

1 Policy Statement All staff and Committee of Governance are responsible for ensuring that Carlton Neighbourhood Learning Centre (CNLC) is a healthy and safe environment for all centre users. All staff have duty of care responsibilities for all participants in the centre.

2 Responsible Persons This policy applies to the entire organisation

Who	What
Committee of Governance	Endorse reviewed or new Policies
Delegated Sub-Committees	Review Policies
Executive Officer	Maintain Policy Register Oversee the implementation of this policy Authority under duty of care to undertake actions to ensure any risks/issues arising are mitigated when they arise.
All Staff/Volunteers, Visitors and Contractors	Will promptly report concerns about the safety issues to the Manager so appropriate action can be taken; Precautions will be taken to minimise risk or harm; All staff will be informed of standards required regarding safety issues; Staff will ensure confidentiality at all times; All staff and volunteers involved in care will at all times provide a standard of care that is reasonable and consistent with the policies and procedures of the centre.

3 Guiding Principles

- Health and safety responsibilities are included in Coordinators' position descriptions
- During the induction process, all staff and volunteers will be made aware of their general and specific health and safety responsibilities
- Staff and volunteers need to ensure that all actions and decisions made whilst delivering / receiving services are reasonable and safe in accordance with the CNLC Workplace Health & Safety Policy and procedures
- Failure to take action can also be considered unreasonable or negligent
- Duty of Care extends to other people likely to be affected by the organisation's activities - clients, visitor, families and carers and other groups in the community.

- 4 Principles** Duty of Care involves considering the following factors:
- The risk of harm to clients and the likelihood of these risks occurring
 - The types of injuries, both physical and emotional, that may occur and how serious they could be
 - Precautions which could be taken to avoid all risk
 - The power that the staff member has, including legal powers
 - The usefulness of the particular activity which involves risks to the overall program
 - Any statutory requirements or specific directions from any of the funding bodies
 - All staff, visitors and contractors will be aware of their general and specific health and safety responsibilities
 - Current professional standards about the issue
 - Other relevant factors specific to the client or situation.
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- 4 Key Definitions**
- **Coordinators** - The Further Education Coordinator (FEC), the Community Development Coordinator (CDC) and the Volunteer Coordinator (VC).
 - **Duty of care** - Duty of care is a common law principle which means that every person should take reasonable care to avoid causing harm to others. Employers have a duty of care to ensure the health and safety of their employees and people visiting the workplace. This includes taking all reasonable measures to control hazards and risks in the workplace.
- In the same way, employees have a duty of care to protect themselves and their workmates from harm. Employees must cooperate with their employers on OHS issues
- **Workplace health and safety:** requirements within the workplace to ensure safe conditions for all staff and volunteers
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- 5 Relevant legislation, regulatory guidelines and rules**
- Australian Charities and Not-for-profits Commission (ACNC) Governance Standards
 - Associations Incorporation Reform Act 2012 (Vic)
 - Education and Training Reform Act 2006 (Vic)
 - Victorian Registration and Qualifications Authority (VRQA) Guidelines for Vocational and Education Training (VET) providers 2019 (and or as updated)
 - Fair Work Act 2009 (Cth)
 - The Occupational Health and Safety Act 2004 (OHS Act)
 - The Occupational Health and Safety Regulations 2017 (OHS Regulations)
 - Information Privacy Act 2000 (VIC)
 - Law of Negligence (common law).
 - The Human Services Standards (gazetted as Department of Health and Human Services Standards)
 - Equal Opportunity Act 2010 (VIC)
 - The Privacy and Data Protection Act 2014
 - Disability Discrimination Act 1992(Cth)
 - Disability Act 2006 (Vic)
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DUTY OF CARE POLICY

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- Racial Discrimination Act 1975 (Cth).
 - Racial and Religious Tolerance Act 2001 (Vic);
 - Sex Discrimination Act 1984 (Cth);
 - Human Rights and Equal Opportunity Commission Act 1986 (Cth).
 - Age Discrimination Act 2004 (Cth)
 - Fairwork Act 2009 (Cth)
 - CNLC Rules
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6 Related policies & procedures & documents

- CNLC Policy – Workplace Health & Safety Policy
 - CNLC Workplace Health & Safety procedures
 - CNLC Excursion procedures
 - Staff and Volunteers Code of Conduct
 - CNLC Volunteer Procedures and Information
 - Rights and responsibilities document
 - Privacy procedure and signed document
 - Induction kit and checklist
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APPROVED