

WHS LEGAL COMPLIANCE PROCEDURE

1. INTRODUCTION

The purpose of this procedure is to ensure that all legal and other requirements that are directly applicable to the WHS activities, products and services of Charles Sturt Campus Services are identified and are accessible to all employees, contractors, visitors and volunteers.

2. SCOPE

This procedure applies across the organisation of Charles Sturt Campus Services and all workplaces under our control.

3. REFERENCES

Refer to *WHS Legal Compliance Register*

4. DEFINITIONS

Compliance:	Meeting requirements of applicable legislation, regulations, industry standards, guidelines, codes of conduct, code of ethics and organisational policies.
Health and Safety Representative:	An elected employee responsible for representing employees on matters relating to WHS.
Legal compliance:	Includes state and national acts, regulations, codes of practice, compliance codes and standards.
Management OHS Nominee:	A position nominated by the Workplace Manager to oversee the operational aspects of implementing health, safety and wellbeing initiatives, policies and procedures.
OHS Procedures:	Specific procedures that combine to make up CSCS WHS Management System (WHSMS).
Other requirements:	Includes Australian Standards, National Occupational Health and Safety Commission Guidelines and Industry Codes.
Workplace General Manager:	The General Manager or Principal responsible for CSCS workplaces.

5. RESPONSIBILITY

The **Workplace Improvement Officer** has overall responsibility for ensuring Legislative Compliance of CSCS.

The **Workplace Improvement Officer** is responsible for:

- Ensuring that all health and safety legislation, codes of practice, compliance codes, applicable standards and any other requirements are identified and monitored for the activities, products and services (including relationships with relevant contractors and suppliers) relevant to CSCS workplaces;
- Ensuring that new legislation and any changes to legislation are updated in CSCS's WHSMS including in the *WHS Legal Compliance Register*, communicated to employees as appropriate and made accessible to all employees.

Workplace Manager and/or their **Management WHS Nominee/s** are responsible for:

- Establishing and maintaining the WHSMS within the workplace;
- Ensuring legal compliance within the workplace by adhering to the policies and procedures in the WHSMS;
- Complying with their responsibilities under the policies and procedures set out in the WHSMS;
- Following up on all potential or actual breaches of legislation and ensuring remedial action, as appropriate, is undertaken having regard to the level of risk;
- Communicating relevant information on legal and other requirements to employees;
- Complying with the requirements of WHS legal notices (e.g. Provisional Improvement Notices (PIN) and Prohibition Notices), and reporting notifiable incidents to NSW Work Cover Authority.

Employees are responsible for:

- Understanding and complying with all WHS legislation and regulations relevant to their activities at the workplace;
- Taking reasonable care for the health, safety and wellbeing of themselves and others who may be affected by their actions;
- Cooperating with directions and procedures relevant to WHS;
- Adhering to this Procedure as per their responsibilities under the *WHS Act 2011*.

6. PROCEDURE

6.1 Identification and monitoring of legal and other requirements

The **Workplace Improvement Officer** must identify and monitor all health and safety legislation, codes of practice, compliance codes, applicable standards and any other requirements that are associated with the activities, products and services (including relationships with relevant contractors and suppliers) relevant to CSCS's workplaces. This is to be conducted by reviewing and monitoring the relevant legislation sources which include:

- NSW Work Cover Authority;
- NSW Legislation and Parliamentary NSW;
- Australian Standards online;
- WHS alert.

The **Workplace Improvement Officer** must include all identified legislation and other requirements on the *WHS Legal Compliance Register* and compliance obligations are to be included in all relevant policies, procedures and documentation under the WHSMS.

6.2 Updating the WHSMS with new and changed legislation

The **Workplace Improvement Officer** must update and maintain policies, procedures and documentation under the WHSMS when relevant changes to legislation and other requirements occur. This includes making recommendations for review and amendment, as applicable.

The *WHS Legal Compliance Register* is to be updated when new legislation is introduced or changes to legislation are made.

6.3 Communication of legal and other requirements

The **Workplace Improvement Officer** must communicate to CSCS's workplaces identified legislation and other requirements, new legislation and changes to legislation. Communication can occur through any of the following means:

- CSCS Mail and Newsletter;
- CSCS Health and Safety Newsletter.
- Information Alerts posted on noticeboards

All legal and other requirements are to be made accessible to all employees via the WHSMS on the Charles Sturt Campus Services website.

6.4 Compliance Reviews

The Workplace Improvement Officer must ensure that WHS legislative compliance reviews occur:

- Biennially through review of CSCS WHSMS documentation;
- Periodically through WHSMS evaluations;
- Annually through CSCS System and Compliance Audit (AS/NZS 4801);
- When new activities/operations are introduced into the workplace;
- When any WHS compliance gap is identified.

6.5 Legal Advice

The Workplace Improvement Officer will engage the services of the Charles Sturt Universities Legal Division when seeking legal advice in respect to WHS legislation and other identified requirements.

7. RELATED DOCUMENTATION

CSCS WHS Policy

WHS Consultation and Communication Procedure

WHS Responsibilities

WHS Legal Compliance Register



9. SIGN OFF

Company Representative:

Signed:	_____	Date:	04-04-2018
Name:	Martin Dooner	Position:	General Manager