

## Part 2 - BoardSafe Checklist

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Checklist Completed:- Date:

By:

## Guidance notes for completing the BoardSafe Checklist

The checklist can be answered using the following methods:

**Questioning:** asking managers and supervisors questions

**Validating:** asking employees questions

**Observation:** visual checks where documents, equipment and activities are sighted

**Board Opinion:** the judgment of Board members

Questions are answered using a ✓  
in the appropriate column

Y	P	N
yes	partial	no

**Yes:** The Board is satisfied, using one or a number of the methods above, that they comply

**Partial:** The Board assesses that they can supply some of the evidence required but has some way to go to fully comply

**No:** The Board cannot truthfully say that they meet their duty of care under the legislation

Each Item of the Boardsafe Checklist has a number of supplementary questions to assist in identifying how well the Board and each Board member meets requirements. This will assist the Board in assessing ‘what must the Board do to comply?’. This can then be transposed to the BoardSafe Plan with responsibility and time frames established detailing ‘who should do what and by when’. Further use of the BoardSafe Checklist at intervals considered appropriate by the Board (say, annually) will assist the Board to determine progress in fully meeting their duties as directors.

## 1. Board Members Responsibility and Accountability

There must be a written health and safety policy authorised by the organisation's current Board, chief executive, or other person with executive responsibility, that clearly states health and safety objectives and a commitment to improving health and safety performance. The Board must ensure that management consults with employees in a timely and effective way to enable employees to make a contribution to decisions that will affect their health, safety and welfare at work.

Item	Y	P	N	What must the Board do to meet requirements?
1.1 Does the organisation have a written and signed OHS and IM Policy? <ul style="list-style-type: none"> <li>• Are the policies signed by the most senior person responsible?</li> <li>• Is there a date for review of the policies?</li> <li>• Are the policies displayed prominently in all staff and visitor areas?</li> </ul>				
1.2 Is the Board fully accountable? <ul style="list-style-type: none"> <li>• Is OHS an agenda item on every Board meeting?</li> <li>• Does the Board act promptly when they become aware of a problem and ensure safety contraventions are quickly corrected?</li> <li>• Does the Board check to see that their instructions have been followed?</li> <li>• Does the Board review the actions taken?</li> <li>• Do you know that actions taken have involved consultation with employees or the OHS Committee where applicable?</li> <li>• Does the Board keep records and documentation to demonstrate their involvement?</li> <li>• Are Board members fully informed of issues in the aged care sector and informed of new health, safety and legislative changes?</li> </ul>				
1.3 Is senior management held accountable by the Board? <ul style="list-style-type: none"> <li>• Is the OHS responsibility of senior management and supervisors for OHS written into their duty statements?</li> <li>• When performing job appraisals for senior staff, is the effective management of health and safety part of the appraisal?</li> <li>• Do senior management provide a report to each Board meeting following a procedure as established by the Board?</li> </ul>				

Notes:

Item	Y	P	N	What must the Board do to meet requirements?
1.4 Does the organisation have an OHS management system? <ul style="list-style-type: none"> <li>• Is there a written system that states how the health and safety policy will be implemented?</li> <li>• Is there a way of measuring whether the program is effective? Is the program reviewed regularly by management? Can the Board ensure that reviews are undertaken in consultation with employees or the OHS Committee where applicable?</li> <li>• Does the program reflect specifically the health and safety issues in aged care facilities and services?</li> <li>• Is it clear in the program which managers and employees are responsible for each part of the program?</li> </ul>				
1.5 Does the organisation have an OHS management plan? <ul style="list-style-type: none"> <li>• Does the organisation have a plan for continuous improvement in OHS that the organisation's OHS activities can be matched against?</li> </ul>				
1.6 Are all staff consulted and involved in decisions affecting their health and safety? <ul style="list-style-type: none"> <li>• Have consultative arrangements with employees been established according to the Act? (For example, if the organisation has more than 20 employees and the majority of employees make such a request, has an OHS Consultation Committee been established and trained?)</li> <li>• Do you know that all employees are aware of their responsibility to work in a safe manner, follow safety procedures and report hazards?</li> <li>• Do employees have a say in all OHS matters? Are they regularly consulted with and informed of matters affecting their health and safety and of all decisions made?</li> <li>• Are employees consulted on matters affecting their health and safety, before changes are made?</li> <li>• Is the Board aware that it is unlawful to dismiss an employee because they make an OHS complaint?</li> <li>• Are there procedures within the organisation for lodging and resolving OHS disputes?</li> </ul>				

Notes:

Item	Y	P	N	What must the Board do to meet requirements?
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<p>1.7 Does the organisation make sufficient resources available to effectively manage health and safety?</p> <ul style="list-style-type: none"> <li>• <b>Are OHS committee members and representatives trained as required by the legislation?</b></li> <li>• <b>Are recommendations made by OHS committees and/or representatives acted upon and sufficient financial resources provided?</b></li> <li>• <b>Can the Board vouch that staff, OHS committee members and representatives have sufficient time to carry out their OHS duties effectively?</b></li> </ul>				
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Item	Y	P	N	What must the Board do to comply?
<p>Optional  <b>Are Board members personally familiar with their organisation and its activities? Have Board members attended OHS meetings, participated in safety inspections and/or participated in risk assessments?</b></p>				

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## 2. OHS Risk Management Systems

The NSW OHS Act 2000 and the OHS Regulation 2001 introduced a move away from laws which attempt to detail how hazards are to be controlled in every situation to a position which requires employers to assess the risks posed by hazards in their workplace and to determine how best to modify their work processes to effectively eliminate or control risks. This is known as Risk Management. Risk management must include activities, products or services of contractors and suppliers. An important part of fulfilling due diligence is to develop and implement procedures to identify foreseeable hazards before an injury occurs. All risk management activities must be fully documented.

Item	Y	P	N	What must the Board do to meet requirements?
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<p>2.1 Does the organisation have a system for identifying and reporting hazards?</p> <ul style="list-style-type: none"> <li>• <b>Are regular, planned safety inspections of all workplaces conducted?</b><sup>1</sup></li> <li>• <b>Are there effective mechanisms for reporting hazards?</b></li> <li>• <b>Are there mechanisms for identifying and recording hazards?</b></li> </ul>				
<p>2.2 Does the organisation assess and act upon all health and safety risks?</p> <ul style="list-style-type: none"> <li>• <b>Is there a system for assessing and prioritising risks?</b></li> <li>• <b>When activities or equipment are assessed as a high risk are they eliminated whenever possible?</b></li> <li>• <b>Are all significant incidents which may affect the health and safety of any person reported to the Board for information and/or action?</b></li> <li>• <b>Are all relevant Acts, Codes of Practice and Standards taken into account?</b></li> <li>• <b>Is information about risks communicated in a timely and effective manner to all employees and people, including contractors, at their place of work?</b></li> </ul>				
<p>2.3 Does the Board ensure that there are regular and systematic reviews of OHS?</p> <ul style="list-style-type: none"> <li>• <b>Does the Board regularly review the relevant OHS information available, including previous incidents including injuries and illnesses?</b></li> <li>• <b>Does the Board make recommendations to management on the basis of this information?</b></li> <li>• <b>Does the Board confirm that recommendations are acted upon?</b></li> <li>• <b>Are records kept of all risk assessment and risk control activities?</b></li> <li>• <b>Are regular audits conducted?</b></li> </ul>				

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<sup>1</sup> Workplaces may include clients homes and employees cars.

Item	Y	P	N	What must the Board do to meet requirements?
2.4 Does the organisation have procedures in place for the safety of contractors? <ul style="list-style-type: none"> <li>• Does the organisation have a Contractor Safety Management Plan and Procedures for ensuring that contractors are safe and without risks to their health while on the premises?</li> <li>• Do contractors supply information on their insurance and safe work procedures prior to commencing work?</li> <li>• Are records kept of contractor details?</li> </ul>				
Optional Can you name the organisation's most significant risk activities or areas of work in your organisation and what is being done to control those risks?				

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### 3. Notification of Incidents

WorkCover NSW established new guidelines in September 2003 for the notification of incidents whether or not they involve an injury.

Item	Y	P	N	What must the Board do to meet requirements?
3.1 Are Board members familiar with the Legislative and WorkCover NSW notification procedures for work related incidents? <ul style="list-style-type: none"> <li>• <b>Does the Board know what constitutes a 'significant incident' which must be reported to WorkCover immediately?</b></li> <li>• <b>Are these procedures in place in your organisation?</b></li> </ul>				
3.2 Are all incidents reported to the Board? <ul style="list-style-type: none"> <li>• <b>Is there a procedure for notifying the Board of a significant incident in line with Legislative requirements?</b></li> <li>• <b>Are records kept of all incidents and subsequent actions taken?</b></li> <li>• <b>Does the Board review incidents and make recommendations for action to prevent further occurrences?</b></li> </ul>				

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#### 4. Emergency Procedures

Boards must show evidence of their duty of care in the development and review of emergency procedures because of the specialised nature of the aged care sector and the client population.

Item	Y	P	N	What must the Board do to meet requirements?
4.1 Does the organisation have a procedure for the safe and rapid evacuation of all persons in the event of an emergency? <ul style="list-style-type: none"> <li>• <b>Has a full risk assessment been conducted to determine all foreseeable emergencies which would require evacuation?</b></li> <li>• <b>Is the emergency evacuation plan on display at all appropriate locations?</b></li> <li>• <b>Has appropriate training been given to all managers, employees, contractors and visitors who would be involved?</b></li> <li>• <b>Have arrangements been put in place for emergency communications and appropriate medical treatment of injured persons?</b></li> <li>• <b>Have one or more persons been appointed and appropriately trained to oversee any such evacuation and if appropriate, in the use of on-site fire fighting equipment?</b></li> <li>• <b>Is there a system to review the effectiveness of emergency procedures? Is this reported to the Board? Is the review conducted in consultation with employees or the OHS Committee where appropriate?</b></li> </ul>				
4.2 Have the organisation's First Aid requirements been met? <ul style="list-style-type: none"> <li>• <b>Are the names and contact numbers of trained first aid officers available and appropriate for the organisation's requirements?</b></li> <li>• <b>Are there sufficient first aid kits available and are they where they are needed (for example, in all cars)?</b></li> </ul>				

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## 5. Training

Each organisation must identify the health and safety training needs of employees and managers. To prove due diligence, directors and Boards of Management must be able to demonstrate that not only was sufficient health and safety instruction and training provided to employees and others in the workplace, but that it was successfully applied to their work.

Item	Y	P	N	What must the Board do to comply?
5.1 Does the organisation have a comprehensive OHS Induction Program? <ul style="list-style-type: none"> <li>• Does the Induction Program cover OHS effectively?</li> <li>• Is the effectiveness of the Induction Program evaluated?</li> </ul>				
5.2 Does the organisation have a comprehensive, ongoing OHS Training Program that addresses specific issues and tasks to minimise the risk to health and safety? <ul style="list-style-type: none"> <li>• Are all high risk activities covered in the training plan and for all employees who might be exposed? Does the plan include a table (matrix) with training received, training planned and currency of training?</li> <li>• Have all employees been sufficiently trained to carry out their duties without risk to their health and safety or the health and safety of others in the workplace?</li> <li>• Is the training plan fully documented?</li> <li>• Does the Board review the training plan and make recommendations to management? Does management consult with employees of the OHS Committee, where applicable?</li> <li>• Does the Board review recommendations to ensure they have been implemented?</li> </ul>				
5.3 Has the organisation acted to overcome all barriers to work and learning that may be caused by language and literacy barriers? <ul style="list-style-type: none"> <li>• Is the effectiveness of language and literacy programs evaluated and action taken as indicated by the evaluation?</li> </ul>				

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## 6. Managing Injuries and Claims

Injury Management means adopting risk management principles by making sure that a plan is in place for the early and effective management of injuries and return to work for an injured person. The cost of claims must be reviewed regularly to ensure the effective management of risk.

Item	Y	P	N	What must the Board do to comply?
<p>6.1 Does the organisation have a planned, systematic approach to managing workplace injuries and subsequent workers compensation claims?</p> <ul style="list-style-type: none"> <li>• <b>Is there a signed and dated Injury Management and Return to Work Policy and Program?</b></li> <li>• <b>Has a review date been set for the policy and program and will employees be consulted in the review?</b></li> <li>• <b>Do all employees know about the organisation's return to work program?</b></li> <li>• <b>Are there procedures in place for the notification of incidents to WorkCover NSW and the Insurer within the legislated timeframe?</b></li> <li>• <b>Is there a person in the organisation appointed to manage return to work plans?</b></li> <li>• <b>If your organisation is a Category 1 employer (base premium exceeding \$50,000 pa, or self insured, or insured by a specialised insurer, and who employs more than 20 workers) is the Return to Work Co-ordinator trained?</b></li> <li>• <b>Are records kept in a confidential manner?</b></li> <li>• <b>Does the Board and/or management meet regularly with the Insurer?</b></li> <li>• <b>Does the organisation use a Rehabilitation Provider?</b></li> </ul>				
<p>6.2 Are the organisation's employee return-to-work plans regularly reviewed in accordance with WorkCover NSW Guidelines?</p> <ul style="list-style-type: none"> <li>• <b>Does the Board know whether or not there are regular reviews of the outcome of injuries and the effectiveness of return-to-work programs?</b></li> <li>• <b>Does the organisation regularly review the effectiveness of the Rehabilitation Provider?</b></li> </ul>				

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## End of Part 2

This material was developed by LMA The Safe Move Pty Ltd as part of a project funded under the WorkCover NSW WorkCover Assist Program 2004 and 2005.

Any views expressed are not necessarily those of WorkCover NSW.

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# LMA The Safe Move

PO BOX 1335, STRAWBERRY HILLS NSW 2012  
TELEPHONE: (02) 9318 1758 FAX: (02) 9318 2923

ABN: 23 091 215 146

Email: [leamaher@safemove.com.au](mailto:leamaher@safemove.com.au)  
[www.safemove.com.au](http://www.safemove.com.au)