Justice Health and
Forensic Mental Health Network

Justice Health NSW Policy

Work Health and Safety

Issue Date: 05 March 2026

Together for
Healthier Tomorrows

Work Health and Safety

Policy Number 5.110

Policy Function Safe Practice and Environment

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Next Review Date 05 March 2029

Risk Rating High

Summary Justice Health and Forensic Mental Health Network (Justice Health NSW) is committed to providing a safe and healthy work environment for all workers, contractors, visitors and patients.
This policy provides framework to ensure a safe work environment in accordance with Work Health and Safety (WHS) Legislation.

Responsible Officer Executive Director, People & Culture

Applies to
☒ Administration Centres
☒ Community Sites and programs
☒ Health Centres - Adult Correctional Centres or Police Cells
☒ Health Centres - Youth Justice Centres
☒ Long Bay Hospital
☒ Forensic Hospital
Other:

CM Reference POLJH5110

Change summary Minor wording changes.
Minor wording changes to policy and Statement of Commitment
Addition of dynamic assessments
References to Ministry of Health PD2025_024 Work Health and Safety – Better Practices Procedures

Authorised by Chair, Policy Steering Committee

Revision History

#	Issue Date	Number and Name	Change Summary
5	Mar 26	5.110 Work Health and Safety	• Minor wording changes to policy and Statement of Commitment • **Addition of dynamic assessments** • **References to** Ministry of Health PD2025_024 Work Health and Safety – Better Practices Procedures
4	Jul 24	5.110 Work Health and Safety	• Minor wording changes. • Included Person Centred Safety Culture • Updated WHS Policy Statements. • Updated Performance/Audit Criteria to Review and Monitor • Updated definitions • Removal of Asbestos Management, Confined

			Spaces. Corrective actions from incident report. Reporting Injuries, Incidents and Near Misses SafeWork NSW Fact Sheet for notifiable incidents for occupational exposures., Removal of Emergency Procedures and Equipment
3	Feb 20	5.110 Work Health and Safety	• Changed term WorkCover to SafeWork NSW • Addition of SafeWork NSW Fact Sheet for notifiable incidents for occupational exposures • Included information about WHS Policy Statements • Included information about Objectives and Targets • Addition of Asbestos Management. • Addition of Confined Spaces Addition of corrective actions from incident report
2	Sept 2012	5.110 Work Health and Safety	• Work Health and Safety Act 2011 Work Health and Safety Regulation 2011 New Codes of Practice
1	Apr 09	5.110 Work Health and Safety	N/A

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1. Preface

Justice Health NSW (JHNSW) is committed to a proactive and positive approach towards the risk management of Work, Health and Safety (WHS) for all JHNSW workers (i.e. staff, students, volunteers, and contractors), patients and visitors. JHNSW strives for a person-centred safety culture. To achieve a person-centred safety culture and a safe working environment, all workers are encouraged to be involved and empowered to make a positive contribution to WHS. This commitment to proactive WHS management will extend to other Persons Conducting Business or Undertakings (PCBU) and their workers where applicable. To prevent workplace injuries/illness both physical and those that may impact mental health, JHNSW will support a person-centred safety culture and will continue to improve and monitor the WHS Management System known as the Justice Health Safety System (JHSS)implement a proactive and robust WHS Risk Management System.

2. Mandatory Requirements

Justice Health NSW as the Person Conducting a Business or Undertaking (PCBU) is required to:

- Consult workers on matters that may affect their health and safety;
- Manage health and safety risks in the workplace;
- Have a system in place to report incidents, injuries and near misses;
- Resolve WHS issues; and
- Notify SafeWork NSW of any notifiable and/or serious injury or illness as per Work, Health & Safety Act 2011 Part 3 Incident notification, 38 Duty to notify of notifiable incidents.

3. Implementation – Roles & Responsibilities

3.1 Justice Health NSW as the PBCU

Justice Health NSW as a PCBU, has the primary duty of care to ensure the health and safety of workers while they are at work so far as is reasonably practicable. Justice Health NSW is also responsible for ensuring work carried out does not carry risk to the health and safety of others.

3.2 Officers and Justice Health NSW Board

The primary responsibility for leading a person-centred safety culture and implementation of workplace health and safety systems rests with Justice Health NSW Officers. The Chief Executive (CE) must ensure that Officers within Justice Health NSW are aware of their WHS obligations. Officers of Justice Health NSW may delegate authority for aspects of WHS implementation; however, they remain personally responsible to the due diligence duties of an Officer. Officers must be able to demonstrate their due diligence to ensure that WHS obligations are adhered to, so far as reasonably practicable. This includes activities such as establishing, resourcing and monitoring WHS governance processes, safety management systems, reporting, consultation arrangements with Justice Health NSW workers and acting on WHS trends.

3.3 Senior Managers (Service Directors, Director Nursing and Midwifery Services, Nurse Managers, Medical Managers, Operational Managers)

Senior Managers are expected to model behaviours that promote a person-centred safety culture and WHS in the workplace. This means maintaining current knowledge of WHS, managing WHS risks and monitoring strategies pertaining to WHS. Responsibilities also include instituting reasonably practicable strategies within their workplace to address WHS risks.

3.4 Managers (Department Managers Nursing Unit Managers (NUM's) and Supervisors)

Managers, NUM's and Supervisors are so far as reasonably practicable responsible for the day-to-day management of WHS matters. JHNSW Managers have a duty to provide instruction, training and supervision to JHNSW workers, provide and maintain safety equipment used in their workplace, investigate workplace incidents and escalate WHS risks where required. Management are expected to model behaviours that promote a person-centred safety culture and maintain up to date WHS knowledge. Manager & NUM's will be assessed on their skills and knowledge through dynamic assessments.

3.5 Workers

Workers have specific duties under the WHS Act to comply with WHS policies and procedures and accept lawful directions from JHNSW and its Managers. JHNSW workers have a duty to attend training, participate in WHS implementation and consultation processes, and report hazards and incidents via ims+ and to their manager/s. In the interest of safety, workers must not intentionally interfere with or misuse any item or equipment provided by the PCBU. While at work, workers must take reasonable care for their own health and safety. take reasonable care for the health and safety of others, comply with any reasonable instructions, policies and procedure given by their employer, business or controller of the workplace.

3.6 Others in the Workplace

Under the WHS Act 2011, *'Others*' in JHNSW facilities include patients, visitors and contractors that do not work directly for NSW Health or its agencies (e.g.-contractors and subcontractors involved in construction and redevelopment or employees of such subcontractors). Others in the workplace have a duty to take reasonable care of themselves and others and follow lawful directions

4. Procedure Content

4.1 WHS Policy Statement of Commitment

JHNSW is committed to providing a safe and healthy work environment for all workers and visitors. To achieve this Justice Health NSW will create a person-centered safety culture where people are physically and psychologically safe in our workplaces and supported to maximise their health and wellbeing. In addition, JHNSW is committed to managing risks by increasing its resources, supporting and empowering its staff and Managers to proactively participate in hazard identification and reporting, risk management processes as well as was strategies implemented across JHNSW by selecting control measures that are effective and based on evidence.

JHNSW commits to adopting the Hierarchy of Controls to manage risk so far as reasonably practicable as defined the NSW WHS Act 2011 and WHS Regulation 2017.

By setting measurable targets and objectives, Justice Health NSW is committed to the implementation and continuous improvement of health and safety. The Justice Health NSW WHS Policy Statement of Commitment will be signed and displayed in Justice Health NSW facilities, displayed on WHS noticeboards in each workplace and on the intranet.

The WHS Policy/Statement of Commitment is relevant and effective and is reviewed where there is significant change and at a minimum every three (3) years. This is to be documented in Meeting Minutes.

The WHS Policy/Statement of Commitment will be communicated to all relevant stakeholders for the organisation.

4.2 Person-centred Safety Culture

JHNSW workers are encouraged to be engaged and empowered to achieving a person-centred safety culture to create a safe environment for workers, patients and visitors.

Conversations discussing risk and patient care, are to be encouraged to identify, establish and implement opportunities to learn to enhance the patient experience and the health and wellbeing of staff. These conversations are to be encouraged in all formal and informal formats.

Each person can make a difference to quality safety and risk. This will be achieved by the improvement and innovation of safe work processes and WHS initiatives by all workers of JHNSW. WHS activities will be enhanced and improved as workers apply the NSW Ministry of Health (MoH) CORE Values of, Collaboration, Openness, Respect and Empowerment across the Justice Health NSW.

4.3 WHS Consultation and Communication

JHNSW will consult with its workers on matters relating to work, health, safety and wellbeing and provide them with the opportunity to participate and contribute to promoting and improving safety in the workplace in line with NSW WHS Legislation.

Consultation methods and processes may include but are not limited to Work Health and Safety Committees, Health and Safety Representatives (HSR's), Clinical Governance Committees, Department Meetings and "Safety Huddles". Consultation, co-operation and coordination may involve industrial bodies representing workers where required.

4.4 WHS Issue Resolution

When any health and safety concern in effectively managed in the workplace it must be reported to the relevant Line Manager and placed on ims+ unless relating to a bullying and harassment. Once notified, the Line Manager must take appropriate steps to investigate and resolve the issue within a reasonable timeframe. If the matter cannot be resolved, the Line Manager must escalate the issue to the local Health and Safety Committee (HSC) or Health and Safety Representatives (HSR) or Senior Manager. The resolution must be documented, ims+ update and the worker notified of the outcome.

4.5 Compliance with SafeWork NSW Inspector Notices

JHNSW will adopt the Ministry of Health PD2025_024 Work Health and Safety – Better Practices Procedures in relation to compliance with Inspector Notices

4.6 When a Union Representative visit – WHS Entry Permit Holders

JHNSW will adopt the Ministry of Health PD2025_024 Work Health and Safety Better Practices Procedures in relation Union Representative visits

4.7 Implementation

WHS procedures developed to address the risk of WHS shall be implemented through the Justice Health NSW WHS Policy and Safety Management System. Review and Monitor

To meet organisational objectives and legislative requirements the JHNSW WHS Management System (JHSS) will be available to ensure confirmation action and continuous improvement. The integrity and validity of the JHSS will be reviewed and monitored by the following formal process means:

- NSW Ministry of Health WHS Audits
- Amendments to Ministry of Health WHS policy & procedures
- Amendments to legislative requirements
- Justice Health NSW Executive and Board reviewing incident data and monitoring of relevant plan pertaining to WHS.
- Scheduled targeted hazard audits conducted identifying, tracking and trending themes such as, Fire & Safety, WHS Compliance Checklist & Action plan, Chemicals & Radiation, Slips, Trips and Falls, Consultation, co-ordination, co-operation, Hazardous Manual Tasks & Ergonomics, Psychosocial, Security & Occupational Violence, Incident & Injury Management,, WHS Training & Staff Awareness, Electrical & Safe Use of Equipment, Unacceptable Workplace Behaviours / Fatigue / Wellbeing
- Incident and Claims Data being analysed bi-monthly
- WHS Plans being developed, implemented and evaluated
- Worker Professional Development will be used to reinforce and support WHS competencies and training needs.
- WHS Training Program currency, relevance and effectiveness.

5. Definitions

WHS – Work, Health & Safety

PCBU – Person Conducting Business or Undertaking

Officer - an Officer is a person who makes, or participates in making, decisions that affect the whole, or a substantial part, of the organisation's activities.

Due Diligence - A legal obligation to establish, implement and maintain, as far as reasonably practicable, WHS policies and programmes to ensure that work can be carried out in a safe manner without the risk of injury or illness.

Reasonably Practicable - Reasonably Practicable means that which is, or was at a particular time, reasonably able to be implemented to ensure health and safety, taking into account and weighing up all relevant matters including:

- the likelihood of the hazard or the risk concerned occurring

- the degree of harm that might result from the hazard or the risk
- what the person concerned knows, or ought to reasonably know, about the hazard or risk, and ways of eliminating or minimising the risk
- the availability and suitability of ways to eliminate or minimise the risk
- after assessing the extent of the risk and the available ways of eliminating or minimising the risk, the cost associated with available ways of eliminating or minimising the risk, including whether the cost is grossly disproportionate to the risk.

Hazard - A situation or thing that has the potential to harm a person.

Risk - The possibility that harm (death, injury or illness) might occur when exposed to a hazard.

Risk Management - a systematic approach to identify, analyse, evaluate, and control hazards in the workplace.

Dynamic Assessment – is the continuous, real-time evaluation of a worker's skills, knowledge, and ability to perform tasks safely as conditions change. Dynamic assessment focuses on, continuous monitoring of skills, responding to changing conditions, real-time feedback and correction and assessing practical knowledge, not just theory. Dynamic assessment helps ensure that workers:

- Stay competent over time
- Don't develop unsafe habits
- Can handle unexpected risks
- Maintain WHS compliance in real-world conditions

It also helps JHNSW meet their duty of care by showing they actively monitor and support safe work practices.

Hierarchy of Control - The hierarchy of control shows ways of controlling risks, ranked from the highest level of protection and reliability to the lowest

Worker - a person who carries out work in any capacity for a business or employer or ' person conducting a business undertaking'. They can be:

- an employee
- a trainee, apprentice or work experience students
- a volunteer
- an outworker
- a contractor or sub-contractor
- an employee of a contractor or sub-contractor
- an employee of a labour hire company

Others - include visitors, patients, clients, sales representatives, technicians conducting servicing or employees, contractors/ subcontractors of other PCBUs onsite.

Consultation – the act if exchanging information and opinions in order to reach a greater understanding to make a decision, or a meeting to address same.

Must - Indicates a mandatory action to be complied with.

Should - Indicates a recommended action to be complied with unless there are sound reasons for taking a different course of action.

6. Work Health & Safety Related Procedures

The following procedures must be read in conjunction with this policy:

- Control of Hazardous Chemicals Procedure
- Hazardous Manual Tasks Procedure
- Risk Management - Hazard Identification and Risk Assessment Control Procedure
- Fatigue Management Procedure

  Consultation and Communication Procedure

7. Related documents

Legislations	*Work Health and Safety Regulations 2017*
Justice Health NSW Policies, Guidelines and Procedures	*Strategic Plan 2023 - 32 - Together for Healthier Tomorrows* *Control of Hazardous Chemicals Procedure* *Hazardous Manual Tasks Procedure* *Risk Management - Hazard Identification and Risk Assessment Control Procedure* *Fatigue Management Procedure* *Consultation and Communication Procedure*

Justice Health NSW Forms	
NSW Health Policy Directives and Guidelines	*MoH - Work Health and Safety: Better Practice Procedures*
Other documents and resources	*Work health and safety consultation cooperation and coordination - Code of Practice, December 2022*