

Health, safety and wellbeing governance standard

QH-IMP-401-6: 2020

1 Statement

Queensland Health is committed to ensuring and improving the health, safety and wellbeing of its **workers**.

This Standard establishes requirements for work health and safety (WHS) **governance** to enable each **accountability area** to effectively discharge its WHS obligations.

2 Application

This Standard applies to all **accountability areas** within Queensland Health.

3 Primary duty holders

Under the **safety legislation** the accountability areas have obligations in relation to ensuring the WHS of workers and **others**, so far as is reasonably practicable. The primary duty holders (otherwise known as the **Person Conducting a Business or Undertaking**, (PCBU)) are set out in Table 1.

Accountability area	PCBU
Whole of Department	Department of Health
Divisions of Department	Department of Health
eHealth Queensland (eHQ)	Department of Health
Health Support Queensland (HSQ)	Department of Health
Queensland Ambulance Service (QAS)	Department of Health and QAS
Hospital and Health Services (HHSs)	Department of Health and HHS

Table 1: PCBUs

4 Roles and responsibilities

Table 2 sets out the different roles and responsibilities for WHS at organisational level. Each accountability area is responsible for identifying the key roles and responsibilities at personal level (e.g. individual workers or officers). This table is not intended to limit the obligations under safety legislation.

Each party may have shared duties with other accountability areas and must consult, cooperate and coordinate with those other accountability areas in relation those matters. An example of a **shared duty holder** would include where HSQ has workers located at an HHS.

Accountability area	Roles and responsibilities
Department of Health	<ul style="list-style-type: none"> In relation to the Department of Health (including its Divisions) as a PCBU, it must take steps, so far as is reasonably practicable, to ensure workers and others associated with its activities, are safe. The Department of Health must develop and maintain the Queensland Health WHS standards framework which applies to all accountability areas. In relation to HHSs and the QAS, the Department of Health's role involves oversight and monitoring of WHS matters. This is a systemic role that does not descend to operational matters.
Divisions of the Department of Health eHQ and HSQ	<ul style="list-style-type: none"> eHQ and HSQ are not separate PCBUs but still must take steps, so far as is reasonably practicable, to ensure workers and others associated with their activities, are safe. eHQ and HSQ must apply the Queensland Health WHS standards framework which will be supported by local procedures.
QAS	<ul style="list-style-type: none"> The QAS is a statutory body and a PCBU. The QAS must take steps, so far as is reasonably practicable, to ensure workers and others associated with its activities, are safe. Operational control for WHS remains with the QAS.
HHSs	<ul style="list-style-type: none"> A HHS is a statutory body and a PCBU. HHSs must take steps, so far as is reasonably practicable, to ensure workers and others associated with its activities, are safe. HHSs must apply the Queensland Health WHS standards framework which will be supported by local procedures. Operational control for WHS remains with the HHS.

Table 2: WHS roles and responsibilities

5 Work health and safety governance structure

5.1 Department of Health

- The Department of Health's WHS governance arrangements are outlined at Attachment 1.
- Key aspects of monitoring and reporting are contained in the QH-IMP-401-4:2020 Health, safety and wellbeing monitoring, evaluation and performance review standard.

5.1.1 Work Health and Safety Committees

- Each division of the Department of Health, the QAS, eHQ and HSQ have local worker consultation committees. A **Health and Safety Committee** must be established if requested by five or more workers at the workplace or by the **Health and Safety**

Representative (HSR). These committees may include HSRs as per safety legislation. Queensland Health supports the establishment of a health and safety committees for the workplace or part of the workplace on the person's own initiative. These committees must provide quarterly written reports to the HSMC in an approved form.

5.1.2 Health and Safety Management Committee

- The purpose of the Health and Safety Management Committee (HSMC) is to support the ELT to oversee WHS within the Department of Health. The HSMC meets quarterly and prepares the 'Department of Health Work Health and Safety Due Diligence Report' to the ELT in an approved form.

5.1.3 The Executive Leadership Team

- The **Executive Leadership Team** (ELT) supports the Director-General. The ELT must consider WHS at each meeting and will receive a quarterly report from the HSMC that is titled the 'Department of Health Work Health and Safety Due Diligence Report' to assist it to do so.

5.2 HHS - WHS

- The HHS WHS governance arrangements are outlined at Attachment 1
- Each HHS must have a WHS governance framework consisting of:

5.2.1 Worker Consultation Committees

- Worker consultation committees may be combined with a facility level or focus group committee. A Health and Safety Committee must be established if requested by five or more workers at the workplace or by the HSR. These committees may include HSRs as per safety legislation. Queensland Health supports the establishment of a health and safety committee for the workplace or part of the workplace on the person's own initiative. Worker consultation committees must provide quarterly written reports to the HHS WHS Committee in an approved form.

5.2.2 Facility level or focus group committees

- Facility level or focus group committees if deemed necessary by the HHS. If these committees are in place, they are to meet quarterly at a minimum and report to the HHS WHS committee.

5.2.3 HHS WHS Committee

- A HHS WHS committee that meets quarterly at a minimum and deals with WHS issues across the whole HHS. There should be management representatives on the committee who have the appropriate skills to prepare the 'HHS Executive WHS Due Diligence Report' to the HHS executive. The executive team may agree to assume the role in which case,

the 'HHS Executive WHS Due Diligence Report' would need to be prepared by the WHS Manager or their delegate.

5.2.4 HHS Executive team

- An executive team that meets quarterly at a minimum and has WHS as a standing agenda item. The executive team is to provide the 'HHS Board WHS Due Diligence Report' to the HHS board and the Department of Health ELT (through the Department of Health Safety and Wellbeing Team).

6 Record retention

Records generated through the application of this Standard and associated documentation are to be retained in accordance with the General Retention and Disposal Schedule (GRDS), Queensland Government and Queensland Health Information Management policies.

7 Legislation

- Building Fire Safety Regulation 2008
- *Electrical Safety Act 2002*
- Electrical Safety Regulation 2013
- *Hospital and Health Boards Act 2011*
- *Work Health and Safety Act 2011*
- Work Health and Safety Regulation 2011
- WHS Codes of practice including the electrical safety codes of practice
- *Workers' Compensation and Rehabilitation Act 2003* and Workers' Compensation and Rehabilitation Regulation 2014

8 Supporting documents

- AS/NZS ISO45001: 2018 Occupational health and safety management systems
- Department of Health Governance Framework
- Department of Health, Health and Safety Management Committee Terms of Reference
- General Retention and Disposal Schedule (Administrative Records)
- HHS Executive - Board WHS Due Diligence Report Template
- QH-IMP-401-1:2020 Health, safety and wellbeing planning standard
- QH-IMP-401-2:2020 Health, safety and wellbeing consultation standard
- QH-IMP-401-3:2020 Health, safety and wellbeing risk management standard
- QH-IMP-401-4:2020 Health, safety and wellbeing monitoring, evaluation and performance review standard
- QH-IMP-401-5:2020 Workplace rehabilitation standard
- QH-IMP-401-7:2020 Health, safety and wellbeing incident response standard
- QH-POL-401:2020 Health, safety and wellbeing policy
- QH-POL-401-Att2 Health, safety and wellbeing management system framework
- QH-POL-467 Department of Health Corporate Records Management Policy

- QH-POL-468 eHealth Queensland Information security Policy
- Queensland Government Information security policy
- Queensland Government Records governance policy

9 Definitions

Term	Definition
Accountability area	Department of Health divisions and agencies and each HHS are accountability areas within Queensland Health.
eHealth Queensland (eHQ)	eHealth Queensland, an agency of the Department of Health.
Executive Leadership Team (ELT)	The Executive Leadership Team (ELT) supports the Director-General to provide leadership, direction and guidance to the Department of Health and oversee its strategic function, capabilities and effective operation.
Health and Safety Committee (HCS)	A Health and Safety Committee established under the Work Health and Safety Act 2011
Health and Safety Representatives (HSR)	A Health and Safety Representative appointed under the <i>Work Health and Safety Act 2011</i>
Hospital and health service (HHS)	Hospital and health service established under the <i>Hospital and Health Boards Act 2011</i> .
Health Service Chief Executive (HSCE)	Health Service Chief Executive.
Health and Safety Management Committee (HSMC)	Department of Health, Health and Safety Management Committee.
Health Support Queensland (HSQ)	Health Support Queensland, an agency of the Department of Health.
Governance	Governance is how an organisation is directed and controlled and can include organisational structures, management roles and the scope of the power and authority they exercise, and the frameworks established for making decisions.
Person Conducting a Business or Undertaking (PCBU)	Person Conducting a Business or Undertaking. The Department of Health (including eHQ and HSQ) and each of the HHSs are considered to be PCBUs.
Queensland Ambulance Service (QAS)	As defined in the Ambulance Services Act 1991.
Safety management system	This system consists of the WHS standards framework, procedures and operating practices that provide the framework within which workers discharge their individual health and safety accountabilities and the PCBU ultimately discharges its legislative obligations.

Term	Definition
Safety legislation	The Work Health and Safety Act 2011, and the Electrical Safety Act 2002 and any associated regulations or WHS codes of practice, as amended from time to time.
Shared duty holders	Persons who have a duty under safety legislation in relation to the same matter as another person.
Others	Other persons as referenced in the Work Health and Safety Act, 2011. Others are people who are not workers but whose health and safety may be impacted by one or more accountability areas. Patients and visitors are examples of others.
Work health and safety (WHS)	Work health and safety.
WHS standards framework	This framework consists of QH-POL-401:2020 Health, safety and wellbeing policy, implementation standards and guidance materials.
Worker	<p>Definition as per section 7 of the WHS Act, that is: A person is a worker if the person carries out work in any capacity for a person conducting a business or undertaking, including work as—</p> <ul style="list-style-type: none"> (a) an employee; or (b) a contractor or subcontractor; or (c) an employee of a contractor or subcontractor; or (d) an employee of a labour hire company who has been assigned to work in the person's business or undertaking; or (e) an outworker; or (f) an apprentice or trainee; or (g) a student gaining work experience; or (h) a volunteer; or (i) a person of a prescribed class <p>The person conducting the business or undertaking is also a worker if the person is an individual who carries out work in that business or undertaking.</p> <p>As per the Workers' Compensation and Rehabilitation Act, 2003 s 11(1) (as amended 2013): A person who works under a contract with Queensland Health, and in relation to the work, is an employee for the purpose of assessment for PAYG withholding under the Taxation Administration Act 1953; who has sustained a work-related personal injury or illness. (The above definition is utilised by WorkCover Queensland when determining liability/eligibility for workers' compensation entitlements).</p>

10 Version Control

Version	Date	Comments
1.0	15 June 2020	New standard.

Managing the risk of psychosocial hazards at work
Code of Practice 2022
applies 1 April 2023

Attachment 1 – Work health and safety governance framework

