



# ACT PUBLIC SERVICE

## POLICY FRAMEWORK FOR WORKPLACE HEALTH AND INJURY MANAGEMENT

### 1. PURPOSE

To provide a framework for the development of whole-of-government workplace health and injury management policy.

### 2. BACKGROUND

The policy framework provides for the development of policies, operational guidelines and workplace procedures for the prevention and management of workplace injuries.

### 3. LEGISLATIVE AND ADMINISTRATIVE FRAMEWORK

ACT Public Sector (ACTPS) staff are bound to the standards of conduct and ethical obligations imposed by the *Public Sector Management Act 1994*. In addition, each ACTPS worker must also comply with the *Work Health and Safety Act 2011* (WHS Act).

The WHS Act, in concert with the *Work Health and Safety Regulation 2011* sets out the minimum standards which must be met for specific hazards and risks and provides a framework of legal duties to ensure safety, health and well being at work.

Workers' Compensation arrangements for ACTPS workers are provided under the *Safety, Rehabilitation and Compensation Act 1988* (SRC Act).

This articulation of the legal duties of ACTPS provides the foundation for the ACTPS policy framework for workplace health and injury management.

### 4. STRATEGIC FRAMEWORK

#### 4.1 ACT Public Sector Workplace Health Policy Statement

This policy statement outlines the commitment of the ACTPS to the provision of a safe and healthy work environment for all its workers. This document is a statement of that commitment and provides the overarching direction of workplace health and safety and injury management policies and procedures for the whole-of-Government.

#### **4.2 Whole-of-Government Workplace Health, Safety and Injury Management (WHS & IM) Policies.**

A strategic approach to the development and review of WHS & IM policies provides clearer information and guidance to ACT Government directorates and workers, outlining their legal and ethical responsibilities to improve workplace safety and injury management outcomes.

Policies provide the mechanism to integrate and interpret the legislative requirements, administrative responsibilities, and the social and ethical considerations for the safety and welfare of workers.

### **5. PRINCIPLES OF WHS AND IM POLICY DEVELOPMENT AND REVIEW**

The following principles will apply in the development, implementation and review of all whole-of-government ACTPS WHS & IM policy:

#### **5.1 Strategic**

WHS & IM Policy will:

- align with and support current ACTPS and National strategic priorities;
- foster continuous improvement in workplace health and safety conditions and culture;
- connect legislative requirements, policy, research and risk management; and
- identify regulatory and compliance processes around implementation failure.

#### **5.2 Focused**

Policy will be relevant to the issues and take the form of:

- **Policy Statements** – detailing Government objectives and identifying relevant principles to assist agencies to meet their legal and administrative responsibilities in responding to specific matters;
- **Policy Advices** – responding to new developments, or to particular or immediate areas of uncertainty in the interpretation of agreements, laws or policies; and
- **Operational Guidelines** – follow from the whole of government policy and provides precise actions to be followed by agencies.

### 5.3 Appropriate

Policy will:

- be transparent;
- be responsive to workplace requirements;
- provide workers with advice and links to appropriate tools;
- be expressed in plain English; and
- follow approved consultative and endorsement processes.

## 6. POLICY DEVELOPMENT RESPONSIBILITIES

The Chief Minister and Treasury Directorate (CMTD), Continuous Improvement and Workers' Compensation Branch, is responsible for developing government-wide policies and initiatives to improve injury prevention and injury management across the ACTPS. Policy statements are one of the elements used to fulfill this mandate.

**Policy Statements** outline Government policy and include the following elements:

- Purpose
- Application
- Context
- Legislative Reference
- Direction Statement
- Responsibilities
- Glossary
- References & Links
- Review
- Approval Authority

**Policy Advices** may be issued from CMTD in response to a particular event or legislation change.

Policy Advices may be issued to:

- amend a policy direction until a full policy review can be undertaken;
- give effect to formal instructions or advice from WorkSafe ACT; and
- provide any other work safety advice, as necessary from time to time.

Prior to issuing a Policy Advice, the issues and circumstances requiring the advice will be communicated to directorate representatives and the People

and Performance Council (PPC). The Advice will then be notified through a whole-of-Government electronic message.

**Agency specific policies** provide more specific policy guidance on matters pertaining to a directorate's operations. The CMTD whole-of-government policy will prevail to the extent of any inconsistency between its expression and a directorate specific policy.

**Operational Guidelines** provide practical and specific guidance information and instruction. Directors-General are responsible to ensure their agency has appropriate implementation procedures and practices developed to meet the needs of their workplaces. The CMTD whole-of-government policy will prevail to the extent of any inconsistency between its expression and any guidance material adopted by directorates.

### **Workplace Health and Safety Management System Framework**

CMTD Injury Management Safety Support (IMSS) has developed the Workplace Health and Safety Management System Framework for the ACT Government. This system provides a range of procedures, tools and operational guidelines to improve injury prevention, early intervention, return to work and injury management processes for IMSS client agencies within the ACT Government.

Not all ACTPS directorates and entities are clients of IMSS. In this circumstance, the choice may be made to adopt the operational guidelines developed by IMSS or develop and implement their own specific procedures and guidelines that are consistent with the approved Policy Statement and any relevant Codes of Practice and guidance material.

There is a range of robust practical guidance material available from:

- Comcare - practical guidance on the SRC Act and has developed guidelines on injury management and the implementation of workplace rehabilitation processes (<http://www.comcare.gov.au>).
- Safe Work Australia  
(<http://www.safeworkaustralia.gov.au/Pages/default.aspx>)
- WorkSafe Victoria - operational guidance relating to OH&S and injury management  
(<http://www.worksafe.vic.gov.au/wps/wcm/connect/wsinternet/WorkSafe>)
- WorkCover NSW - operational guidance relating to OH&S and injury management  
(<http://www.workcover.nsw.gov.au/Pages/default.aspx>)

## **7. WORK SAFETY CONSULTATION**

The WHS Act requires all employers to consult with workers, if it is reasonably practicable to do so, to allow the workers to contribute to matters directly affecting their work safety.

Employers and workers must decide together on a method of consultation. Consultation may be conducted by means of a work safety representative, a work safety committee or another stated method of consultation. Refer to the ACTPS policy statement *WHS-04-2012 Consultation in the Workplace*.

<http://www.cmd.act.gov.au/governance/public/wpsafety/OHSPolicies>

## **8. CONSULTATION AND ENDORSEMENT**

Whole-of-Government WHS & IM policy statements are developed in consultation with representatives from all directorates and endorsed by PPC.

PPC is comprised of a Deputy Director-General representing each Directorate, or their representatives. PPC is chaired by the Deputy Director-General, People and Performance Division, in CMTD and is the senior body for consideration of workforce capacity and capability related issues and workforce performance issues in the ACTPS.

## **9. REVIEW**

The Policy Statement will be reviewed after three (3) years unless earlier review is required.

## **10. APPROVAL AUTHORITY**

This policy is approved by Andrew Kefford, Commissioner for Public Administration, March 2012.

Document Name: WHS Policy – Policy Framework for Workplace and Injury Management

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