

# Information sheet: Work Health and Safety laws

May 2016

## **The Uniting Church in Australia is committed to providing safe places where people are cared for, nurtured and sustained.**

The Work Health and Safety laws place responsibility on the workplace for the safety of all workers in that workplace.

The legislation defines “worker” as a paid or voluntary worker in organisations such as the church. It extends to include contractors, sub-contractors, trainee and work experience students.

In effect, the legislation formalises the duty of care owed to all persons engaged in Uniting Church activities, whether paid or voluntary. As a “Person conducting a business or undertaking” (PCBU) the church has a primary duty “to ensure, so far as is reasonably practicable, the health and safety of workers.” The legislation extends duties to officers of the PCBU, workers and other persons at the workplace. This is the area where volunteers must consider the risk their activities pose to themselves and others. As long as church volunteers consider this duty of care when undertaking church activities, and implement strategies to eliminate or minimise risk, they should be confident that they will not be exposed to prosecution under the Act.

The Act requires that a “reasonably practicable” approach is taken to risk. This is not an absolute duty to ensure that no harm occurs. Whilst ultimately



determined by the courts, what is reasonably practicable will be determined objectively. This means that a duty-holder must meet the standard of behaviour expected of a reasonable person in the duty-holder’s position and who is required to comply with the same duty.

The Uniting Church in Australia, Queensland Synod has long recognised this duty of care and responded with its Work Health and Safety Policy and links to a comprehensive range of supporting material [ucaqld.com.au/administration/personnel-services/work-health-and-safety/](http://ucaqld.com.au/administration/personnel-services/work-health-and-safety/)

The updated and previous versions of this material have been circulated across our organisation to assist business units, presbyteries and congregations to eliminate or minimise risk in their activities.

The Queensland Synod’s Work Health and Safety Policy has been reviewed to take into account requirements of the legislation. Perusal of our current Work Health and Safety Policy will reinforce that we are committed to providing a safe and health workplace for workers, volunteers and other who have contact with Uniting Church affiliated workplaces.

People constantly assess risk in their day-to-day activities whether it is determining when it is safe to cross the road or shielding themselves from the elements by wearing protective clothing.

In the event of an injury being sustained by a worker, documented evidence of a risk assessment, control measures and training should satisfy a Work Health and Safety Queensland inspector that the church and individual complied with their relevant duty of care.

For more information on Work Health and Safety within Queensland Synod please contact the Queensland Synod’s Senior Risk Consultant on 07 3377 9729 or email [health.safety@ucaqld.com.au](mailto:health.safety@ucaqld.com.au)



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