

Guideline Title: Work Health and Safety Compliance Obligations

Guideline Owner: Chief Safety Officer

Keywords: Legislation, Work Health and Safety, Legal, Register, Compliance

This guideline supports the University to operationalise the Health and Safety Policy [PL139] and Compliance Policy [PL203] and must be complied with.

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1. INTENT

The purpose of this guideline is to outline the process for identifying and managing Work Health and Safety (WHS) related compliance obligations associated with the University's operations, in line with [ECU's Compliance Policy](#).

2. ORGANISATIONAL SCOPE

This guideline applies to all Workers. Where Workers are located and/or undertake work internationally or interstate, the compliance requirements of the relevant jurisdiction shall be met, however compliance with Western Australian WHS legislation requirements is considered a minimum standard.

3. DEFINITIONS

The [University Glossary](#), the [WHS Definitions Register](#) and the following definitions apply to this procedure:

Term:	Definition:
Health and Safety Legal Register	A register listing the WHS legal compliance requirements which are relevant for the University.
Compliance Commitment	A requirement that ECU chooses to comply with.
Compliance Obligation	The compliance requirements or compliance commitments of the University
Compliance Requirement	A requirement that ECU must comply with including but not limited to legislation, licences, permits and agreements with external parties.

4. GUIDELINE CONTENT

Accountabilities and Responsibilities

- 4.1. The Chief Safety Officer is accountable for:
- Monitoring WHS legislative changes through subscriptions and email alerts to services such as Environment Essentials SafetyLaw updates.
 - Communicating WHS legislative updates and changes to the [Health and Safety Legal Register](#) to relevant stakeholders via the Local WHS Committees.
 - Reviewing and updating the *Health and Safety Legal Register* at least annually to ensure relevancy of listed legislation and other compliance obligations.
 - Providing guidance to Schools and Centres to assist them in adhering to WHS Compliance Obligations.
 - Updating the [Work Health and Safety Management System](#) in accordance with changes to WHS related Compliance Obligations and communicating these updates to Schools and Service Centres.
 - Consulting with and referring matters to ECU Legal and Integrity as required.
- 4.2. Members of Chancellery, Executive Deans, Deans and Directors are accountable, and Associate Deans and Managers/Supervisors responsible, for:
- Monitoring legislative changes to WHS related Compliance Obligations relevant to the activities of their area of responsibility, School or Centre.
 - Ensuring School or Centre owned policies, guidelines and procedures are updated to comply with changes to WHS related Compliance Obligations.
 - Ensuring Workers in their area consult the *Health and Safety Legal Register* when developing new programs and initiatives to ensure they meet relevant Compliance Obligations.
 - Communicating changes to WHS Compliance Obligations to Associate Deans, Managers, Supervisors and other relevant parties.
 - Implementing processes to ensure the activities and work environment of workers and students based internationally or interstate adhere to the WHS Compliance Requirements of the relevant jurisdiction and the University's WHS Management System.

Identifying and Recording WHS Compliance Obligations

- 4.3. ECU subscribes to a number of services to assist with identifying Compliance Requirements and monitoring changes to relevant WHS Compliance Obligations that may impact University processes and activities. These can be accessed following the instructions on the [Legal and Other Requirements Logon Information Sheet](#).
- 4.4. Relevant ECU Workers including the People and Culture WHS team, Associate Deans, Managers/Supervisors and Health and Safety Representatives are encouraged to subscribe to these services to ensure they remain current on changes to WHS Compliance Obligations that may have impact on University activities and operations in their area of control.

Health and Safety Legal Register

- 4.5. The People and Culture WHS Team maintains a *Health and Safety Legal Register* recording WHS legislation and Compliance Obligations relevant to the University's activities, including:
- Applicable State and National WHS legislation
 - Guidance notes
 - Codes of Practice
 - Australian/New Zealand Standards
- 4.6. The *Health and Safety Legal Register* will be updated periodically when:
- When legal requirements change including introduction of new legislation, amendments and legislation that ceases to be in force;
 - Changes to University activities and operations introduce new Compliance Obligations; and
 - Monitoring of Compliance Obligations identifies a change in requirements.
- 4.7. Permits, licences and legislative appointed roles related to the management of high-risk materials such as Radiation, Biosafety and Hazardous Substances are also contained within the Certifications Register in [Riskware](#).

Alignment with Australian and International Standards

- 4.8. Schools or Centres may independently choose to align their operations with relevant international standards. In these cases, the responsibility for managing the implementation, compliance and audits to align with the international standard resides with the School or Centre.

Changes to WHS Compliance Obligations

- 4.9. The People and Culture WHS team are responsible for monitoring changes to WHS Compliance Obligations through subscription to the Environment Essentials SafetyLaw service. Monthly updates of changes to WHS Compliance Obligations will be:
- Reviewed for applicability to the University operations and activities;
 - Updated in the *Health and Safety Legal Register*; and
 - Communicated to relevant stakeholders in Schools and Centres where they may result in changes to learning, research or operational activities and/or policies, guidelines and procedures.
- 4.10. Executive Deans, Deans and Directors are responsible for ensuring their School or Centre's activities or documentation are modified to meet any new or changed WHS Compliance Obligations in consultation with Health and Safety Representatives and others in the work area.

Document and Records Management

- 4.11. All documents related to the identification, monitoring and communication of WHS Compliance Obligations must be kept in accordance with the requirements outlined in the [HS Document and Records Management Procedure](#).

5. ACCOUNTABILITIES AND RESPONSIBILITIES

The Guideline Owner is the Chief Safety Officer and has overall responsibility for the content of these guidelines and their operation.

The Chief Safety Officer is responsible for currency of information and provision of advice relating to these guidelines.

6. RELATED DOCUMENTS

Legislation

- *Work Health and Safety Act (WA) 2020*
- *Work Health and Safety (General) Regulations (WA) 2022*
- *Relevant WHS legislation for the jurisdiction where the work is being undertaken.*

Policies

- [Compliance Policy PL203](#)
- [Work Health and Safety Policy PL139](#)

Operational documents and resources

- [Health and Safety Legal Register](#)
- [Health and Safety Document and Records Management Procedure](#)
- [Legal and Other Requirements Logon Information Sheet](#)

7. CONTACT INFORMATION

For queries relating to this document please contact:

Guideline Owner	Chief Safety Officer
All Enquiries Contact	Work Health and Safety Team
Telephone:	08 6304 2302
Email address:	whs@ecu.edu.au

8. APPROVAL HISTORY

Guideline approved by:	Chief Safety Officer
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	January 2017: v1.0 - new guideline
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