FACT SHEET – WORK HEALTH AND SAFETY

INTRODUCTION

This guide outlines the legal requirements of Men's Sheds with regards to work health and safety (previously known as occupational health and safety) and what procedures should be in place in Sheds to ensure they meet the duty of care standard and any ethical obligations.

This document should be used as a reference guide only. Many Sheds have unique characteristics, and the obligations may differ. As always, when in doubt seek professional advice.

If you have any feedback on this fact sheet, please contact us at jaxon@mensshedswa.org.au.

GUIDANCE

There are different reasons for having strategies in place to address work health and safety. There are the obvious legal and insurance implications of not addressing this issue. Additionally, there is the ethical and social dimension of providing a place that is as safe and welcoming as is practicable. Achieving, and surpassing the minimum standard of your duty of care is recommended.

Under Western Australian legislation all undertakings and businesses have responsibilities under WorkSafe. Most Men's sheds do not fit the definition of an undertaking or business as they are incorporated not-for-profit organisations, that do not have paid staff. When an organisation has paid employees there is an obligation to meet WorkSafe standards. This includes casual staff. The work health and safety requirements that Sheds do have are based on insurance requirements, ethical standards and the common law 'duty of care'. To know your obligations to the insurers it is important to have an open line of communication with your insurance provider so that once you've read the contract you can also follow up with questions.

The ethical requirement is the minimum Sheds are responsible for ensuring, regardless of any legislation. A common-sense approach to spotting and resolving issues is likely the most important element of your Shed's safety practices. Building a culture of safety will pay dividends.

Under common law Sheds must provide a minimum standard of care to the safety of all members, visitors, guests and contractors that attend the Shed.

This includes but is not limited to:

- providing and maintaining a work environment without risks to health and safety

- providing and maintaining safe plant and structures - *plant means machinery, equipment, appliance, container, implement and tool. It includes components of those things, as well as anything fitted or connected to those things*

- providing and maintaining safe systems of work

- using, handling and storing plant, structures and substances in a safe manner

- providing adequate welfare facilities

- providing any necessary information, training, instruction or supervision that is necessary for protection of all persons from risks to their health and safety, and

- monitoring the health of workers and the conditions at the workplace for the prevention of illness or injury of workers.

There is a duty to ensure health and safety through adopting an approach that incorporates the whole Shed model in a risk management approach. If practices are being continuously monitored, assessed and improved, health and safety risks will be mitigated as much as is reasonably possible.

Some practices have greater associated risks due to their nature (e.g., table saws). It is the responsibility of the management committees to minimise these risks as much as is reasonably practicable.

RELATED DOCUMENTS

The best way to ensure that your shed has the necessary evidence to prove that you have adopted a risk management approach that that eliminates health and safety risks as much as is reasonably practicable, is to have policies, procedures and checklists as a part of your sheds Occupational Health and Safety plan, and ensure that these documents are followed, completed and signed off where necessary. These documents may be incorporated in your sheds member induction manual, or they may be individual policies that are discussed with and made available to your members and reviewed regularly by the committee and your members.

Standard safety documents

1. Occupational Health and Safety plan

2. Shed induction manual

3. Risk management policy (with appropriate checklists)

4. Plant inventory and maintenance schedule

5. Safety procedures documentation

RELATED LEGISLATION

Western Australia Work Health and Safety Bill 2019