

Policy Statement 6.6 – Work Health and Safety (incorporating Guidelines, Risk Management Steps & Guide to Legislation)

1. Introduction

- 1.1. The Australian Dental Association (ADA) is committed to providing a healthy and safe working environment for its staff and other persons who visit their premises.
- 1.2. The ADA assists its members to provide a healthy and safe working environment for all workers and other persons who visit their premises, so far as reasonably practicable.

2. Principle

- 2.1. A healthy and safe working environment (workplace) is to be achieved by management and employees working collaboratively, following a programme of health and safety activities and procedures which are monitored, reviewed and audited to achieve best practice.

3. Policy

- 3.1. The ADA should provide a healthy and safe working environment at its office.
- 3.2. The ADA should provide encouragement and information to enable its members to participate in healthy and safe work environment.
- 3.3. The development of codes and guidelines specific for the dental workplace, must include expert dental opinion.
- 3.4. Standards should be an outline of general principles that allow for variability in workplaces and the development of individual protocols.

Policy Statement 6.6

Adopted by ADA Federal Council, November 13/14, 2003.

Amended by ADA Federal Council, November 13/14, 2008.

Amended by ADA Federal Council, April 12/13, 2012.

Amended by ADA Federal Council, August 25/26, 2016.

Appendix 1 to Policy Statement 6.6 – Work Safety Guidelines

1. Definitions

- 1.1. DENTAL PRACTITIONER is a person registered by the Board to provide dental care.
- 1.2. MEMBER OF THE PUBLIC is a member of the general population including:
 - (a) a patient
 - (b) an accompanying person
 - (c) a dental company representative
- 1.3. OFFICER for the purposes of this guideline is a person is one of the following:
 - (a) a director or secretary;
 - (b) a person who makes or participates in the making of decisions that affect the whole or a substantial part of the business;
 - (c) a person who has the capacity to affect significantly the organisation's financial standing;
 - (d) a person who is accustomed to act in accordance with the instruction or wishes of directors; or
 - (e) a receiver, administrator, trustee or manager of the property of the organisation.
- 1.4. PERSON CARRYING ON A BUSINESS OR UNDERTAKING (PCBU) is an individual, company or organisation that arranges, directs or influences work to be done or contributes something towards the work being done. It can include partners in partnerships, sole traders, trustees of trusts or committee members of unincorporated associations, public or private companies and incorporated associations (organisation).
- 1.5. REASONABLY PRACTICABLE is that which is, or was at a particular time, reasonably able to be done in relation to ensuring workplace health and safety, taking into account and weighing up all relevant matters including:
 - (a) the likelihood of the hazard or the risk concerned occurring; and
 - (b) the degree of harm that might result from the hazard or the risk; and
 - (c) what the person concerned knows, or ought reasonably to know, about:
 - (i) the hazard or the risk; and
 - (ii) ways of eliminating or minimising the risk; and
 - (d) the availability and suitability of ways to eliminate or minimise the risk; and
 - (e) after assessment, 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.
- 1.6. RISK MANAGEMENT is a process whereby hazards are identified in the workplace, the risks associated with the identified hazard are assessed and the control measures that are implemented which will eliminate or minimise the risk of injury from the identified hazard.
- 1.7. WORKER is a person who carries out work in any capacity for a person conducting a business or undertaking, including work as:
 - (a) an employee;

- (b) a contractor or subcontractor;
- (c) an employee of a contractor or subcontractor;
- (d) an employee of a labour hire company who has been assigned to work in the person's business or undertaking;
- (e) an apprentice or trainee;
- (f) a student gaining work experience; or
- (g) a volunteer.

2. Responsibilities

2.1. Duties of Persons Carrying on a Business or Undertaking (PCBUs)

The ADA/a PCBU must ensure, so far as is reasonably practicable, the health and safety of workers and members of the public.

- (a) directly engaged by the person; or
- (b) whose activities are influenced or directed by the person

and must, so far as is reasonably practicable:

- (c) provide and maintain a work environment without risks to safety;
- (d) provide and maintain safe plant and structures;
- (e) provide and maintain safe systems of work;
- (f) implement safe use, handling, and storage of plant, structure and substances;
- (g) provide any information, training, instruction or supervision that is necessary to protect persons from risks to health and safety;
- (h) ensure that the health of workers and the conditions of the workplace are monitored for the purposes of preventing illness or injury of workers; and
- (i) maintain the premises so workers and members of the public are not exposed to risks to health and safety.

A self-employed person must ensure, so far as is reasonably practicable, his or her own health and safety while at work.

2.2. Duties of Officers

- (a) Officers of an organisation must exercise due diligence to ensure the organisation complies with its WHS obligations.
- (b) Officers must be proactive in ensuring the organisation complies with its duty and the duty will always remain with the Officer of the organisation and cannot be outsourced or delegated.
- (c) Officers must take all reasonable steps to exercise due diligence in respect of WHS matters, which include, but are not limited to:
 - (i) acquiring and updating their knowledge of work health and safety matters;
 - (ii) understanding the operations being carried out by the organisation and the hazards and risks associated with those operations;
 - (iii) ensuring that appropriate resources are available and used, processes to enable hazards associated with the operations of the business or undertaking are identified and risks associated with those hazards are eliminated or minimised;

- (iv) ensuring that appropriate processes for receiving and considering information regarding incidents, hazards and risks are in place and responding in a timely way to that information;
- (v) ensuring that processes for complying with any duty or obligation under the legislation are in place and implemented; and
- (vi) verifying the provision and use of the resources and processes referred to above.

2.3. Steps that an Officer can take to meet their due diligence requirements

Crucial to the achievement of positive safety outcomes for the organisation is Officers leading the safety agenda. Leading the safety agenda could include the organisation through its officers:

- (a) acquiring up-to-date knowledge of the WHS legislation, regulations and codes of practice;
- (b) investigating current industry issues through conferences, seminars, information and awareness sessions, industry groups and newsletters;
- (c) acquiring up-to-date knowledge of work health and safety management principles and practices;
- (d) ensuring that work health and safety matters are considered at each board meeting;
- (e) developing a plan of the organisation's operations that identifies hazards in core activities;
- (f) establishing/maintaining safe methods of work;
- (g) implementing a safety management system;
- (h) employing a risk management process;
- (i) recruiting personnel with appropriate skills, including safety personnel;
- (j) ensuring staffing levels are adequate for safety in operations;
- (k) giving safety personnel access to decision makers for urgent issues;
- (l) maintaining/upgrading infrastructure;
- (m) ensuring that information is readily available to other officers and workers about procedures to ensure the safety of specific operations that pose health and safety risks in the workplace;
- (n) continuously improving the safety management system;
- (o) having efficient, timely reporting systems;
- (p) empowering workers to cease unsafe work and request better resources;
- (q) establishing processes for considering/ responding to information about incidents, hazards and risks in a timely fashion;
- (r) measuring against positive performance indicators to identify deficiencies (e.g. percentage of issues actioned within agreed timeframe);
- (s) undertaking a legal compliance audit of policies, procedures and practices;
- (t) testing policies, procedures and practices to verify compliance with safety management planning; and
- (u) implementing an internal audit and risk review committee.

2.4. Duties of contractors

- (a) All contractors engaged to perform work for the ADA; and
- (b) Contractors providing services to Dentists, should be required through a contract with the organisation to comply with the health and safety legislation as amended from time to time, the policy, programmes and procedures of the organisation as they relate to work health and safety and to observe all directions on health and safety given by management.
- (c) Contractors must also:
 - (i) take reasonable care for their own health and safety;
 - (ii) take reasonable care that they do not adversely affect the health and safety of other persons;
 - (iii) comply with the organisation's WHS policy, procedures and rules, and follow safe work practices;
 - (iv) comply with the contractor's own WHS policy, procedures and rules, and follow safe work practices;
 - (v) carry out work in compliance with the organisation's safe work methods and demonstrate an acceptable level of safety performance;
 - (vi) ensure that the right person is engaged for each job, taking into account the type of work to be performed, the licences, certificates and qualifications required;
 - (vii) conduct relevant job safety analyses whenever it is appropriate to do so;
 - (viii) provide WHS Risk Assessments for the work to be completed if requested by the organisations;
 - (ix) participate in risk assessments as requested by the organisation;
 - (x) participate in WHS consultation meetings to discuss workplace safety;
 - (xi) do not misuse or interfere with anything which is provided in the interests of workplace health and safety;
 - (xii) ensure appropriate equipment is used for the job and it has been tested, maintained and is safe to use;
 - (xiii) ensure that Personal Protective Equipment has been provided and is used whilst on site;
 - (xiv) ensure that Material Safety Data Sheets are complied with and made available for hazardous substances used on site;
 - (xv) report any hazards to the organisation as soon as you notice them;
 - (xvi) report all incidents (including near misses) to the organisation, whether or not someone was injured;
 - (xvii) report any incidents of bullying and/or harassment in the workplace to the organisation;
 - (xviii) assist in the identification of control measures to eliminate or minimise the risk of injury;
 - (xix) attend WHS training as required by the organisation;
 - (xx) correctly use tools and equipment;
 - (xxi) report any worn out or defective tools or equipment or problems you have with tools and equipment provided by the organisation;
 - (xxii) wear personal protective equipment as required;

- (xxiii) operate equipment and machinery with guards and safety controls operating and in place at all times;
- (xxiv) report all problems with equipment and machinery provided by the organisation immediately to the organisation;
- (xxv) report all problems with manual tasks, including signs of discomfort, in the provision of the services immediately to the organisation;
- (xxvi) participate in WHS activities such as inspections, investigations, evacuation drills, WHS meetings and risk assessments as required from time to time;
- (xxvii) report any physical or psychological conditions that may affect your ability to safely provide the services to the organisation;
- (xxviii) participate in meaningful and open consultation about work health and safety with workers, health and safety representatives and health and safety committees; and
- (xxix) consult, cooperate and coordinate with the organisation in respect of work health and safety issues.

2.5. Duties of Employees

- (a) Employees are required to comply with health and safety legislation and the organisation's policies and procedures by taking reasonable care that their acts or omissions do not adversely affect their health or safety and that of other persons.
- (b) Employees must report all hazards and incidents to the organisation as soon as practically possible to ensure their own health and safety and the health and safety of others in our workplace, including contractors, patients and visitors.
- (c) Managers and Supervisors are responsible and accountable for the safety of employees, contractors and company property under their control so far as reasonably practicable. Managers and Supervisors are responsible for ensuring all policies, procedures, safe work practices and safe work procedures are followed at all times.
- (d) Employees are required to:
 - (i) take reasonable care for their own health and safety.
 - (ii) take reasonable care that they do not adversely affect the health and safety of other persons.
 - (iii) follow the organisation's WHS policy, procedures and rules, and follow safe work practices.
 - (iv) participate in WHS consultation meetings to discuss workplace safety in the department.
 - (v) report any hazards as soon as they notice them.
 - (vi) report all incidents, whether or not someone was injured.
 - (vii) report any incidents of bullying and/or harassment in the workplace.
 - (viii) participate in risk assessments as requested.
 - (ix) assist in the identification of control measures to eliminate or minimise the risk of injury.
 - (x) attend WHS training as required by the management.
 - (xi) correctly use tools and equipment.
 - (xii) report any worn out or defective tools or equipment or problems you have with tools and equipment.

- (xiii) wear personal protective equipment as required.
- (xiv) report any worn out or defective equipment or problems you have with Personal Protective Equipment.
- (xv) operate equipment and machinery with guards and safety controls operating and in place at all times.
- (xvi) report all problems with equipment and machinery immediately.
- (xvii) report all problems with manual tasks, including signs of discomfort, immediately.
- (xviii) participate in WHS activities such as inspections, investigations, evacuation drills, WHS meetings and risk assessments as required from time to time.
- (xix) report any physical or psychological conditions that may affect your ability to safely perform the duties that form part of your role.
- (xx) assist in the return to work process for you or any work colleagues following injury.
- (xxi) not misuse or interfere with anything which is provided in the interests of workplace health and safety.

Risk Management

2.6. To ensure a safe workplace, risks must be identified, assessed and eliminated or controlled.

2.7. To achieve this, there are a number of measures which will be implemented to manage all identified health and safety risks. These include:

- (a) setting up a well-documented system for identifying, reporting and responding to actual and potential hazards;
- (b) implementing a risk management programme that involves regular workplace inspections, safety audits, job safety analyses and development of safe work procedures;
- (c) consulting with workers and their representatives, managers and outside experts, to identify potential hazards, classify the risk and implement necessary control measures to eliminate or minimise the risk; and
- (d) train all workers and managers on how to apply the risk management process.

2.8. Risk Minimisation in the Dental Workplace

- (a) Hazard identification needs close analysis of the physical environment and the chemical, radiological or biological exposure of any person.
- (b) In the dental surgery, risk minimization should include but is not limited to:
 - (i) infection control,
 - (ii) maintaining a register for all materials, goods and equipment provided by their manufacturers in regard to safe use; and
 - (iii) emergency care in case of an accident or misadventure.
- (c) In the office, risk minimisation should include but is not limited to: ergonomics of seating, lighting, positioning of equipment, use of step ladders, techniques for manual handling, maintenance of equipment such as air conditioner plant and maintenance of public facilities.
- (d) In respect to equipment records of equipment and equipment maintenance schedules and training programmes should be kept to demonstrate compliance with WHS and other legislative requirements.
- (e) Emergency and evacuation procedures must be put in place.

Resolution of WHS Issues in the Workplace

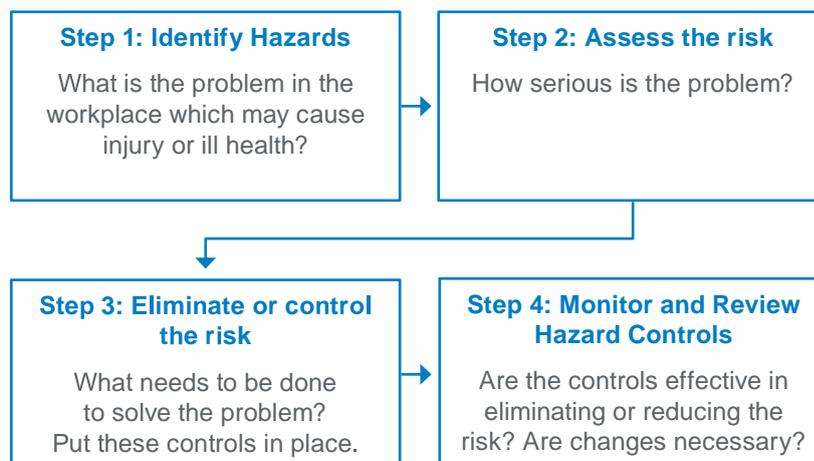
- 2.9. All workplaces must have a process for resolution of WHS safety issues in the workplace.
- 2.10. A process for resolution of such issues is set out in the legislation applying in each State.

Worker's Compensation and Professional Indemnity Insurance

- 2.11. All organisations must procure workers compensation insurance as required by law.
- 2.12. All dental practitioners should procure and maintain appropriate professional indemnity insurance.
- 2.13. All dental premises should maintain public liability insurance and products liability to cover injuries to people not protected by workers compensation or professional indemnity insurance.

Appendix 2 to Policy Statement 6.6 – Risk Management Steps

1. The Risk Management Steps are



2. Steps in the Risk Management Procedure

(a) Step 1: Hazard Identification

Hazards will be identified by the following methods:

- (i) workplace inspections, safety audits of the work premises;
- (ii) Job Safety Analysis;
- (iii) consultation;
- (iv) incident Reporting and Investigation; and
- (v) use of Codes, Standards, Acts and Regulations.

Hazards identified through analysis of a job or work activity should be documented.

Hazards identified through incidents or general observation should be documented on Incident Report Forms, Hazard Report Forms or Workplace Inspection Checklists.

Hazards identified and controlled through other methods should be documented on the Risk Management Register form.

(b) Step 2: Risk Assessment

Each hazard/hazardous situation should be assigned a risk rating which is used for prioritising hazards and quantifying the degree of risk. The risk rating is determined by using the risk assessment matrix below:

1. Consequences (What could be the outcome/the severity?)	2. Likelihood (What is the likelihood of the consequence?)			
	Very Likely	Likely	Unlikely	Very Unlikely
Kill or cause permanent disability or ill health	1	1	2	3
Long-term illness or serious injury	1	2	3	4
Medical attention and several days off work	2	3	4	5
First aid needed	3	4	5	6

Risk assessments should be reviewed when:

- (i) An incident occurs;
- (ii) There are significant changes to workplace activities, services and products, including when new techniques, materials or equipment are implemented; and
- (iii) There is evidence that a risk assessment is no longer valid.

(c) Step 3: Risk Control

Where possible, elimination of the hazards is to be considered. Where elimination is not reasonably practicable, the risk will be controlled in accordance with the hierarchy of hazard controls (refer to below table):

Most effective control measure	Method	Examples of hazard controls
	Eliminate	Remove the hazard from the workplace or process so it is not used.
	Substitution	Use a Less hazardous substance, material or system of work
	Isolation	Enclose noisy or dangerous equipment
	Engineering Controls	Mechanical handling devices, machine guarding
	Administrative Controls	Training, safe work practices, safety signs
	Personal Protective Equipment	Safety glasses, earplugs, x-ray apron
Least effective control measure		

A combination of the above methods may be needed to reduce the risk to the lowest level.

(d) Step 4: Evaluation and Review

Following implementation of control measures, there will be periodic reviews to ensure they are appropriate and effective. This will be achieved through regular workplace inspections, consultation with workers and review of incident investigations.

(e) Step 5: Documenting Safe Work Practices - Job Safety Analysis and Safe Work Procedures

As part of the risk assessment process the organisation should conduct job safety analyses on jobs that pose a significant risk to the health and safety of employees or visiting members of the public.

A Job Safety Analysis (JSA) breaks down a job or work tasks into steps and identifies the hazards associated with each step. It also assesses the risks associated with that task and specifies the control measures which need to be implemented to keep the risk as low as reasonably practicable.

Once the JSA has been completed, the information from the JSA (re: steps and hazards) should be transferred into a Safe Work Procedure in a clear and concise way explaining how the job is to be done and what workers need to do to ensure the job is done safely.

Documenting safe work practices includes the following:

- (i) Consultation with employees/ workers performing the jobs.
- (ii) Conducting a JSA using the appropriate document. Identify the hazards associated with each step and the associated risks. A JSA will also allow the identification of appropriate control measures to minimise the risk of harm.
- (iii) Documenting the Safe Work Procedure using the appropriate document. Include the control measures identified from the JSA in the procedure.

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- (iv) Distributing Safe Work Procedures for review before implementation.
 - (v) Implement Safe Work Procedures through communication channels and training.
 - (vi) Review Safe Work Procedures when there is a change in workplace activities, services, products or following an incident.

Appendix 3 to Policy Statement 6.6 – References and Contacts for WHS Information

Jurisdiction	Legislation (As At 30 March 2012)	Website
Commonwealth	Work Health and Safety Act 2011 Work Health and Safety Regulations 2011	http://www.safeworkaustralia.gov.au
Australian Capital Territory	Work Health and Safety Act 2011 (ACT) Work Health and Safety Regulation 2011 (ACT)	http://www.worksafe.act.gov.au/health_safety
Northern Territory	Work Health and Safety (National Uniform Legislation) Act 2011 (NT) Work Health and Safety (National Uniform Legislation) Regulations 2011 (NT)	http://www.worksafe.nt.gov.au/home.aspx
New South Wales	Work Health and Safety Act 2011 (NSW) Work Health and Safety Regulations 2011 (NSW)	http://www.workcover.nsw.gov.au
Queensland	Work Health and Safety Act 2011 (QLD) Work Health and Safety Regulations 2011 (QLD)	http://www.workcoverqld.com.au/
South Australia	Work Health and Safety Act 2012 (SA) Work Health and Safety Regulations 2012 (SA)	http://www.safework.sa.gov.au
Tasmania	Work Health and Safety Act 2012 (Tas) Work Health and Safety Regulations 2012 (Tas) Current: Workplace Health and Safety Act, 1995 (TAS) Workplace Health and Safety Regulations 1998 (TAS)	http://www.workcover.tas.gov.au
Victoria	The Victorian Government has confirmed it will not harmonise legislation with the Commonwealth Current: Occupational Health and Safety Act 2004 (Vic) Occupational Health and Safety Regulations 2007 (Vic)	http://www.worksafe.vic.gov.au
Western Australia	Work Health and Safety Bill 2014. Current: Occupational Safety and Health Act 1984 (WA) Occupational Safety and Health Regulations 1996 (WA)	http://www.safetyline.wa.gov.au