom an improvement notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace at which work is being carried out that is affected by the notice.

You must comply with this notice within the period specified. Failure to comply may incur a maximum penalty of \$50, 000 for an individual and \$250, 000 for a body corporate.

Notice issued to:

Legal name of person/business or undertaking: Trustees for Catholic Education Office Archdiocese of Canberra & Goulburn

Address: 29 Murphy Street, Pearce, ACT, 2607

Due Date: 14 June, 2024

Details of contravention:

Site location: , ACT

I Garrison Hudson reasonably believe on 28/05/2024 10:20 AM that you contravened section 19 (1) of the Work Health and Safety Act 2011 (ACT), section 346 of the Work Health and Safety Regulation 2011. Duty to protect all persons from risks to their health and safety arising from work carried out as part of the conduct of the business or undertaking; from not having a hazardous chemical register available for each chemical stored onsite.

Brief description of how the provision is being or has been contravened:

Persons are exposed to a risk to their health and safety from a revealed small amount of hazardous chemicals were contained in hard copy form register folder that contained a list of out of date chemicals that were observed on site.

Directions as to the measures to be taken to remedy or prevent the contravention or likely contravention: *(it is mandatory to comply with these directions)*

You must ensure, so far as reasonably practicable that you must update your register of hazardous chemicals used, handled, or stored at the workplace is prepared and kept at the workplace.

• The register must include—

- (a) a list of hazardous chemicals used, handled or stored; and
- (b) the current safety data sheet for each hazardous chemical listed.
- (3) The person must ensure that the register is readily accessible to—
 - (a) a worker involved in using, handling or storing a hazardous chemical; and
 - (b) anyone else who is likely to be affected by a hazardous chemical at the workplace to control those risks.

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice

Recommendations (if any): *(it is not an offence not to comply with these recommendations)*

Your attention is drawn to:

WHS Act 2011 Section 19 “Primary Duty of Care”

WHS Regulation 2011 Section 346“Hazardous chemicals register”

Please contact the inspector who issued this notice to confirm compliance prior to the day by which the person is required to remedy the contravention or likely contravention.

Issuing Details

Issued by: Garrison Hudson

ID number: P32676

Date issued: 30/05/2024

Service method: Email

Notice emailed to: Sch 2.2(a)(ii)

Improvement Notice issued under section 191 of the Work Health and Safety Act 2011 - further information

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Directions and recommendations

A direction may refer to a code of practice and may offer the person a choice of ways in which to remedy the contravention (s 204). A Improvement notice may include recommendations. It is not an offence to fail to comply with recommendations in a notice (s205).

Changes to notice by inspector

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You must comply with this notice within the period specified. Failure to comply may incur a maximum penalty of \$50, 000 for an individual and \$250, 000 for a body corporate.

Notice issued to:

Legal name of person/business or undertaking: Trustees for Catholic Education Office Archdiocese of Canberra & Goulburn

Address: 29 Murphy Street, Pearce, ACT, 2607

Due Date: 14 June, 2024

Details of contravention:

Site location: , ACT

I Garrison Hudson reasonably believe on 28/05/2024 10:20 AM that you contravened section 19 (1) of the Work Health and Safety Act 2011 (ACT), section 344 of the Work Health and Safety Regulation 2011. Duty to protect all persons from risks to their health and safety arising from work carried out as part of the conduct of the business or undertaking; from not having an up-to-date SDS information available for all hazardous chemicals on site.

Brief description of how the provision is being or has been contravened:

Persons are exposed to a risk to their health and safety from not all observed hazardous chemical SDS information had been reviewed within the required five year review period to ensure access to current in date safety data sheet information.

Directions as to the measures to be taken to remedy or prevent the contravention or likely contravention: *(it is mandatory to comply with these directions)*

You must ensure, so far as reasonably practicable that you must obtain the current safety data sheet for a hazardous chemical prepared in accordance with this regulation from the manufacturer, importer or supplier of the hazardous chemical.

- The hazardous chemical SDS information origin is Australia.
- Update the Safety Data Sheets (SDS) for all hazardous chemicals onsite, ensuring they are current (within 5 years) and are available and accessible to all workers at the school to control those risks.

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice

Recommendations (if any): *(it is not an offence not to comply with these recommendations)*

Health and Safety Regulations 2011, section 344 – "Person conducting business or undertaking to obtain and give access to safety data sheets"

Please contact the inspector who issued this notice to confirm compliance prior to the day by which the person is required to remedy the contravention or likely contravention.

Issuing Details

Issued by: Garrison Hudson

ID number: P32676

Date issued: 30/05/2024

Service method: Email

Notice emailed to: Sch 2.2(a)(ii)

Improvement Notice issued under section 191 of the Work Health and Safety Act 2011 - further information

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Translating and Interpreting Service

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WORKPLACE VISIT REPORT

Initial Information

Inspection Number: 00205623
Lead Inspector: Garrison Hudson
Inspector ID: P32676
Lead inspector email address: garrison.hudson@worksafe.act.gov.au
Is there any accompanying inspectors? Yes

Robert Dubravs

Date visit commenced: 28 May, 2024 10:20
Legislation visit conducted under: WHS

Entity Information

Type of entity: Business Entity
Name of individual or registered company: Trustees for Catholic Education Office Archdiocese of Canberra & Goulburn
Trading as: Sacred Heart Primary School
ACN:
ABN: 47824127996
Industry Group: Education
Address: 29 Murphy Street Pearce ACT 2607

Contact Name Sch 2.2(a)(ii)
Contact Number
Contact Email

Details of Visit:

Address: ACT
Notification of entry to (as required by s164): PCBU

Inspector Notes:

On 28th of May 2024 at about 10:20am WorkSafe ACT Inspector Hudson and Dubravs attended Trustees for Catholic Education Office Archdiocese of Canberra & Goulburn t-as Sacred Heart Primary School at 29 Murphy Street, Pearce, ACT, 2607 as part of an intelligence-led campaign of the education industry.

Hudson and Dubravs entered the workplace under the Work Health and Safety Act 2011 (WHS Act). Upon entry, Inspector Hudson identified themselves to a person who identified themselves as the person in charge, that Sacred Heart Primary School is the person conducting a business or undertaking (PCBU) and themselves as authorised representatives of the PCBU.

Inspector Hudson asked the following questions:

Q1 - Has the PCBU considered all the risks posed by manual tasks at their workplace? Are the controls adequate for the identified risk?

Yes – There are wellbeing measures in place. If staff have concerns with their working area, external providers are engaged with to provide advice and adjustments to work areas to make them more comfortable or appropriate for tasks being undertaken. The maintenance team are engaged to assist with any tasks that may require heavy lifting.

Q2 - Has the PCBU considered all the fall, trip and slip risks at the workplace? Are the controls adequate for the identified risk?

Yes – The maintenance team are engaged with if a risk is identified that needs repair or general maintenance. The workplace actively takes into consideration the risks of slips, trips and falls through risk assessments. A copy of a risk assessment for a school excursion was provided to inspectors who observed hazard identification, risk management and adequate controls in place.

Q3 – Does the PCBU have appropriate safety data sheets?

No – The chemical register folder presented contained out of date information which consisted of safety data sheets that were observed being past the required the five-revision period.

Q4 - Has the PCBU considered the risk of occupational violence in their workplace? Are the controls adequate for the identified risk?

Sch 2.2(a)(iii)

Q5 - Does the PCBU have systems in place to ensure that sexual assault incidents are notified to WorkSafe ACT? Are the controls adequate for the identified risk?

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

First aid kits were present but contained some out-of-date contents.

Electrical devices were observed tested but passed the recommended rested period.

Discussion of improvement notices going to be issued was completed before leaving was completed.

Inspectors Hudson and Dubravs exited the premises at approximately 12:35pm.

Disclaimer: The issues identified during this inspection are only indicative of compliance with the Work Health and Safety Act 2011, the Work Health and Safety Regulations 2011, the Dangerous Substances Act 2004 and the Workers Compensation Act 1951 on the date of the inspection. If compliance is identified during this inspection, it does not remove the obligation of any person to comply with any further requirement of the above mentioned Acts and Regulations.

Previous Action

Previous notice/s issued (either written or verbal)?

Recipient/s of this form:

Email: Sch 2.2(a)(ii)

Email 2:

Email 3:

Privacy Notice: The information collected for the purpose of the Work Health and Safety Act 2011 and is in accordance with the Information Privacy Act 2014. WorkSafe ACT prevents any unreasonable intrusion into person's privacy in accordance with the Privacy Act 1988 (C'Wlth) and Information Privacy Act 2014. WorkSafe ACT provides identifiable information which can be disclosed to other law enforcement agencies and authorised organisation that have legal authority to request information under prescribed circumstances.

From: Hudson, Garrison
To: Sch 2.2(a)(ii)
Subject: RE: Sacred Heart
Date: Thursday, 27 June 2024 2:14:00 PM
Attachments: image001.jpg
Importance: High

Hi Sch 2.2(a)(ii)

I just wanted to confirm that I have received sufficient information to close all four notices with the ending numbers of 10242, 10246, 10247 and 10248. I wish to inform you that all four notices have been complied with no further actions required. You can remove the notices and of today all the notices have closed.

Regards,
Garrison Hudson
WorkSafe ACT

From: Sch 2.2(a)(ii)
Sent: Thursday, June 27, 2024 12:55 PM
To: Hudson, Garrison <Garrison.Hudson@worksafe.act.gov.au>
Cc: Sch 2.2(a)(ii)
Subject: RE: Sacred Heart

You don't often get email from Sch 2.2(a)(ii) [Learn why this is important](#)

UNOFFICIAL

Caution: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

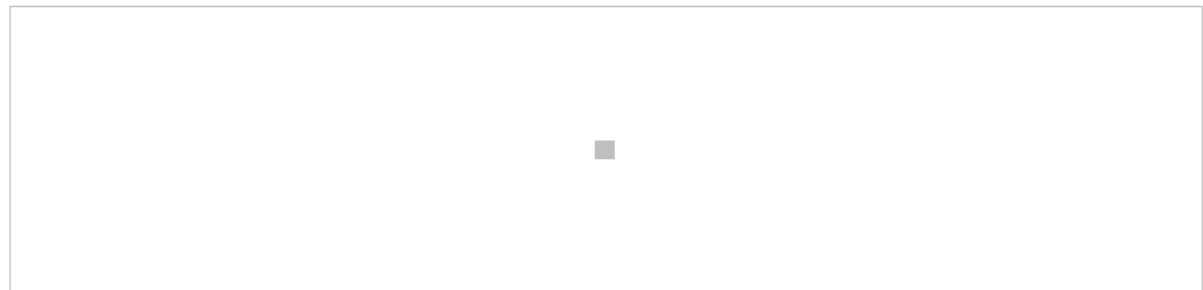
Hi Garrison,
Photos attached.
Best wishes,

Sch 2.2(a)(ii)

[Redacted]

[Redacted]

[Redacted]



From: Hudson, Garrison <Garrison.Hudson@worksafe.act.gov.au>
Sent: Tuesday, June 25, 2024 12:44 PM
To: Sch 2.2(a)(ii)
Subject: RE: Sacred Heart

This Message Is From an External Sender

Do not click any link or open attachments unless you can confirm the sender.

[Report Suspicious](#)

UNOFFICIAL

Hi Sch 2.2(a)(ii)

Please find attached four notices that require only photos to confirm as follows.
You can send me a bulk photos, images for the improvement notices.
Electrical test and tag – required photo of a in date test tag
First aid out of date stock – photo of in date first aid contents
Chemical register – photo of the inside list of chemicals
SDS information out of date – photo of the front cover of a SDS (Safety Data Sheet) for a chemical with a less than five year review date and Australian.
Regards
Garrison Hudson



IMPROVEMENT NOTICE

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You must comply with this notice within the period specified. Failure to comply may incur a maximum penalty of \$50, 000 for an individual and \$250, 000 for a body corporate.

Notice issued to:

Legal name of person/business or undertaking: Trustees for Catholic Education Office Archdiocese of Canberra & Goulburn

Address: 10 Tallara Parkway, Narrabundah, ACT, 2604

Due Date: 28 June, 2024

Details of contravention:

Site location: 10 Tallara Parkway, Narrabundah ACT 2604

I Garrison Hudson reasonably believe on 4/06/2024 9:35 AM that you contravened section 19 (1) of the Work Health and Safety Act 2011 (ACT), section 344 of the Work Health and Safety Regulation 2011. Duty to protect all persons from risks to their health and safety arising from work carried out as part of the conduct of the business or undertaking; from not having an up-to-date SDS information available for all hazardous chemicals on site.

Brief description of how the provision is being or has been contravened:

Persons are exposed to a risk to their health and safety from not having current safety data sheets for all hazardous chemicals prepared in accordance with this regulation from the manufacturer, importer or supplier of the hazardous chemicals.

Directions as to the measures to be taken to remedy or prevent the contravention or likely contravention: *(it is mandatory to comply with these directions)*

You must ensure, so far as reasonably practicable that you obtain the current safety data sheet for a hazardous chemical prepared in accordance with this regulation from the manufacturer, importer or supplier of the hazardous chemical in the following circumstances:

(a) either—

(i) not later than when the hazardous chemical is first supplied for use at the workplace; or

(ii) if the person is not able to obtain the safety data sheet under subparagraph (i)—as soon as practicable after the hazardous chemical is first supplied to the workplace but before the hazardous chemical is used at the workplace;

(b) if the safety data sheet for the hazardous chemical is amended—either—

(i) not later than when the hazardous chemical is first supplied to the workplace after the safety data sheet is amended; or

(ii) if the person is not able to obtain the amended safety data sheet under subparagraph (i)—as soon as practicable after the hazardous chemical is first supplied to the workplace after the safety data sheet is amended and before the hazardous chemical supplied is used at the workplace to control those risk.

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice

Recommendations (if any): *(it is not an offence not to comply with these recommendations)*

Your attention is drawn to:

WHS Act 2011 Section 19 “Primary Duty of Care”

WHS Regulation 2011 Section 344 “Person conducting business or undertaking to obtain and give access to safety data sheets”.

Please contact the inspector who issued this notice to confirm compliance prior to the day by which the person is required to remedy the contravention or likely contravention.

Issuing Details

Issued by: Garrison Hudson

ID number: P32676

Date issued: 17/06/2024

Service method: Email

Notice emailed to: Sch 2.2(a)(ii)

Improvement Notice issued under section 191 of the Work Health and Safety Act 2011 - further information

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- (b) in the case of a body corporate—\$250 000

Extension of time for compliance with improvement notices

If a person has been issued with an improvement notice, they may contact the inspector who issued this notice, or email worksafe@act.gov.au to apply for an extension of time to comply with that notice. This must be done within the compliance period which ends at midnight on the due date stated in the notice. An inspector may, by written notice given to the person, extend the compliance period for the improvement notice. However, the inspector may extend the compliance period only if the period has not ended.

Directions and recommendations

A direction may refer to a code of practice and may offer the person a choice of ways in which to remedy the contravention (s 204). A Improvement notice may include recommendations. It is not an offence to fail to comply with recommendations in a notice (s205).

Changes to notice by inspector

An inspector may make minor changes to a notice for clarification, to correct errors or references, or to reflect changes of address or other circumstances (s206).

Privacy statement

WorkSafe ACT may obtain personal information about you in connection with this notice. The information may be collected and stored using the powers, and to carry out functions or activities, under the Work Health and Safety Act 2011 and related work safety laws. Under that Act, the information can be disclosed to other ACT Government agencies or non-government organisations, and other Australian work safety enforcement agencies. WorkSafe ACT is obliged to handle your information openly, transparently and in accordance with the Territory Privacy Principles set out in the Information Privacy Act 2014. For more information about how WorkSafe ACT will collect, use, share, and store your personal information and how you can access and correct the information, please see the Privacy Statement at www.act.gov.au/privacy.

Review of this Work Health and Safety Act notice

If you have any questions or need more information you may contact the inspector who issued this notice, or email worksafe@act.gov.au.

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Please ensure you include the notice number in your application for a review, together with the applicant's name and address, and the reason you are seeking the review.

An application for a review can be made in writing to: The Work Health and Safety Commissioner WorkSafe ACT, GPO Box 158 Canberra City ACT 2601 or by email: worksafe@act.gov.au.

You may then seek a review of an internal reviewer's decision in the ACT Civil and Administrative Tribunal (ACAT). Information about that process can be found at www.acat.act.gov.au.

The decision to issue this notice is also reviewable under the *Administrative Decisions (Judicial Review) Act 1989* on application to the ACT Supreme Court.

Further, a person may make a complaint to the ACT Ombudsman about the issue of this notice.

WorkSafe ACT contact details

PO Box 158, Canberra ACT 2601

Email: worksafe@act.gov.au

Phone: (02) 6207 3000

Fax:(02) 6205 0336

Translating and Interpreting Service

Phone: 131 450

WORKPLACE VISIT REPORT

Initial Information

Inspection Number: 00206594
Lead Inspector: Garrison Hudson
Inspector ID: P32676
Lead inspector email address: garrison.hudson@worksafe.act.gov.au
Is there any accompanying inspectors? Yes
Robert Dubravs P63037
Date visit commenced: 04 June, 2024 09:35
Legislation visit conducted under: WHS

Entity Information

Type of entity: Business Entity
Name of individual or registered company: Trustees for Catholic Education Office Archdiocese of Canberra & Goulburn
Trading as: St Benedict's Primary School
ACN:
ABN: 47824127996
Industry Group: Education
Address: 10 Tallara Parkway Narrabundah ACT 2604
Contact Name Sch 2.2(a)(ii)
Contact Numb
Contact Email

Details of Visit:

Address: 10 Tallara Parkway Narrabundah ACT 2604
Notification of entry to (as required by s164): PCBU

Inspector Notes:

On 4th of June 2024 at about 9:35am WorkSafe ACT Inspectors Hudson and Dubravas attended Trustees for Catholic Education Office Archdiocese of Canberra & Goulburn t-as St Benedict's Primary School at 10 Tallara Parkway, Narrabundah, ACT, 2604 as part of an intelligence-led campaign of the education industry.

Hudson and Dubravas entered the workplace under the Work Health and Safety Act 2011 (WHS Act). Upon entry, Inspectors identified themselves to a person who identified themselves as the principle being a person in charge of school and confirmed that St Benedict's Primary School is the person conducting a business or undertaking (PCBU) and themselves as authorised representatives of the PCBU.

Inspector Hudson asked the following questions:

Q1 - Has the PCBU considered all the risks posed by manual tasks at their workplace? Are the controls adequate for the identified risk?

Yes – There are wellbeing measures in place. If staff have concerns with their working area, external providers are engaged with to provide advice and adjustments to work areas to make them more comfortable or appropriate for tasks being undertaken. Catholic education is contacted via an ordering system that generates a workorder resulting in an external service provider being engaged to complete tasks.

Q2 - Has the PCBU considered all the fall, trip and slip risks at the workplace? Are the controls adequate for the identified risk?

Yes – Risk assessments are completed yearly, actions are implimented where required from those outcomes.

Q3 – Does the PCBU have appropriate safety data sheets?

No – Safety data sheets that were observed being past the required the five-revision period.

Q4 - Has the PCBU considered the risk of occupational violence in their workplace? Are the controls adequate for the identified risk?

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

Q5 - Does the PCBU have systems in place to ensure that sexual assault incidents are notified to WorkSafe ACT? Are the controls adequate for the identified risk?

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

PCBU was advise at time of attendance that there will be notices issued.

Case notes added to issued notebook 35 to include images added to the case.

Inspectors Hudson and Dubravas exited the premises at approximately 11:12am.

Disclaimer: The issues identified during this inspection are only indicative of compliance with the Work Health and Safety Act 2011, the Work Health and Safety Regulations 2011, the Dangerous Substances Act 2004 and the Workers Compensation Act 1951 on the date of the inspection. If compliance is identified during this inspection, it does not remove the obligation of any person to comply with any further requirement of the above mentioned Acts and Regulations.

Previous Action

Previous notice/s issued (either written or verbal)?

Recipient/s of this form:

Email: Sch 2.2(a)(ii)

Email

Email 3:

Privacy Notice: The information collected for the purpose of the Work Health and Safety Act 2011 and is in accordance with the Information Privacy Act 2014. WorkSafe ACT prevents any unreasonable intrusion into person's privacy in accordance with the Privacy Act 1988 (C'Wlth) and Information Privacy Act 2014. WorkSafe ACT provides identifiable information which can be disclosed to other law enforcement agencies and authorised organisation that have legal authority to request information under prescribed circumstances.

From: [Hudson, Garrison](#)
To: Sch 2.2(a)(ii)
Subject: RE: SDS
Date: Monday, 8 July 2024 2:23:00 PM
Attachments: [image001.png](#)
Importance: High

Hi Sch 2.2(a)(ii),

Thank you for the email and wish to inform you that the improvement notice has been complied to with no further actions required and you can remove the notice.

Regards
Garrison Hudson

From: Sch 2.2(a)(ii)
Sent: Thursday, July 4, 2024 3:31 PM
To: Hudson, Garrison <Garrison.Hudson@worksafe.act.gov.au>
Subject: SDS

You don't often get email from Sch 2.2(a)(ii) . [Learn why this is important](#)

Caution: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hello Garrison,

Please find a copy of SDS attached.

Kind Regards,

Sch 2.2(a)(ii)



PROHIBITION NOTICE

This notice is issued under section 195 of the *Work Health and Safety Act 2011*. Section 210 requires that the person to whom a prohibition notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace at which work is being carried out that is affected by the notice.

You must comply with this notice. Failure to comply may incur a maximum penalty of \$100,000 for an individual and \$500,000 for a body corporate.

Notice issued to:

Legal name of person/business or undertaking: ST EDMUNDS COLLEGE
 ABN: 45551557285
 ACN:
 Trading As:
 Address: 100 Canberra Avenue, Griffith, ACT, 2603

Details of serious risk:

Site location: 110 Canberra Avenue, Griffith ACT 2603

You are prohibited from carrying on of using Hazardous Chemicals in the science department as there is a risk of chemicals burns to skin, inhalation of chemical fumes from not having the correct Personal Protective Equipment (PPE) identified in Safety Data Sheets (SDS) that are provided.

Basis for inspector's belief:

I David West reasonably believe that on 4/06/2024 10:00 AM that you contravened a provision of the Work Health and Safety Act 2011, section 19 (3) (d). Persons were/are exposed to serious risk to their health and safety due to PPE not being provided to workers and others that has been identified as a precaution for use in Hazardous Chemicals such as but not limited to Graphite, Beckman Caphillary Electrophoresis Buffer - 100, Isopropanol, Ferrous Sulfate Anhydrous and Iron(iii) Oxide.

When questioned on if there was safety boots used West was told that the Science lab tech wore her Doc Martins and did not need Safety Boots, There was also no Gauntlets and only nitrile disposable gloves, respirators were also not sighted at the time of inspection.

From my inquires and observations I have formed the belief that workers and others are at risk form chemical burns breathing in toxic chemical fumes from not having correct PPE provided for use with HAZCHEM.

Directions on the measures to be taken to remedy the risk, activities or matters or the contravention or likely contravention: *(it is mandatory to comply with these directions)*

You must ensure, so far as reasonably practicable that you conduct a full review of you HAZCHEM SDS and conduct assess what PPE is required for each material.

Once this review is complete supply suitable PPE in a quantity fit for your business needs.

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice

Recommendations (if any): *(it is not an offence not to comply with these recommendations)*

When addressing this notice please refer to the following information

Work Health and Safety Act 2011 <http://www.legislation.act.gov.au/a/2011-35/default.asp>

Work Health and Safety Regulation 2011 <https://www.legislation.act.gov.au/sl/2011-36/>

Work Health and Safety (Managing Risks of Hazardous Chemicals in the Workplace) <https://www.legislation.act.gov.au/ni/2022-687/>

Work Health and Safety (Preparation of Safety Data Sheets for Hazardous Chemicals Code of Practice) <https://www.legislation.act.gov.au/ni/2022-686/>

Please contact the inspector who issued this notice to confirm that the uncontrolled risk has been remedied.

Issuing Details

Issued by: David West

ID number: P57269

Date issued: 05/06/2024

Service method: Email

Notice emailed to: Sch 2.2(a)(ii)

Prohibition Notice issued under section 191 of the Work Health and Safety Act 2011 - further information

If you have any questions you may contact the inspector who issued this notice.

Display of Notices

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice (s 210(1)). A person must not intentionally remove, destroy, damage or deface a notice displayed under s 210(1) while the notice is in force (s 210(2)). The maximum penalty for failing to comply with these provisions is \$5,000 for an individual or \$25,000 for a corporation.

Compliance with direction or notice

The person to whom a prohibition notice is issued must comply with the notice (s197). The maximum penalty for failing to comply with this requirement is \$100,000 for an individual or \$500,000 for a corporation.

Regulator may carry out action

If a person to whom a prohibition notice is issued fails to take reasonable steps to comply with the notice, and after giving written notice of its intentions and the persons liability for the costs, the regulator (WorkSafe ACT) may take any remedial action it believes reasonable to make the workplace or situation safe (s 211). The regulator may then recover the reasonable costs of taking this remedial action (s213).

Contents of Notice

This Notice may state one or more of the following: (a) a workplace, or part of a workplace, at which the activity is not to be carried out; (b) anything that is not to be used in connection with the activity; (c) any procedure that is not to be followed in connection with the activity (s196(3)).

Directions and recommendations

A direction may refer to a code of practice and may offer the person a choice of ways in which to remedy the contravention (s 204). A prohibition notice may include recommendations. It is not an offence to fail to comply with recommendations in a notice (s205).

Changes to notice by inspector

An inspector may make minor changes to a notice for clarification, to correct errors or references, or to reflect changes of address or other circumstances (s206).

Privacy statement

WorkSafe ACT may obtain personal information about you in connection with this notice. The information may be collected and stored using the powers, and to carry out functions or activities, under the Work Health and Safety Act 2011 and related work safety laws. Under that Act, the information can be disclosed to other ACT Government agencies or non-government organisations, and other Australian work safety enforcement agencies. WorkSafe ACT is obliged to handle your information openly, transparently and in accordance with the Territory Privacy Principles set out in the Information Privacy Act 2014. For more information about how WorkSafe ACT will collect, use, share, and store your personal information and how you can access and correct the information, please see the Privacy Statement at www.act.gov.au/privacy.

Review of this Work Health and Safety Act notice

If you have any questions or need more information you may contact the inspector who issued this notice, or email worksafe@act.gov.au.

You, or another person whose interests are affected by the decision, may apply for an internal review of the decision to issue this notice.

A review may be sought within 14 days, or in the case of an improvement notice within the compliance date period specified in the notice, whichever is lesser. You may also make an application for the reviewer to stay the operation of the Improvement notice.

Please ensure you include the notice number in your application for a review, together with the applicant's name and address, and the reason you are seeking the review.

An application for a review can be made in writing to: The Work Health and Safety Commissioner WorkSafe ACT, GPO Box 158 Canberra City ACT 2601 or by email: worksafe@act.gov.au.

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The decision to issue this notice is also reviewable under the *Administrative Decisions (Judicial Review) Act 1989* on application to the ACT Supreme Court.

PO Box 158, Canberra ACT 2601

Email: worksafe@act.gov.au

Phone: (02) 6207 3000

Fax:(02) 6205 0336

Translating and Interpreting Service

Phone: 131 450

WORKPLACE VISIT REPORT

Initial Information

Inspection Number: 00206296
Lead Inspector: David West
Inspector ID: P57269
Lead inspector email address: david.west@worksafe.act.gov.au
Is there any accompanying inspectors? Yes
Jesse Parker P05559
Date visit commenced: 04 June, 2024 10:00
Legislation visit conducted under: WHS

Entity Information

Type of entity: Business Entity
Name of individual or registered company: ST EDMUNDS COLLEGE
Trading as:
ACN:
ABN: 45551557285
Industry Group: Education
Address: 100 Canberra Avenue Griffith ACT 2603
Contact Name: ST EDMUNDS COLLEGE
Contact Number: 0262953598
Contact Email: Sch 2.2(a)(ii)

Details of Visit:

Address: 110 Canberra Avenue Griffith ACT 2603
Notification of entry to (as required by s164): PCBU

Inspector Notes:

On Tuesday 4th June 2024 at approximately 10:00am, Worksafe ACT Inspector David West and person assisting Jesse Parker attended St Edmunds College located at 110 Canberra Avenue, Griffith ACT 2603. The attendance was for the purpose of undertaking a proactive workplace visit regarding work health and safety concerns. Upon arrival West and Parker identified themselves as being from Worksafe ACT. During the Visit West and Parker met with:

Acting Business Manager
Acting Deputy Principal
Compliance and Admin Manager

Information obtained during the visit included:

The school currently has 841 students enrolled between years 4-12.

There are approximately 100 staff at St Edmunds. 78 teachers, the remainder are support/admin staff.

1. Has the PCBU considered the risks posed by hazardous manual handling tasks?

Yes. Trolleys are used for moving heavy items and elevators are available to eliminate the need to move heavy items upstairs. Grounds keeping staff are outsourced to eliminate manual handling risks to school staff.

2. Has the PCBU identified any slips trips and falls risks at their workplace?

Yes, the school utilises a maintenance ticketing system where any identified slips, trips or fall hazards can be logged with the maintenance team for correction. All staff are strongly encouraged by maintenance team to use system.

3. Does the PCBU have the appropriate Safety Data Sheets (SDS) for every hazardous chemical in the workplace and are they in date?

Yes. All SDS viewed were in date at time of inspection. However, it was identified that the school did not have appropriate Personal Protective Equipment (PPE for all the chemicals that were being stored in the onsite chemical store.

At 10:56am Inspector West gave a Verbal Prohibition on the use of Hazardous Chemicals (Hazchem) in the science departments until a review of the SDS has been conducted and all appropriate PPE has been provided.

4. Has the PCBU considered the psychosocial hazard of violence and aggression in their workplace?

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

5. Does the PCBU have a system in place to ensure that sexual assault incidents are notified to Worksafe ACT?

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

West and Parker concluded the workplace visit and left the premises at 11:17am on the same day.

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Previous Action

Previous notice/s issued (either written or verbal)?

Recipient/s of this form:

Email Sch 2.2(a)(ii)
Email
Email 3:

Privacy Notice: The information collected for the purpose of the Work Health and Safety Act 2011 and is in accordance with the Information Privacy Act 2014. WorkSafe ACT prevents any unreasonable intrusion into person's privacy in accordance with the Privacy Act 1988 (C'Wlth) and Information Privacy Act 2014. WorkSafe ACT provides identifiable information which can be disclosed to other law enforcement agencies and authorised organisation that have legal authority to request information under prescribed circumstances.



IMPROVEMENT NOTICE

This notice is issued under section 191 of the *Work Health and Safety Act 2011*. Section 210 requires that the person to whom an improvement notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace at which work is being carried out that is affected by the notice.

You must comply with this notice within the period specified. Failure to comply may incur a maximum penalty of \$50, 000 for an individual and \$250, 000 for a body corporate.

Notice issued to:

Legal name of person/business or undertaking: Trustee for Catholic Education Office Archdiocese of Canberra and Goulburn

ABN: 47824127996

ACN:

Trading As: St Francis of Assisi Primary School

Address: 120 Casey Cres, Calwell, ACT, 2905

Due Date: 24 July, 2024

Details of contravention:

Site location: 120 Casey Cres, Calwell ACT 2905

I Victoria Vanzella reasonably believe on 25/06/2024 2:19 PM that you contravened section 19 (1) of the Work Health and Safety Act 2011 (ACT), section 344 of the Work Health and Safety Regulation 2011. Duty to protect all persons from risks to their health and safety arising from work carried out as part of the conduct of the business or undertaking; from not having an up-to-date SDS information available for all hazardous chemicals on site.

Brief description of how the provision is being or has been contravened:

Persons are exposed to a risk to their health and safety from not having current safety data sheets for all hazardous chemicals prepared in accordance with this regulation from the manufacturer, importer or supplier of the hazardous chemicals.

Directions as to the measures to be taken to remedy or prevent the contravention or likely contravention: *(it is mandatory to comply with these directions)*

You must ensure, so far as reasonably practicable that you obtain the current safety data sheet for a hazardous chemical prepared in accordance with this regulation from the manufacturer, importer or supplier of the hazardous chemical in the following circumstances:

(a) either—

(i) not later than when the hazardous chemical is first supplied for use at the workplace; or

(ii) if the person is not able to obtain the safety data sheet under subparagraph (i)—as soon as practicable after the hazardous chemical is first supplied to the workplace but before the hazardous chemical is used at the workplace;

(b) if the safety data sheet for the hazardous chemical is amended—either—

(i) not later than when the hazardous chemical is first supplied to the workplace after the safety data sheet is amended; or

(ii) if the person is not able to obtain the amended safety data sheet under subparagraph (i)—as soon as practicable after the hazardous chemical is first supplied to the workplace after the safety data sheet is amended and before the hazardous chemical supplied is used at the workplace.

Ensure evidence of expired SDS information is filed to stop accesses to out-of-date information.

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice.

Recommendations (if any): *(it is not an offence not to comply with these recommendations)*

Please contact the inspector who issued this notice to confirm compliance prior to the day by which the person is required to remedy the contravention or likely contravention.

Issuing Details

Issued by: Victoria Vanzella

ID number: P56996

Date issued: 26/06/2024

Service method: Email

Notice emailed to: Sch 2.2(a)(ii)

Improvement Notice issued under section 191 of the Work Health and Safety Act 2011 - further information

If you have any questions you may contact the inspector who issued this notice.

Display of Notices

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Compliance with direction or notice

The person to whom an improvement notice is issued must comply with the notice within the period specified in the notice.

Maximum penalty:

- (a) in the case of an individual—\$50 000; or
- (b) in the case of a body corporate—\$250 000

Extension of time for compliance with improvement notices

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Directions and recommendations

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Review of this *Work Health and Safety Act* notice

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Please ensure you include the notice number in your application for a review, together with the applicant's name and address, and the reason you are seeking the review.

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You may then seek a review of an internal reviewer's decision in the ACT Civil and Administrative Tribunal (ACAT). Information about that process can be found at www.acat.act.gov.au.

The decision to issue this notice is also reviewable under the *Administrative Decisions (Judicial Review) Act 1989* on application to the ACT Supreme Court.

Further, a person may make a complaint to the ACT Ombudsman about the issue of this notice.

WorkSafe ACT contact details

PO Box 158, Canberra ACT 2601

Email: worksafe@act.gov.au

Phone: (02) 6207 3000

Fax:(02) 6205 0336

Translating and Interpreting Service

Phone: 131 450

WORKPLACE VISIT REPORT

Initial Information

Inspection Number: 00208306
Lead Inspector: Amanda Sibree
Inspector ID: P57950
Lead inspector email address: amanda.sibree@worksafe.act.gov.au
Is there any accompanying inspectors? Yes
Victoria Vanzella P56996
Date visit commenced: 25 June, 2024 10:46
Legislation visit conducted under: WHS

Entity Information

Type of entity: Trust
Name of individual or registered company: Trustee for Catholic Education Office Archdiocese of Canberra and Goulburn
Trading as: St Francis of Assisi Primary School
ACN:
ABN: 47824127996
Industry Group: Education
Address: 120 Casey Cres Calwell ACT 2905
Contact Name: Trustee for Catholic Education Office Archdiocese of Canberra and Goulburn
Contact Number: 62924500
Contact Email: office.stfranciscalwell@cg.catholic.edu.au

Details of Visit:

Address: 120 Casey Cres Calwell ACT 2905
Notification of entry to (as required by s164): PCBU

Inspector Notes:

On 25 June 2024, at about 10:31am WorkSafe ACT Inspectors Victoria Vanzella and Amanda Sibree attended Trustees for Catholic Education Office Archdiocese of Canberra and Goulburn trading as St Francis of Assisi Primary School, located at 120 Casey Cres Calwell ACT 2905, to conduct a proactive inspection as part of the current Education campaign.

Inspectors Vanzella and Sibree entered the workplace under the Work Health and Safety Act 2011 (WHS Act).

Upon entry, Inspectors identified themselves to a person who identified themselves as the school principal and an authorised representative of the PCBU.

Inspectors asked the following questions:

Q1 - Has the PCBU considered all the risks posed by manual tasks at their workplace? Are the controls adequate for the identified risk?

Yes

An 'end-of-year procedure book' is completed, and furniture and large items are moved by a removalist company where possible.

Teachers are moving around, not sedentary.

Teachers have ergonomic chairs and devices to aid in physical strain on the body.

WHS questions and suggestions are discussed at regular WHS meetings.

Wellbeing measures are in place and staff take a proactive approach to ensure compliance.

Q2 - Has the PCBU considered all the fall, trip and slip risks at the workplace? Are the controls adequate for the identified risk?

Yes

The school has a full-time grounds and maintenance manager who regularly conducts maintenance checks of the school grounds.

The grounds and maintenance manager is called to clean up spills immediately. Wet floor signage is used to isolate the area, and the area is cleaned up and made safe.

Outdoor paved areas have an abrasive surface preventing slips in the winter.

The cleaning is outsourced to Enviro Cleaners who attend after school hours.

Incidents, accidents, hazards and near misses are emailed or placed into the communication booked located at the front office.

Q3 - Has the PCBU considered the risk of hazardous chemicals in their workplace? Are the controls in place adequate for the identified risks?

No

Safety Data Sheets are stored on SharePoint; however, several are out of date (2016).

Q4 - Has the PCBU considered the risk of occupational violence in their workplace? Are the controls adequate for the identified risk?

Sch 2.2(a)(iii), Sch 2.2(a)(xii), Sch 2.2(a)(xi)

Sabbath week is held in week seven of each term. During this week, staff are encouraged to slow down and take a break. Meetings are not scheduled, allowing workers to recharge physically and mentally.

Social events are held throughout the year.

Q5 – Has the PCBU have a system in place to ensure that notifiable incidents, including sexual assault incidents, are reported to WorkSafe ACT?

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

Observations were made of the cleaner's closet and chemical storage areas. SDS sheets were available; however, some safety data sheets have expired the mandatory 5 years before needing updates.

Inspectors Vanzella and Sibree left the premises at approximately 11:46am on the same day.

Notice that is being issued following the site inspection:

Improvement Notice WHS Act 2011 – 19 (1).

Disclaimer: The issues identified during this inspection are only indicative of compliance with the Work Health and Safety Act 2011, the Work Health and Safety Regulations 2011, the Dangerous Substances Act 2004 and the Workers Compensation Act 1951 on the date of the inspection. If compliance is identified during this inspection, it does not remove the obligation of any person to comply with any further requirement of the above mentioned Acts and Regulations.

Previous Action

Previous notice/s issued (either written or verbal)?

Recipient/s of this form:

Email: office.stfranciscalwell@cg.catholic.edu.au

Email 2: Sch 2.2(a)(ii)

Email 3:

Privacy Notice: The information collected for the purpose of the Work Health and Safety Act 2011 and is in accordance with the Information Privacy Act 2014. WorkSafe ACT prevents any unreasonable intrusion into person's privacy in accordance with the Privacy Act 1988 (C'Wlth) and Information Privacy Act 2014. WorkSafe ACT provides identifiable information which can be disclosed to other law enforcement agencies and authorised organisation that have legal authority to request information under prescribed circumstances.



IMPROVEMENT NOTICE

This notice is issued under section 191 of the *Work Health and Safety Act 2011*. Section 210 requires that the person to whom an improvement notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace at which work is being carried out that is affected by the notice.

You must comply with this notice within the period specified. Failure to comply may incur a maximum penalty of \$50, 000 for an individual and \$250, 000 for a body corporate.

Notice issued to:

Legal name of person/business or undertaking: Trustee for Catholic Education Office Archdiocese of Canberra & Goulburn

Address: 20 Barnard Circuit, Florey, ACT, 2615

Due Date: 5 July, 2024

Details of contravention:

Site location: 20 Barnard Cct, Florey ACT 2615

I Garrison Hudson reasonably believe on 18/06/2024 10:05 AM that you contravened section 19 (1) of the Work Health and Safety Act 2011 (ACT), section 344 of the Work Health and Safety Regulation 2011. Duty to protect all persons from risks to their health and safety arising from work carried out as part of the conduct of the business or undertaking; from not having up-to-date SDS information available for all hazardous chemicals on site.

Brief description of how the provision is being or has been contravened:

Persons are exposed to a risk to their health and safety from not having current safety data sheets for all hazardous chemicals prepared in accordance with this regulation from the manufacturer, importer or supplier of the hazardous chemicals.

Directions as to the measures to be taken to remedy or prevent the contravention or likely contravention: *(it is mandatory to comply with these directions)*

You must ensure, so far as reasonably practicable that you obtain the current safety data sheet for a hazardous chemical prepared in accordance with this regulation from the manufacturer, importer or supplier of the hazardous chemical in the following circumstances:

(a) either—

(i) not later than when the hazardous chemical is first supplied for use at the workplace; or

(ii) if the person is not able to obtain the safety data sheet under subparagraph (i)—as soon as practicable after the hazardous chemical is first supplied to the workplace but before the hazardous chemical is used at the workplace;

(b) if the safety data sheet for the hazardous chemical is amended—either—

(i) not later than when the hazardous chemical is first supplied to the workplace after the safety data sheet is amended; or

(ii) if the person is not able to obtain the amended safety data sheet under subparagraph (i)—as soon as practicable after the hazardous chemical is first supplied to the workplace after the safety data sheet is amended and before the hazardous chemical supplied is used at the workplace.

Ensure evidence of expired SDS information is filed to stop accesses to out-of-date information to control those risks.

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice

Recommendations (if any): *(it is not an offence not to comply with these recommendations)*

Your attention is drawn to:

WHS Act 2011 Section 19 “Primary Duty of Care”

WHS Regulation 2011 Section 344“Person conducting business or undertaking to obtain and give access to safety data sheets”.

Please contact the inspector who issued this notice to confirm compliance prior to the day by which the person is required to remedy the contravention or likely contravention.

Issuing Details

Issued by: Garrison Hudson

ID number: P32676

Date issued: 20/06/2024

Service method: Email

Notice emailed to: Sch 2.2(a)(ii)

Improvement Notice issued under section 191 of the Work Health and Safety Act 2011 - further information

If you have any questions you may contact the inspector who issued this notice.

Display of Notices

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice (s 210(1)). A person must not intentionally remove, destroy, damage or deface a notice displayed under s 210(1) while the notice is in force (s 210(2)). The maximum penalty for failing to comply with these provisions is \$5,000 for an individual or \$25,000 for a corporation.

Compliance with direction or notice

The person to whom an improvement notice is issued must comply with the notice within the period specified in the notice.

Maximum penalty:

- (a) in the case of an individual—\$50 000; or
- (b) in the case of a body corporate—\$250 000

Extension of time for compliance with improvement notices

If a person has been issued with an improvement notice, they may contact the inspector who issued this notice, or email worksafe@act.gov.au to apply for an extension of time to comply with that notice. This must be done within the compliance period which ends at midnight on the due date stated in the notice. An inspector may, by written notice given to the person, extend the compliance period for the improvement notice. However, the inspector may extend the compliance period only if the period has not ended.

Directions and recommendations

A direction may refer to a code of practice and may offer the person a choice of ways in which to remedy the contravention (s 204). A Improvement notice may include recommendations. It is not an offence to fail to comply with recommendations in a notice (s205).

Changes to notice by inspector

An inspector may make minor changes to a notice for clarification, to correct errors or references, or to reflect changes of address or other circumstances (s206).

Privacy statement

WorkSafe ACT may obtain personal information about you in connection with this notice. The information may be collected and stored using the powers, and to carry out functions or activities, under the Work Health and Safety Act 2011 and related work safety laws. Under that Act, the information can be disclosed to other ACT Government agencies or non-government organisations, and other Australian work safety enforcement agencies. WorkSafe ACT is obliged to handle your information openly, transparently and in accordance with the Territory Privacy Principles set out in the Information Privacy Act 2014. For more information about how WorkSafe ACT will collect, use, share, and store your personal information and how you can access and correct the information, please see the Privacy Statement at www.act.gov.au/privacy.

Review of this *Work Health and Safety Act* notice

If you have any questions or need more information you may contact the inspector who issued this notice, or email worksafe@act.gov.au.

You, or another person whose interests are affected by the decision, may apply for an internal review of the decision to issue this notice.

A review may be sought within 14 days, or in the case of an improvement notice within the compliance date period specified in the notice, whichever is lesser. You may also make an application for the reviewer to stay the operation of the Improvement notice.

Please ensure you include the notice number in your application for a review, together with the applicant's name and address, and the reason you are seeking the review.

An application for a review can be made in writing to: The Work Health and Safety Commissioner WorkSafe ACT, GPO Box 158 Canberra City ACT 2601 or by email: worksafe@act.gov.au.

You may then seek a review of an internal reviewer's decision in the ACT Civil and Administrative Tribunal (ACAT). Information about that process can be found at www.acat.act.gov.au.

The decision to issue this notice is also reviewable under the *Administrative Decisions (Judicial Review) Act 1989* on application to the ACT Supreme Court.

Further, a person may make a complaint to the ACT Ombudsman about the issue of this notice.

WorkSafe ACT contact details

PO Box 158, Canberra ACT 2601

Email: worksafe@act.gov.au

Phone: (02) 6207 3000

Fax:(02) 6205 0336

Translating and Interpreting Service

Phone: 131 450

WORKPLACE VISIT REPORT

Initial Information

Inspection Number: 00207678
Lead Inspector: Garrison Hudson
Inspector ID: P32676
Lead inspector email address: garrison.hudson@worksafe.act.gov.au
Is there any accompanying inspectors? Yes
Lisa Bopping P46390
Date visit commenced: 18 June, 2024 10:05
Legislation visit conducted under: WHS

Entity Information

Type of entity: Business Entity
Name of individual or registered company: Trustee for Catholic Education Office Archdiocese of Canberra & Goulburn
Trading as: St Francis Xavier College
ACN:
ABN: 47824127996
Industry Group: Education
Address: 20 Barnard Circuit Florey ACT 2615
Contact Name Sch 2.2(a)(ii)
Contact Num
Contact Email:

Details of Visit:

Address: 20 Barnard Cct Florey ACT 2615
Notification of entry to (as required by s164): PCBU

Inspector Notes:

On 18th of June 2024 at about 10:05am WorkSafe ACT Inspectors Hudson and Bopping attended Trustees for Catholic Education Office Archdiocese of Canberra & Goulburn t-as St Francis Xavier College at 20 Barnard Court, Florey, ACT, 2615 as part of an intelligence-led campaign of the education industry.

Hudson and Bopping entered the workplace under the Work Health and Safety Act 2011 (WHS Act). Upon entry, Inspectors identified themselves to a person who identified themselves as the Business Manager being a person in charge of school and confirmed that St Francis Xavier College is the person conducting a business or undertaking (PCBU) and themselves as authorised representatives of the PCBU.

Inspector Hudson asked the following questions:

Q1 - Has the PCBU considered all the risks posed by manual tasks at their workplace? Are the controls adequate for the identified risk?

Yes – The school has general maintenance personnel on site and large projects Catholic education is contacted via an ordering system that generates a workorder resulting in an external service provider being engaged to complete tasks. Toolbox talks are completed to assess if minor maintenance can be completed by onsite personnel and for engagement of external support. Manual handling training is completed yearly with other required refresher training.

Q2 - Has the PCBU considered all the fall, trip and slip risks at the workplace? Are the controls adequate for the identified risk?

Yes – Risk assessments are completed yearly for overall school assessments.

Q3 – Does the PCBU have appropriate safety data sheets?

No – Safety data sheets that were observed being past the required the five-revision period.

Q4 - Has the PCBU considered the risk of occupational violence in their workplace? Are the controls adequate for the identified risk?

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

Q5 - Does the PCBU have systems in place to ensure that sexual assault incidents are notified to WorkSafe ACT? Are the controls adequate for the identified risk?

Sch 2.2(a)(iii), Sch 2.2(a)(xi), Sch 2.2(a)(xii)

PCBU was advise at time of attendance that there will be notices issued.

Case notes added to issued notebook 35 to include images added to the case.

Inspectors Hudson and Bopping exited the premises at approximately 12:05pm.

Disclaimer: The issues identified during this inspection are only indicative of compliance with the Work Health and Safety Act 2011, the Work Health and Safety Regulations 2011, the Dangerous Substances Act 2004 and the Workers Compensation Act 1951 on the date of the inspection. If compliance is identified during this inspection, it does not remove the obligation of any person to comply with any further requirement of the above mentioned Acts and Regulations.

Previous Action

Previous notice/s issued (either written or verbal)?

Recipient/s of this form:

Email: Sch 2.2(a)(ii)
Email:
Email 3: school.office@sfx.act.edu.au

Privacy Notice: The information collected for the purpose of the Work Health and Safety Act 2011 and is in accordance with the Information Privacy Act 2014.

WorkSafe ACT prevents any unreasonable intrusion into person's privacy in accordance with the Privacy Act 1988 (C'With) and Information Privacy Act 2014. WorkSafe ACT provides identifiable information which can be disclosed to other law enforcement agencies and authorised organisation that have legal authority to request information under prescribed circumstances.

From: [Hudson, Garrison](#)
To: Sch 2.2(a)(ii)
Subject: RE: Improvement Notice N-0000010438
Date: Thursday, 20 June 2024 1:38:00 PM
Attachments: [image001.png](#)
Importance: High

Hi Sch 2.2(a)(ii)

I wish to confirm that I have received your email with the required information to support the closing of the issued improvement notice and I wish to advise there are no more actions required to be completed and the notice is now closed.

Regards
Garrison Hudson

From: Sch 2.2(a)(ii)
Sent: Thursday, June 20, 2024 11:53 AM
To: Hudson, Garrison <Garrison.Hudson@worksafe.act.gov.au>
Cc: Sch 2.2(a)(ii)
Subject: FW: Improvement Notice N-0000010438

You don't often get email from Sch 2.2(a)(ii) . [Learn why this is important](#)

Caution: This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe. [Learn why this is important](#)

Dear Garrison,

In response to the Improvement Notice issued by WorkSafe for the one SDS form out of date, I attach the new document as well as the old document to this email to show full rectification and compliance. For further records: This was also emailed to you just after 1pm on the day we had the inspection and has been rectified since then.

Please let me know if I can assist in any other way.

Kind regards,

Sch 2.2(a)(ii)



IMPROVEMENT NOTICE

This notice is issued under section 191 of the *Work Health and Safety Act 2011*. Section 210 requires that the person to whom an improvement notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace at which work is being carried out that is affected by the notice.

You must comply with this notice within the period specified. Failure to comply may incur a maximum penalty of \$50, 000 for an individual and \$250, 000 for a body corporate.

Notice issued to:

Legal name of person/business or undertaking: TRUSTEES FOR CATHOLIC EDUCATION OFFICE ARCHDIOCESE OF CANBERRA & GOULBURN

Address: 1021 Gungahlin Drive, Nicholls, ACT, 2913

Due Date: 17 July, 2024

Details of contravention:

Site location: 1021 Gungahlin drive, Nicholls ACT 2913

I Andrew Woolgar reasonably believe on 25/06/2024 11:10 AM that you contravened section 19 (3) (d) of the Work Health and Safety Act 2011 (ACT), section 344 of the Work Health and Safety Regulation 2011 from hazardous chemicals due to hazardous chemicals safety data sheets are not current and readily accessible to workers involved in using, handling or storing the hazardous chemical

Brief description of how the provision is being or has been contravened:

On 25th June 2024 at about 09:55am WorkSafe ACT Inspectors Woolgar and Genter attended Trustees for Catholic Education Office Archdiocese of Canberra & Goulburn T/A St John Paul || College located at 1021 Gungahlin Drive Nicholls to conduct a proactive inspection as part of the current Education campaign.

- Safety Data Sheets are kept in a number of different locations being the front office and the storage areas
- The hazardous chemical safety data sheets for the hazardous chemicals including but not limited to Crusader, Over/ Grill Cleaner- Heavy Duty and Balchan All Purpose Thinners at the front office where assessed and observation revealed workers are exposed to risk of injury due to the hazardous chemical data sheets are not current.

Persons are exposed to a risk to their health and safety from hazardous chemicals safety data sheets are not current and readily accessible to workers involved in using, handling or storing the hazardous chemical

Directions as to the measures to be taken to remedy or prevent the contravention or likely contravention: *(it is mandatory to comply with these directions)*

You must ensure, so far as reasonably practicable that you must obtain:

- a current safety data sheet for the hazardous chemicals including but not limited to Crusader, Over/ Grill Cleaner- Heavy Duty and Balchan All Purpose Thinners being used at the workplace from the manufacturer, importer or supplier and
- ensure it is readily accessible to workers involved in using, handling or storing the hazardous chemical to control those risks.

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice

Recommendations (if any): *(it is not an offence not to comply with these recommendations)*

In complying with the direction, you may give consideration to further guidance available from:

- Work Health and Safety (Managing Risks of Hazardous Chemicals in the Workplace Code of Practice) Approval 2022

Please contact the inspector who issued this notice to confirm compliance prior to the day by which the person is required to remedy the contravention or likely contravention.

Issuing Details

Issued by: Andrew Woolgar

ID number: P32662

Date issued: 27/06/2024

Service method: Email

Notice emailed to: Sch 2.2(a)(ii)

Improvement Notice issued under section 191 of the Work Health and Safety Act 2011 - further information

If you have any questions you may contact the inspector who issued this notice.

Display of Notices

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice (s 210(1)). A person must not intentionally remove, destroy, damage or deface a notice displayed under s 210(1) while the notice is in force (s 210(2)). The maximum penalty for failing to comply with these provisions is \$5,000 for an individual or \$25,000 for a corporation.

Compliance with direction or notice

The person to whom an improvement notice is issued must comply with the notice within the period specified in the notice.

Maximum penalty:

- (a) in the case of an individual—\$50 000; or
- (b) in the case of a body corporate—\$250 000

Extension of time for compliance with improvement notices

If a person has been issued with an improvement notice, they may contact the inspector who issued this notice, or email worksafe@act.gov.au to apply for an extension of time to comply with that notice. This must be done within the compliance period which ends at midnight on the due date stated in the notice. An inspector may, by written notice given to the person, extend the compliance period for the improvement notice. However, the inspector may extend the compliance period only if the period has not ended.

Directions and recommendations

A direction may refer to a code of practice and may offer the person a choice of ways in which to remedy the contravention (s 204). A Improvement notice may include recommendations. It is not an offence to fail to comply with recommendations in a notice (s205).

Changes to notice by inspector

An inspector may make minor changes to a notice for clarification, to correct errors or references, or to reflect changes of address or other circumstances (s206).

Privacy statement

WorkSafe ACT may obtain personal information about you in connection with this notice. The information may be collected and stored using the powers, and to carry out functions or activities, under the Work Health and Safety Act 2011 and related work safety laws. Under that Act, the information can be disclosed to other ACT Government agencies or non-government organisations, and other Australian work safety enforcement agencies. WorkSafe ACT is obliged to handle your information openly, transparently and in accordance with the Territory Privacy Principles set out in the Information Privacy Act 2014. For more information about how WorkSafe ACT will collect, use, share, and store your personal information and how you can access and correct the information, please see the Privacy Statement at www.act.gov.au/privacy.

Review of this Work Health and Safety Act notice

If you have any questions or need more information you may contact the inspector who issued this notice, or email worksafe@act.gov.au.

You, or another person whose interests are affected by the decision, may apply for an internal review of the decision to issue this notice.

A review may be sought within 14 days, or in the case of an improvement notice within the compliance date period specified in the notice, whichever is lesser. You may also make an application for the reviewer to stay the operation of the Improvement notice.

Please ensure you include the notice number in your application for a review, together with the applicant's name and address, and the reason you are seeking the review.

An application for a review can be made in writing to: The Work Health and Safety Commissioner WorkSafe ACT, GPO Box 158 Canberra City ACT 2601 or by email: worksafe@act.gov.au.

You may then seek a review of an internal reviewer's decision in the ACT Civil and Administrative Tribunal (ACAT). Information about that process can be found at www.acat.act.gov.au.

The decision to issue this notice is also reviewable under the *Administrative Decisions (Judicial Review) Act 1989* on application to the ACT Supreme Court.

Further, a person may make a complaint to the ACT Ombudsman about the issue of this notice.

WorkSafe ACT contact details

PO Box 158, Canberra ACT 2601

Email: worksafe@act.gov.au

Phone: (02) 6207 3000

Fax:(02) 6205 0336

Translating and Interpreting Service

Phone: 131 450



IMPROVEMENT NOTICE

This notice is issued under section 191 of the *Work Health and Safety Act 2011*. Section 210 requires that the person to whom an improvement notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace at which work is being carried out that is affected by the notice.

You must comply with this notice within the period specified. Failure to comply may incur a maximum penalty of \$50, 000 for an individual and \$250, 000 for a body corporate.

Notice issued to:

Legal name of person/business or undertaking: TRUSTEES FOR CATHOLIC EDUCATION OFFICE ARCHDIOCESE OF CANBERRA & GOULBURN

Address: 1021 Gungahlin Drive, Nicholls, ACT, 2913

Due Date: 10 July, 2024

Details of contravention:

Site location: 1021 Gungahlin drive, Nicholls ACT 2913

I, Andrew Woolgar, reasonably believe on 25/06/2024 at 11:00 am at St John Paul || College 1021 Gungahlin Drive Nicholls are contravening a provision of the Work Health and Safety Act 2011, section 19 (3) (c). The person conducting a business or undertaking has failed to provide and maintain an adequate safe system of work for reporting notifiable incidents, including suspected or confirmed sexual assault incidents, to the regulator. Under section 38 of the Work Health and Safety Act 2011, a person conducting a business or undertaking must ensure that the regulator is notified immediately after becoming aware that a notifiable incident arising out of the conduct of the business or undertaking has occurred.

Brief description of how the provision is being or has been contravened:

On 25th June 2024 at about 09:55am WorkSafe ACT Inspectors Woolgar and Genter attended Trustees for Catholic Education Office Archdiocese of Canberra & Goulburn T/A St John Paul || College located at 1021 Gungahlin Drive Nicholls to conduct a proactive inspection as part of the current Education campaign.

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

Whilst the workplace has awareness of duties to report to other regulatory bodies, the person conducting a business or undertaking informed the Inspector that they did not have a system in place for raising information up to and reporting notifiable incidents to the regulator, namely WorkSafe ACT.

Directions as to the measures to be taken to remedy or prevent the contravention or likely contravention: *(it is mandatory to comply with these directions)*

You must ensure, so far as reasonably practicable that you develop and implement a safe system of work that ensures that all notifiable incidents, including suspected or confirmed sexual assault incidents, are reported to the regulator as soon as becoming aware of any incident to control those risks.

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice

Recommendations (if any): *(it is not an offence not to comply with these recommendations)*

Guidance can be sought from:

- Work Health and Safety Act 2011 (<https://www.legislation.act.gov.au/View/a/2011-35/current/html/2011-35.html>)
- Work Health and Safety Regulation 2011 (<https://www.legislation.act.gov.au/View/sl/2011-36/current/html/2011-36.html>)

Please contact the inspector who issued this notice to confirm compliance prior to the day by which the person is required to remedy the contravention or likely contravention.

Issuing Details

Issued by: Andrew Woolgar

ID number: P32662

Date issued: 27/06/2024

Service method: Email

Notice emailed to: Sch 2.2(a)(ii)

Improvement Notice issued under section 191 of the Work Health and Safety Act 2011 - further information

If you have any questions you may contact the inspector who issued this notice.

Display of Notices

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Compliance with direction or notice

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Directions and recommendations

A direction may refer to a code of practice and may offer the person a choice of ways in which to remedy the contravention (s 204). A Improvement notice may include recommendations. It is not an offence to fail to comply with recommendations in a notice (s205).

Changes to notice by inspector

An inspector may make minor changes to a notice for clarification, to correct errors or references, or to reflect changes of address or other circumstances (s206).

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Review of this Work Health and Safety Act notice

If you have any questions or need more information you may contact the inspector who issued this notice, or email worksafe@act.gov.au.

You, or another person whose interests are affected by the decision, may apply for an internal review of the decision to issue this notice.

A review may be sought within 14 days, or in the case of an improvement notice within the compliance date period specified in the notice, whichever is lesser. You may also make an application for the reviewer to stay the operation of the Improvement notice.

Please ensure you include the notice number in your application for a review, together with the applicant's name and address, and the reason you are seeking the review.

An application for a review can be made in writing to: The Work Health and Safety Commissioner WorkSafe ACT, GPO Box 158 Canberra City ACT 2601 or by email: worksafe@act.gov.au.

You may then seek a review of an internal reviewer's decision in the ACT Civil and Administrative Tribunal (ACAT). Information about that process can be found at www.acat.act.gov.au.

The decision to issue this notice is also reviewable under the *Administrative Decisions (Judicial Review) Act 1989* on application to the ACT Supreme Court.

Further, a person may make a complaint to the ACT Ombudsman about the issue of this notice.

WorkSafe ACT contact details

PO Box 158, Canberra ACT 2601

Email: worksafe@act.gov.au

Phone: (02) 6207 3000

Fax:(02) 6205 0336

Translating and Interpreting Service

Phone: 131 450

WORKPLACE VISIT REPORT

Initial Information

Inspection Number: 00208332
Lead Inspector: Andrew Woolgar
Inspector ID: P32662
Lead inspector email address: andrew.woolgar@act.gov.au
Is there any accompanying inspectors? Yes
Christopher Genther P49547
Date visit commenced: 25 June, 2024 09:50
Legislation visit conducted under: WHS

Entity Information

Type of entity: Trust
Name of individual or registered company: TRUSTEES FOR CATHOLIC EDUCATION OFFICE ARCHDIOCESE OF CANBERRA & GOULBURN
Trading as: St John Paul || College
ACN:
ABN: 47824127996
Industry Group: Education
Address: 1021 Gungahlin Drive Nicholls ACT 2913
Contact Name: TRUSTEES FOR CATHOLIC EDUCATION OFFICE ARCHDIOCESE OF CANBERRA & GOULBURN
Contact Number: 02 61634800
Contact Email: Sch 2.2(a)(ii)

Details of Visit:

Address: 1021 Gungahlin drive Nicholls ACT 2913
Notification of entry to (as required by s164): Manager

Inspector Notes:

On 25th June 2024 at about 09:55am WorkSafe ACT Inspectors Woolgar and Genther attended Trustees for Catholic Education Office Archdiocese of Canberra & Goulburn T/A St John Paul || College located at 1021 Gungahlin Drive Nicholls to conduct a proactive inspection as part of the current Education campaign. Woolgar and Genther entered the workplace under the Work Health and Safety Act 2011 (WHS Act). Upon entry, Inspector Woolgar identified themselves to persons who identified themselves as Business Manager and Principal for St John Paul || College is the person conducting a business or undertaking (PCBU) and themselves as authorised representatives of the PCBU.

Inspector Woolgar and Genther asked the following questions:

Q1 - Has the PCBU considered all the risks posed by manual tasks at their workplace? Are the controls adequate for the identified risk? Yes.

- Workers are aware of and trained in the manual handling policy and framework. The training is completed online yearly, and is relevant for the level of their role.

- The maintenance staff have access to a trolleys and manual pallet jacks to assist with the undertaking manual handling tasks.

- A risk assessment can be undertaken for different manual handling tasks when required which identifies the risk and develops appropriate corrective actions to manage the risk.

Q2 - Has the PCBU considered all the fall, trip and slip risks at the workplace? Are the controls adequate for the identified risk? Yes.

- there is a policy in place for any slippery areas of the workplace to be reported for cleaning

- Incidents recorded in an online incident register.

- Workers can self-report an incident and/or their supervisor can report the incident on their behalf.

Q3 - Has the PCBU considered the risk of hazardous chemicals their workplace. Are the controls in place adequate for the identified risks? No

- Safety Data Sheets are kept in a number of different locations being the front office and the storage areas

- The hazardous chemical safety data sheets at the front office where assessed and observation revealed workers are exposed to risk of injury due to the hazardous chemical data sheets are not current.

- Informed an Improvement Notice will be issued to ensure hazardous chemicals safety data sheets are readily accessible to workers involved in using, handling or storing the hazardous chemical

Q4 - Has the PCBU considered the risk of occupational violence in their workplace? Are the controls adequate for the identified risk? Yes.

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

Q5 - Has the PCBU have a system in place to ensure that sexual assault incidents (and other incidents) are notified to WorkSafe? No

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

Inspectors Woolgar and Genther left the premises at 10:45am on the same day.

Disclaimer: The issues identified during this inspection are only indicative of compliance with the Work Health and Safety Act 2011, the Work Health and Safety Regulations 2011, the Dangerous Substances Act 2004 and the Workers Compensation Act 1951 on the date of the inspection. If compliance is identified during this inspection, it does not remove the obligation of any person to comply with any further requirement of the above mentioned Acts and Regulations.

Previous Action

Previous notice/s issued (either written or verbal)?

Recipient/s of this form:

Email: Sch 2.2(a)(ii)

Email 2:

Email 3:

Privacy Notice: The information collected for the purpose of the Work Health and Safety Act 2011 and is in accordance with the Information Privacy Act 2014. WorkSafe ACT prevents any unreasonable intrusion into person's privacy in accordance with the Privacy Act 1988 (C'Wlth) and Information Privacy Act 2014. WorkSafe ACT provides identifiable information which can be disclosed to other law enforcement agencies and authorised organisation that have legal authority to request information under prescribed circumstances.



IMPROVEMENT NOTICE

This notice is issued under section 191 of the *Work Health and Safety Act 2011*. Section 210 requires that the person to whom an improvement notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace at which work is being carried out that is affected by the notice.

You must comply with this notice within the period specified. Failure to comply may incur a maximum penalty of \$50, 000 for an individual and \$250, 000 for a body corporate.

Notice issued to:

Legal name of person/business or undertaking: Trustees for Catholic Education Office Archdiocese of Canberra & Goulburn

Address: 9 Pawsey Circuit, Florey, ACT, 2615

Due Date: 30 September, 2024

Details of contravention:

Site location: 9 Pawsey Circuit, FLOREY ACT 2615

I Kurt Kuehl reasonably believe on 25/06/2024 11:45 AM that you contravened section 19 (3) (d) of the Work Health and Safety Act 2011 (ACT), section 346 of the Work Health and Safety Regulation 2011.

The business has not ensured that a register of hazardous chemicals used, handled or stored at the workplace is kept current and readily available, as is required by Work Health and Safety Regulation 2011, section 346 - Hazardous chemicals register, exposing persons to a risk of chemical burns and harmful health effects from chemical hazards and impeding emergency response due to a lack of information on the chemicals at the workplace.

Brief description of how the provision is being or has been contravened:

At the workplace I observed hazards chemicals, including non-domestic quantities of substances with corrosive warning decals.

When I asked a representative of the business about the hazardous chemicals register for the workplace, the representative told me that a hazardous chemicals register has not been prepared for the workplace.

From the information supplied to me by the representatives of the business in response to my inquiry, I have formed the reasonable belief that persons are exposed to a risk to their health and safety, such as by chemical burns, harmful health effects from chemical hazards, and impeded emergency response due to a lack of information on the chemicals at the workplace.

Directions as to the measures to be taken to remedy or prevent the contravention or likely contravention: *(it is mandatory to comply with these directions)*

You must ensure that—

- (a) a register of hazardous chemicals used, handled or stored at the workplace is prepared and kept at the workplace; and
- (b) the register is maintained to ensure the information in the register is up to date.

The register must include—

- (a) a list of hazardous chemicals used, handled or stored; and
- (b) the current safety data sheet for each hazardous chemical listed.

You must ensure that the register is readily accessible to—

- (a) a worker involved in using, handling or storing a hazardous chemical; and
- (b) an emergency service worker, or anyone else, who is likely to be affected by a hazardous chemical at the workplace.

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice

Recommendations (if any): *(it is not an offence not to comply with these recommendations)*

Please contact the inspector who issued this notice to confirm compliance prior to the day by which the person is required to remedy the contravention or likely contravention.

If you cannot comply with the Directions within the compliance period, contact the issuing inspector prior to day stated for compliance with this Improvement Notice. If attempts have been made to comply with the Directions or the Directions are unable to be met the inspector may, by written notice given to the person, extend the compliance period for the improvement notice. However, the inspector may extend the compliance period only if the period has not ended (s194 Work Health and Safety Act 2011).

In complying with the Directions, you may consider further guidance available from:

Work Health and Safety Act 2011 - legislation.act.gov.au/a/2011-35/

- Part 2 Health and safety duties

Work Health and Safety Regulation 2011 - legislation.act.gov.au/sl/2011-36/

- Part 3.1 Managing risks to health and safety

- Part 7.1 Hazardous chemicals

WorkSafe ACT Codes of Practice - www.worksafe.act.gov.au/laws-and-compliance/codes-of-practice

- Managing risks of hazardous chemicals in the workplace

Safe Work Australia Information Sheets - <https://www.safeworkaustralia.gov.au/>

- Hazardous chemicals register template

Issuing Details

Issued by: Kurt Kuehl

ID number: P53987

Date issued: 28/06/2024

Service method: Email

Notice emailed to: Sch 2.2(a)(ii)

Improvement Notice issued under section 191 of the Work Health and Safety Act 2011 - further information

If you have any questions you may contact the inspector who issued this notice.

Display of Notices

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice (s 210(1)). A person must not intentionally remove, destroy, damage or deface a notice displayed under s 210(1) while the notice is in force (s 210(2)). The maximum penalty for failing to comply with these provisions is \$5,000 for an individual or \$25,000 for a corporation.

Compliance with direction or notice

The person to whom an improvement notice is issued must comply with the notice within the period specified in the notice.

Maximum penalty:

- (a) in the case of an individual—\$50 000; or
- (b) in the case of a body corporate—\$250 000

Extension of time for compliance with improvement notices

If a person has been issued with an improvement notice, they may contact the inspector who issued this notice, or email worksafe@act.gov.au to apply for an extension of time to comply with that notice. This must be done within the compliance period which ends at midnight on the due date stated in the notice. An inspector may, by written notice given to the person, extend the compliance period for the improvement notice. However, the inspector may extend the compliance period only if the period has not ended.

Directions and recommendations

A direction may refer to a code of practice and may offer the person a choice of ways in which to remedy the contravention (s 204). A Improvement notice may include recommendations. It is not an offence to fail to comply with recommendations in a notice (s205).

Changes to notice by inspector

An inspector may make minor changes to a notice for clarification, to correct errors or references, or to reflect changes of address or other circumstances (s206).

Privacy statement

WorkSafe ACT may obtain personal information about you in connection with this notice. The information may be collected and stored using the powers, and to carry out functions or activities, under the Work Health and Safety Act 2011 and related work safety laws. Under that Act, the information can be disclosed to other ACT Government agencies or non-government organisations, and other Australian work safety enforcement agencies. WorkSafe ACT is obliged to handle your information openly, transparently and in accordance with the Territory Privacy Principles set out in the Information Privacy Act 2014. For more information about how WorkSafe ACT will collect, use, share, and store your personal information and how you can access and correct the information, please see the Privacy Statement at www.act.gov.au/privacy.

Review of this *Work Health and Safety Act* notice

If you have any questions or need more information you may contact the inspector who issued this notice, or email worksafe@act.gov.au.

You, or another person whose interests are affected by the decision, may apply for an internal review of the decision to issue this notice.

A review may be sought within 14 days, or in the case of an improvement notice within the compliance date period specified in the notice, whichever is lesser. You may also make an application for the reviewer to stay the operation of the Improvement notice.

Please ensure you include the notice number in your application for a review, together with the applicant's name and address, and the reason you are seeking the review.

An application for a review can be made in writing to: The Work Health and Safety Commissioner WorkSafe ACT, GPO Box 158 Canberra City ACT 2601 or by email: worksafe@act.gov.au.

You may then seek a review of an internal reviewer's decision in the ACT Civil and Administrative Tribunal (ACAT). Information about that process can be found at www.acat.act.gov.au.

The decision to issue this notice is also reviewable under the *Administrative Decisions (Judicial Review) Act 1989* on application to the ACT Supreme Court.

Further, a person may make a complaint to the ACT Ombudsman about the issue of this notice.

WorkSafe ACT contact details

PO Box 158, Canberra ACT 2601

Email: worksafe@act.gov.au

Phone: (02) 6207 3000

Fax:(02) 6205 0336

Translating and Interpreting Service

Phone: 131 450

WORKPLACE VISIT REPORT

Initial Information

Inspection Number: 00208471
Lead Inspector: Kurt Kuehl
Inspector ID: P53987
Lead inspector email address: kurt.kuehl@worksafe.act.gov.au
Is there any accompanying inspectors? Yes
Jason Dale P49547
Date visit commenced: 25 June, 2024 10:00
Legislation visit conducted under: WHS

Entity Information

Type of entity: Trust
Name of individual or registered company: Trustees for Catholic Education Office Archdiocese of Canberra & Goulburn
Trading as: St John the Apostle Primary School
ACN:
ABN: 47824127996
Industry Group: Education
Address: 9 Pawsey Circuit Florey ACT 2615
Contact Name: Trustees for Catholic Education Office Archdiocese of Canberra & Goulburn
Contact Number: 02 6258 3592
Contact Email: Sch 2.2(a)(ii)

Details of Visit:

Address: 9 Pawsey Circuit FLOREY ACT 2615
Notification of entry to (as required by s164): Manager

Inspector Notes:

On 25 June 2024 at about 1000h, WorkSafe ACT Inspectors Kurt KUEHL and Jason DALE attended St John the Apostle Primary School at 9 Pawsey Circuit FLOREY ACT (the workplace). The workplace visit was part of the current proactive campaign in the Education sector.

A search of the ACT Education Non-Government Schools (NGS) Register confirms that Trustees for Catholic Education Office Archdiocese of Canberra & Goulburn, ABN 47 824 127 996 is the person conducting a business or undertaking (PCBU).

Inspectors KUEHL and DALE entered the workplace under the Work Health and Safety Act 2011 (WHS Act). Upon entry, inspectors identified themselves to persons who identified themselves as representatives of the PCBU in the following positions:

- Principal
- Health and Safety Representative (HSR)

The PCBU Representatives provided Inspectors demographics information for the workplace:

- 357 students. Mixture girls and boys. Year Kindergarten to 6.
- 35 total workers across teaching and non-teaching roles. No unpaid volunteers.

Inspectors asked questions in relation to WorkSafe ACT strategic priorities and received the following responses:

Q1 - Has the PCBU considered all the risks posed by manual tasks at their workplace? Are the controls adequate for the identified risk?

Yes. Classrooms set up to minimise handling requirements. Furniture procured through classroom suppliers. Teachers able to sit, stand, and move to reduce sustained and awkward postures. Classroom audit once per year, typically in Term 1. Topics include:

- Flexible and Adaptable
- Safe
- Order & Space
- Predictable
- Comfortable
- Calming space

Principal highlighted the school area footprint is “spacious for the number of people.”

Q2 - Has the PCBU considered all the fall, trip and slip risks at the workplace? Are the controls adequate for the identified risk?

Yes. Maintenance register is in use, with an in-house maintenance worker available three days/week. Maintenance worker will check the register each day and determine if able to fix or if a contractor needs to be engaged.

Q3 - Has the PCBU considered the risk of hazardous chemicals their workplace. Are the controls in place adequate for the identified risks?

Yes. Chemicals used are stored in a locked room. No science labs. Principal took Inspectors to the storeroom. KUEHL observed:

- Hazardous chemicals, including paints and corrosive cleaning products, were at the workplace.
- Two safety data sheet (SDS) folders were present. On cursory inspection, SDSs within folders are not current, with issue dates ranging 2011 to 2014.
- No hazardous chemicals register was present. When asked, the Principal advised that no central hazardous chemicals register is maintained for the workplace.
- A substance was stored in an orange juice bottle. By the viscosity, aroma, and proximity to a labelled pump bottle, KUEHL suspects the substance to be hand soap, however the bottle was not labelled KUEHL provided advise about section 342 (Labelling hazardous chemicals—containers) WHS Regulation 2011, requirements for chemicals being transferred or decanted from original containers, and previous incidents of substances being consumed after storage in beverage containers.

Q4 - Has the PCBU considered the risk of occupational violence in their workplace? Are the controls adequate for the identified risk?

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

Q5 - Does the PCBU have a system in place to ensure that sexual assault incidents are notified to WorkSafe ACT?

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

Inspectors observed the following at the workplace:

- Workplace is generally clean and tidy with no issues observed in relation to general workplace layout, work areas, flooring, lighting, ventilation, temperature, or services.
- Housekeeping is maintained to allow for persons to enter and exit and to move about without risk to health and safety, both under normal working conditions and in an emergency

KUEHL discussed observed contraventions with PCBU Representatives, including an improvement notice to be issued for section 346 (Hazardous chemicals register) Work Health and Safety Regulation 2011.

Inspectors took photographs and KUEHL made records in contemporaneous notebook RED-65, pages 8 to 12.

At about 1145h the same day, Inspectors KUEHL and DALE departed the workplace.

Disclaimer: The issues identified during this inspection are only indicative of compliance with the Work Health and Safety Act 2011, the Work Health and Safety Regulations 2011, the Dangerous Substances Act 2004 and the Workers Compensation Act 1951 on the date of the inspection. If compliance is identified during this inspection, it does not remove the obligation of any person to comply with any further requirement of the above mentioned Acts and Regulations.

Previous Action

Previous notice/s issued (either written or verbal)?

Recipient/s of this form:

Email: Sch 2.2(a)(ii)

Email 2:

Email 3:

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From: [Yulia, Dina](#)
To: Sch 2.2(a)(ii)
Cc: [Rebekah Brown](#); [Sarah McKenna](#); Sch 2.2(a)(ii)
Subject: WorkSafe ACT | Case Closure Notice | Reference Number 00436046
Date: Tuesday, 1 October 2024 11:08:00 AM
Attachments: [image001.png](#)
[image002.jpg](#)

Good morning Sch 2.2(a)

Thank you for assisting us with the case and providing additional information to comply with the notice. No further action is required at this stage.

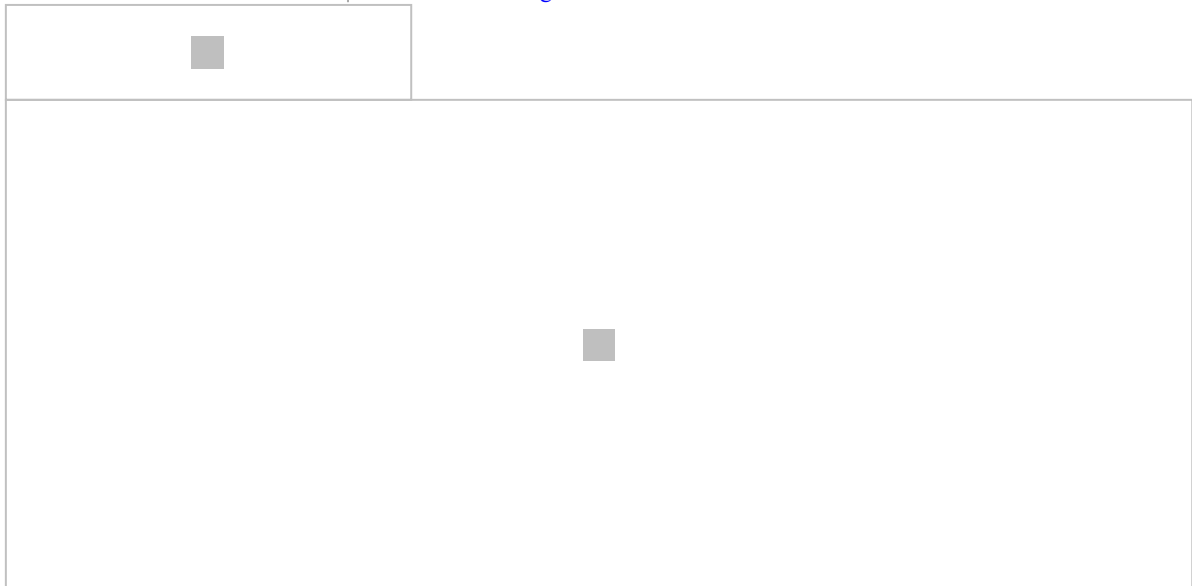
Therefore, the case will now be closed off on our system.

If you have any enquiry, please feel free to contact me or reach out to WorkSafe ACT via <https://www.worksafe.act.gov.au/contact-us>.

Kind Regards,

Dina Yulia | **Inspector – General Industries**

M: [redacted] | E: dina.yulia@worksafe.act.gov.au
Office of the Work Health and Safety Commissioner
GPO Box 158 Canberra ACT 2601 | www.worksafe.act.gov.au



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WORKPLACE VISIT REPORT

Initial Information

Inspection Number: 00209106
Lead Inspector: Tamara Teer
Inspector ID: P37224
Lead inspector email address: tamara.teer@worksafe.act.gov.au
Is there any accompanying inspectors? Yes
Kathryn Terracini P50369
Date visit commenced: 02 July, 2024 09:41
Legislation visit conducted under: WC

Entity Information

Type of entity: Directorate
Name of individual or registered company: TRUSTEES FOR CATHOLIC EDUCATION OFFICE ARCHDIOCESE OF CANBERRA & GOULBURN
Trading as: St John Vianney's Primary School, Waramanga
ACN:
ABN: 47824127996
Industry Group: Education
Address: 87 Namatjira Drive Waramanga ACT 2611
Contact Name: TRUSTEES FOR CATHOLIC EDUCATION OFFICE ARCHDIOCESE OF CANBERRA & GOULBURN
Contact Number: 0262882383
Contact Email: office.sjv@cg.catholic.edu.au

Details of Visit:

Address: 91 Namatjira Drive Warramanga ACT 2611
Notification of entry to (as required by s164): PCBU

Inspector Notes:

On 2 July of 2024 at approximately 09:41 am, WorkSafe ACT Inspectors Tamara Teer and Kathryn Terracini attended TRUSTEES FOR CATHOLIC EDUCATION

OFFICE ARCHDIOCESE OF CANBERRA & GOULBURN trading as St John Vianney's Primary School, located at 91 Namatjira Drive, Warramanga, ACT, 2611.

The workplace visit was part of the intelligence-led proactive campaign in the education sector, focusing on, risk of manual tasks, slips, trips, and falls, SDSs, violence and aggression on workplace and sexual assault.

Teer and Terracini entered the workplace under Work Health and Safety Act (WHS Act). Upon entry inspectors identified themselves to a person who identified themselves as acting principal and authorised representative of the Person Conducting a Business or Undertaking (PCBU).

During the Inspection, various questions were asked as part of the campaign with the following being identified:

Q1 – Has the PCBU considered the risks posed by hazardous manual tasks at their workplace? Are the measures that the PCBU implemented adequate to reduce risks of body stressing and musculoskeletal disorders?

A1 – All staff members would be inducted according to their job level. Typically, classroom support assistants attend the Manual Handling course because they handle students with special needs, such as those in wheelchairs. They use hoists and techniques suitable for safe work to prevent accidents. Teachers won't participate in manual handling. For teachers, several breaks are available to reduce the risk of burnout. Each teacher works for 30 minutes and then takes a 10-minute break.

Q2 – Has the PCBU identified any slips, trips, and falls risks at their workplace? How adequate are the controls that the PCBU put in place to ensure tidy workspaces and reduce the risks?

A2 – The workplace has an external cleaner who handles cleaning and takes care of the chemicals used in the premises. Sufficient resources are available to prevent slips, trips, and falls in the workplace..

Q3 – Does the PCBU have the appropriate safety data sheets (SDS) for every hazardous chemical present in the workplace? Is the SDS current and readily available to all workers who use or may be affected by the chemicals?

A3 – Yes – The workplace contained multiple UpToDate safety data sheets whereby they were prepared.

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

Q5 – Does the PCBU have a system in place to ensure that sexual assault incidents are notified to WorkSafe ACT?

A5 - They have a policy to investigate sexual assault or suspicion of sexual assault. They notify catholic and it would be notified to CYPs and WorkSafe. They also have contact person to go in case of sexual assault is suspected. Victim can contact them and process the complaint. They also have policy to monitor student under protection.

Inspectors took photographs and recorded observations in their official notebooks

Inspectors concluded their inspection and departed the workplace at about 10:30 AM the same day.

Disclaimer: The issues identified during this inspection are only indicative of compliance with the Work Health and Safety Act 2011, the Work Health and Safety Regulations 2011, the Dangerous Substances Act 2004 and the Workers Compensation Act 1951 on the date of the inspection. If compliance is identified during

this inspection, it does not remove the obligation of any person to comply with any further requirement of the above mentioned Acts and Regulations.

Previous Action

Previous notice/s issued (either written or verbal)?

Recipient/s of this form:

Email: office.sjv@cg.catholic.edu.au
Email 2: office.sjv@cg.catholic.edu.au
Email 3:

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WORKPLACE VISIT REPORT

Initial Information

Inspection Number: 00209118
Lead Inspector: Amanda Sibree
Inspector ID: P57950
Lead inspector email address: amanda.sibree@worksafe.act.gov.au
Is there any accompanying inspectors? Yes
Jess Holden 8873582
Date visit commenced: 02 July, 2024 09:20
Legislation visit conducted under: WHS

Entity Information

Type of entity: Trust
Name of individual or registered company: Trustee for Catholic Education Office Archdiocese of Canberra and Goulburn
Trading as: St Josephs Primary School
ACN: 824127996
ABN: 47824127996
Industry Group: Education
Address: 61 Boronia Drive O'Connor ACT 2602
Contact Name: Trustee for Catholic Education Office Archdiocese of Canberra and Goulburn
Contact Number: 62489818
Contact Email: Sch 2.2(a)(ii)

Details of Visit:

Address: 61 Boronia Drive O'Connor ACT 2602
Notification of entry to (as required by s164): PCBU

Inspector Notes:

On 02 July 2024 at about 9:20am WorkSafe ACT inspector Sibree and person assisting Holden attended Trustees for Catholic Education Office Archdiocese of Canberra and Goulburn trading as St Joseph's Primary School, located at 61 Boronia Drive, O'Connor ACT 2602, to conduct a proactive inspection as part of the current Education campaign.

Inspector Sibree and person assisting Holden, entered the workplace under the Work Health and Safety Act 2011 (WHS Act).

Upon entry, Inspectors identified themselves to a person who identified themselves as the school principal and an authorised representative of the PCBU.

Inspectors asked the following questions:

Q1 - Has the PCBU considered all the risks posed by manual tasks at their workplace? Are the controls adequate for the identified risk?

- Yes
- Large and bulky items are moved around with the use of trolleys. The school also has an internal lift which is used to move items to the second level.
- Teachers are moving around, not sedentary.
- Teachers have dedicated desks and ergonomic chairs in each of the 14 classrooms.
- The front office area has fixed carpentry however the use of keyboard raisers, dual monitors and ergonomic chairs are utilised.
- Wellbeing measures are in place and staff take a proactive approach to ensure compliance.

Q2 - Has the PCBU considered all the fall, trip and slip risks at the workplace? Are the controls adequate for the identified risk?

- Yes
- The school employs a part-time grounds and maintenance manager who regularly checks the grounds to ensure they are well-maintained and free from any slip hazards.
- The area where parents drive through for school drop-offs does not receive direct sunlight until mid-morning, which can make it susceptible to black ice. Visitors should be informed about this potential hazard through communication and signage.
- Cleaning services are contracted out to Mirrors Cleaners, who come in after school hours. In the event of a spill, the principal and/or teachers promptly clean it up. Wet floor signs are used to cordon off the area until it has been cleaned up and made safe.

Q3 - Has the PCBU considered the risk of hazardous chemicals their workplace. Are the controls in place adequate for the identified risks?

- Yes
- Safety Data Sheets are stored in comprehensive folders and broken into locations.
- All staff can access the SDS folders.
- The SDS documents for Mirrors are kept in a locked cleaning cupboard that may be accessed with the school master key.

Q4 - Has the PCBU considered the risk of occupational violence in their workplace? Are the controls adequate for the identified risk?

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

Q5 – Has the PCBU have a system in place to ensure that notifiable incidents including sexual assault incidents are reported to WorkSafe ACT?

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

Observations were made of the maintenance manager's storage area and the teachers staff room. SDS sheets are up to date and meet compliance. Firefighting equipment was observed to be correctly mounted and tested. Observed electrical appliances with current in date test tagging.

Inspector Sibree and person assisting Holder left the premises at approximately 10:20am on the same day.

Disclaimer: The issues identified during this inspection are only indicative of compliance with the Work Health and Safety Act 2011, the Work Health and Safety Regulations 2011, the Dangerous Substances Act 2004 and the Workers Compensation Act 1951 on the date of the inspection. If compliance is identified during this inspection, it does not remove the obligation of any person to comply with any further requirement of the above mentioned Acts and Regulations.

Previous Action

Previous notice/s issued (either written or verbal)? No

Recipient/s of this form:

Email: c Sch 2.2(a)(ii)

Email 2:

Email 3:

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WORKPLACE VISIT REPORT

Initial Information

Inspection Number: 00209110
Lead Inspector: Andrew Woolgar
Inspector ID: P32662
Lead inspector email address: andrew.woolgar@act.gov.au
Is there any accompanying inspectors? Yes
Jason Dale P49547
Date visit commenced: 02 July, 2024 09:50
Legislation visit conducted under: WHS

Entity Information

Type of entity: Trust
Name of individual or registered company: TRUSTEES FOR CATHOLIC EDUCATION OFFICE ARCHDIOCESE OF CANBERRA & GOULBURN
Trading as: St Jude's Primary School
ACN:
ABN: 47824127996
Industry Group: Education
Address: 49 Mulley Street Holder ACT 2611
Contact Name: TRUSTEES FOR CATHOLIC EDUCATION OFFICE ARCHDIOCESE OF CANBERRA & GOULBURN
Contact Number: 02 6288 7688
Contact Email: Sch 2.2(a)(ii)

Details of Visit:

Address: 49 Mulley Street Holder ACT 2611
Notification of entry to (as required by s164): Manager

Inspector Notes:

On 02 July 2024 at about 09:50am WorkSafe ACT Inspectors Woolgar and Dale attended Trustees for Catholic Education Office Archdiocese of Canberra & Goulburn T/A St Jude's Primary School located at 49 Mulley Street Holder to conduct a proactive inspection as part of the current Education campaign. Woolgar and Dale entered the workplace under the Work Health and Safety Act 2011 (WHS Act). Upon entry, Inspector Woolgar identified themselves to persons who identified themselves as Principal for St Jude's Primary School is the person conducting a business or undertaking (PCBU) and themselves as authorised representatives of the PCBU.

Inspector Woolgar and Dale asked the following questions:

Q1 - Has the PCBU considered all the risks posed by manual tasks at their workplace? Are the controls adequate for the identified risk? Yes.

- Workers are aware of and trained in the manual handling policy and training is provided
- A risk assessment can be undertaken for different manual handling tasks when required which identifies the risk and develops appropriate corrective actions to manage the risk.

Q2 - Has the PCBU considered all the fall, trip and slip risks at the workplace? Are the controls adequate for the identified risk? Yes.

- there is a policy in place for any slippery areas of the workplace to be reported for cleaning
- Workers can self-report an incident and/or their supervisor can report the incident on their behalf.

Q3 - Has the PCBU considered the risk of hazardous chemicals their workplace. Are the controls in place adequate for the identified risks? yes

- Safety Data Sheets are kept in at the front office
- The hazardous chemical safety data sheets at the front office where assessed and observation revealed the hazardous chemical believes to be on-site are current

Q4 - Has the PCBU considered the risk of occupational violence in their workplace? Are the controls adequate for the identified risk? Yes.

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

Q5 - Has the PCBU have a system in place to ensure that sexual assault incidents (and other incidents) are notified to WorkSafe? Yes

Sch 2.2(a)(iii), Sch 2.2(a)(xii)

Inspectors Woolgar and Dale left the premises at 10:45am on the same day.

Disclaimer: The issues identified during this inspection are only indicative of compliance with the Work Health and Safety Act 2011, the Work Health and Safety Regulations 2011, the Dangerous Substances Act 2004 and the Workers Compensation Act 1951 on the date of the inspection. If compliance is identified during this inspection, it does not remove the obligation of any person to comply with any further requirement of the above mentioned Acts and Regulations.

Previous Action

Previous notice/s issued (either written or verbal)?

Recipient/s of this form:

Email: Sch 2.2(a)(ii)

Email 2:

Email 3:

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WORKPLACE VISIT REPORT

Initial Information

Inspection Number: 00177885
Lead Inspector: Jodie Fletcher
Inspector ID: P05554
Lead inspector email address: jodie.fletcher@worksafe.act.gov.au
Is there any accompanying inspectors? Yes

Daniel Te Riini P54796

Date visit commenced: 19 October, 2023 01:50
Legislation visit conducted under: WHS

Entity Information

Type of entity: Directorate
Name of individual or registered company: ACT Education Directorate
Trading as: ACT Education
ACN:
ABN: 29148723251
Industry Group: Education
Address:

Contact Name: Rachel Matthews
Contact Number: 02 61420777
Contact Email: rachel.matthews@ed.act.edu.au

Details of Visit:

Address: Ritchie Street TORRENS ACT 2607
Notification of entry to (as required by s164): PCBU

Inspector Notes:

On 19 October 2023 at 2:55 pm Inspectors Fletcher and Te Riini attended Torrens Primary School located on Ritchie Street Torrens ACT 2607 after receiving a report of a notifiable incident that occurred on 12 October 2023 where a student suffered serious lacerations to his leg.

WorkSafe ACT Inspectors identified themselves as authorised Inspectors under the Work Health and Safety Act 2011 and explained the purpose of the visit.

Inspectors met with an executive teacher who escorted them to area that the incident occurred, the following was discussed and observed:

- Besser Block wall approx. 800mm high
- Children playing in school grounds prior to class starting, there was a teacher on supervision duties
- Student was attempting to complete a 'Box Jump' on the wall
- Student's foot slipped on top of the wall and dragged down wall causing a [redacted] Sch 2.2(a)(ii)

- First aid was provided, and parent called [redacted] Sch 2.2(a)(ii)

Please supply copies of the following:

- Internal Incident Report once finalised

Photos taken and notes entered into notebook A10334.

Inspector left premises at 2:05 pm

Disclaimer: The issues identified during this inspection are only indicative of compliance with the Work Health and Safety Act 2011, the Work Health and Safety Regulations 2011, the Dangerous Substances Act 2004 and the Workers Compensation Act 1951 on the date of the inspection. If compliance is identified during this inspection, it does not remove the obligation of any person to comply with any further requirement of the above mentioned Acts and Regulations.

Previous Action

Previous notice/s issued (either written or verbal)?

Recipient/s of this form:

Email: shane.skilling@act.gov.au
Email 2: rachel.matthews@ed.act.edu.au
Email 3:

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WORKPLACE VISIT REPORT

Initial Information

Inspection Number: 00172798
Lead Inspector: Kurt Kuehl
Inspector ID: P53987
Lead inspector email address: kurt.kuehl@worksafe.act.gov.au
Is there any accompanying inspectors? Yes

Jagdeep Chhina P53944

Date visit commenced: 6 September, 2023
Legislation visit conducted under: WHS

Entity Information

Type of entity: Directorate
Name of individual or registered company: ACT Education Directorate
Trading as: ACT Education
ACN:
ABN: 29148723251
Industry Group: Education
Address:

Contact Name: Melissa PLANTEN
Contact Number: 02 6142 0222
Contact Email:

Details of Visit:

Address: 2 Emu Bank BELCONNEN ACT 2617
Notification of entry to (as required by s164): Manager

Inspector Notes:

On 6 September 2023 at about 1302h, WorkSafe ACT Inspectors Kurt KUEHL and Jagdeep Singh CHHINA attended UC Senior Secondary College Lake Ginninderra at 2 Emu Bank BELCONNEN ACT (the workplace). The workplace visit followed a notifiable incident (serious laceration) which was advised to WorkSafe ACT as having occurred the same day.

Inspectors KUEHL and CHHINA entered the workplace under the Work Health and Safety Act 2011 (WHS Act). Upon entry, inspectors identified themselves to persons who identified themselves as:

- Principal
- WHS Advisor Northside
- WHS Advisor Southside
- Health and Safety Representative (HSR), Building Services Officer
- Acting Business Manager
- Teacher, direct witness to incident, first aider to Injured Person
- Executive Teacher of Subject Area

They confirmed ACT Education Directorate is the person conducting a business or undertaking (PCBU) and themselves as an authorised representative of the PCBU.

The PCBU Representatives advised Inspectors scene is preserved since incident.

Direct Witness advised Inspectors:

Sch 2.2(a)(ii)

They believe, from their observations and the account from the Injured Person, that the timber has snagged on the next table causing the left hand to continue into the blade. The Injured Person appears to have been holding the trigger at the time, causing the saw blade to spin. Sch 2.2(a)(ii)

- Injured Person has used the dropsaw for the last 7 months. All students are watched in direct 1:1 supervision until ready for the safety test and indirect supervision.
- Class cap is for 20 students. 12 students were present at the time of incident.

Inspectors were taken to the incident scene (a DeWalt dropsaw in Woodwork Room D 08) and observed:

- Dropsaw is isolated with danger tape; PCBU Representatives advise added after the incident.
- Saw bed has a length of timber approximately 2400 x 20 x 10mm with pencil markings for cut points. The
- A Standard Operating Procedure for the Dropsaw is prominently displayed next to the saw. Applicable contents include:
Do not use without instruction, permission... safety test
3. Do not start saw with blade touching the material
6. Keep non-trigger hand, especially the thumb, well clear of the cut
7. After finishing a cut, release the switch, hold the saw arm down and wait for the blade to completely stop before removing the workpiece or off-cuts.
- Blade teeth appear in good condition for exposed portion of the saw blade.
- Guarding and multi-stage interlock functions as designed.
- Workplace is generally clean and tidy with no issues observed in relation to general workplace layout, work areas, flooring, lighting, ventilation, temperature, or services.
- Housekeeping is good and allows for persons to enter and exit and to move about without risk to health and safety, both under normal working conditions and in an emergency.
- Work areas are marked out around each item of plant. PCBU Representatives advise a 'one student at a time' rule is enforced.
- Electrical items display evidence of inspection and testing dated 6 September 2023. PCBU Representatives affirm testing occurred prior to the incident.
- First aid equipment is readily available and stocked.
- Fire response equipment is readily available and displays evidence of routine testing.
- Emergency stop for the room is prominently located.

Inspectors requested copies the training records for the Injured Person.

- An example Safety Test Register was produced for another student, by the Register for the Injured Person could not be produced. PCBU Representatives

suggest this Register is in a separate location for interschool moderation purposes. KUEHL requested that a copy be emailed after the workplace visit to verify that training and instruction was provided to the Injured Person on the use of the dropsaw.

- Workbook for the Injured Person. This includes a section identifying the dropsaw and other items of workshop plant.

Inspectors took photographs and KUEHL made records in contemporaneous notebook A10353, page 55-58.

At about 1345h the same day, Inspectors KUEHL and CHHINA departed the workplace.

Disclaimer: The issues identified during this inspection are only indicative of compliance with the Work Health and Safety Act 2011, the Work Health and Safety Regulations 2011, the Dangerous Substances Act 2004 and the Workers Compensation Act 1951 on the date of the inspection. If compliance is identified during this inspection, it does not remove the obligation of any person to comply with any further requirement of the above mentioned Acts and Regulations.

Previous Action

Previous notice/s issued (either written or verbal)?

Recipient/s of this form:

Email: kate.mcmahon@ed.act.edu.au

Email 2: melissa.planten@ed.act.edu.au

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WORKPLACE VISIT REPORT

Initial Information

Inspection Number: 00184250
Lead Inspector: David West
Inspector ID: P57269
Lead inspector email address: david.west@worksafe.act.gov.au
Is there any accompanying inspectors? Yes

Alan Hartcher P50869

Date visit commenced: 06 December, 2023 11:52
Legislation visit conducted under: WHS

Entity Information

Type of entity: Business Entity
Name of individual or registered company: Catholic Education Canberra Goulburn
Trading as:
ACN:
ABN: 9999999999
Industry Group:
Address:

Contact Name: Catholic Education Canberra Goulburn
Contact Number: 02 6292 1222
Contact Email: Sch 2.2(a)(ii) 1

Details of Visit:

Address: 215 Castleton Crescent GOWRIE ACT 2904
Notification of entry to (as required by s164): PCBU

Inspector Notes:

On 06 December 2023 at about 11:52AM, Worksafe ACT Inspectors David West and person assisting Alan Hartcher attended Holy Family Primary School at 215 Castleton Crescent, Gowrie, ACT

West and Hartcher entered the workplace under Work Health and Safety Act (WHS Act). Upon entry inspectors identified themselves to a person who identified themselves as Finance Manager and authorised representative for the PCBU.

The following was discussed:

- The annual playground inspection report conducted by the Sch 2.2(a)(xi), that was provide to Inspectors had expired on 6 may 2023 and that it flagged Non - Compliance with several pieces of play equipment.
- A more recent inspection has been conducted and that the school was waiting for the report.
- Maintenance has been undertaken on equipment identified in the inspection report.
- There is a maintenance worker who monitors who monitors and replenishes tan bark surrounding play equipment.

Inspectors then observed the following;

- Tan Bark appeared to have been topped up recently
- Rectification works has taken place on play equipment as identified in the inspection report.
- Some bolts have recently been replaced for a more secure type.
- S type hooks have replaced hoops to prevent fingers being trapped

West took photographs and documented observations in Notebook A10344.

West and Hartcher departed the workplace at about 12:18 that same day.

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Previous Action

Previous notice/s issued (either written or verbal)?

Recipient/s of this form:

Email: Sch 2.2(a)(ii)
Email:
Email 3:

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