

WHS Policy

Maxwell Recruitment and Training has an underlying commitment to the health and safety of all persons who may be affected by its activities, whether undertaken at Maxwell Recruitment and Training premises or on clients' sites.

We are committed to compliance with the Work Health and Safety Act 2011 (the Act) and Work Health and Safety Regulations 2017 (the Regulations). We will also comply with any other relevant legislation, applicable Codes of Practice and Australian and Industry Standards, as far as reasonably practicable.

Maxwell Recruitment and Training are committed to establishing measurable objectives and targets to facilitate the continuous reduction of work-related injury, illness and unplanned incidents.

This WHS Management Plan and WHS Policies and Procedures set out the safety arrangements and principles which are to be observed by Maxwell Recruitment and Training and its workers to ensure compliance with the WHS Act and to provide appropriate mechanisms for continuing consultation and management of WHS matters.

Maxwell Recruitment and Training is committed to ensuring, so far as is reasonably practicable, the health and safety of its workers while they are at work, and that the health and safety of other persons (e.g. visitors and clients) is not put at risk from our operations. This will be achieved by:

- providing and maintaining a healthy and safe work environment through the implementation of safe work practices, safe systems of work and the provision of safe plant and equipment;
- ensuring that workplaces under the control of Maxwell Recruitment and Training are safe, without risk to health, and have safe means of access and egress;
- routinely consulting in order to maintain effective and co-operative relationships between Maxwell Recruitment and Training and its workers, and with other duty holders, on health and safety matters in the workplace; and
- reviewing, through appropriate mechanisms, the effectiveness of the safety measures taken.

Maxwell Recruitment and Training's commitment to providing safe and healthy working environments for its workers includes:

- providing relevant, up-to-date WHS information to all workers on matters such as workplace safety and their responsibilities;
- providing expert assistance in WHS matters where necessary;
- providing instruction and/or training in work processes where appropriate;
- developing and implementing strategies which include workplace assessment, hazard identification, and appropriate remedial action to eliminate or control hazards; and
- implementing and maintaining appropriate information, reporting and statistical systems.

Maxwell Recruitment and Training will maintain a WHS Management Plan which is to be reviewed annually. The target for incidents and injuries will remain as zero with improvement to target lead indicators as a means of supporting this. Lead indicators will be reviewed with best known practice and incidents from elsewhere in mind when determining means and methods for type and target of the indicators.

Alcohol and Other Drug Policy

Introduction

Maxwell Recruitment and Training is committed to providing a safe workplace and ensuring the health and safety of all workers by preventing and reducing the harm associated with workers being impaired by alcohol or drugs at work. Maxwell Recruitment and Training is also committed to the establishment of programs and attitudes that contribute to a safe working culture. We endeavour to maintain a positive professional profile with clients and other members of the public.

We recognise that involvement with alcohol and drugs can have serious repercussions for workers and their performance in the workplace. Incidents involving inappropriate drug and alcohol use can also impact an individual's friends and family as well as the company's reputation.

Scope

This policy applies to all workers including operational and on-hire workers. The Policy applies to all workers whilst at any workplace of Maxwell Recruitment and Training and any other place where the worker performs work for the business.

Maxwell Recruitment and Training Responsibilities

It is Maxwell Recruitment and Training's responsibility to::

- conduct Drug & Alcohol testing pre-employment, at random, post-Incident or under reasonable suspicion in line with section 11.4 of the Employment Contract. This can be either Urine, Blood or Swab testing.
- direct any worker reasonably suspected of being under the influence of drugs or alcohol away from the work area;
- arrange for a safe option of transport home for any worker under the influence of drugs or alcohol;
- request workers to see a medical practitioner if it is reasonably suspected that they are under the influence of drugs or alcohol;
- provide information regarding internal and external support systems available to the worker;
- Implement disciplinary action as required where this policy is breached

Workers Responsibilities

It is the worker's responsibility to:

- understand and comply with this policy and associated procedures;
- attend work free from the impairment of alcohol and other drugs;

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- notify management and relevant host representatives of any prescription or over-the-counter drugs that may impair performance at work
- consult with management if they believe they are impaired by alcohol or drugs whilst at work.

Maxwell Recruitment and Training encourages all its workers to discuss any prescription drugs they are taking with their doctor to determine whether the use of the drug will impair their ability to operate tools, machinery or equipment or carry out work tasks. Maxwell Recruitment and Training also encourages workers to consult with their manager at an early stage, to ensure that they are capable of performing their work tasks whilst taking the prescribed drugs.

Managers are expected to monitor their own reports and to investigate situations that may breach this Policy. Appropriate steps should be taken to deal with the worker if the manager suspects that a worker's behaviour, actions or conduct suggest that they have breached this policy.

Worker Assistance

If a worker thinks they have an alcohol or drug problem that is affecting their ability to perform the inherent requirements of their role, Maxwell Recruitment and Training encourages workers to ask for help from a Maxwell Recruitment and Training manager and a manager of the host organisation (where applicable) at an early stage (that is, before the problem is the subject of disciplinary action), without fear of punishment. Such discussions will be kept confidential.

Alcohol & Drug Testing

During employment or engagement, Maxwell Recruitment and Training may require a worker to undergo a drug and alcohol test to monitor compliance with this Policy.

Host Organisation Policies

Where a person is working for clients of Maxwell Recruitment and Training ("Host Organisation"), they must comply with the Host organisation's policies relating to drugs and alcohol and related testing methods. Host Organisations' may also conduct unannounced searches for drug or alcohol on company premises and may conduct scheduled and random alcohol and drug testing, subject to their own policies.

Breach of this Policy

Any worker who is found to have breached this policy may be subject to disciplinary action, up to and including termination of employment or assignment.

Prevention & Response to Bullying & Violence Policy

Introduction

Maxwell Recruitment and Training is committed to the prevention of bullying and violence in the workplace.

This policy is intended to provide all workers with information to assist Maxwell Recruitment and Training to achieve its policy objectives by outlining expectations of behaviour and procedures for dealing with complaints.

We expect all workers to behave in a professional manner and to treat each other with dignity and respect when they are at work. We encourage all workers who experience bullying or violence to report it. When reported, it will be a serious matter and will be investigated in a timely manner.

Workers must always comply with this policy during work, or when representing or acting on behalf of Maxwell Recruitment and Training at work-related events and social functions.

Policy

Maxwell Recruitment and Training is committed to providing workers, a workplace, free of bullying and violence.

Behaviour that is inconsistent with this policy will not be tolerated and may result in disciplinary action up to and including termination of a workers' employment or engagement.

Where a worker is working for clients of Maxwell Recruitment and Training ("Host Organisation"), they must comply with the Host Organisations' policies relating to bullying and violence. Behaviour that is inconsistent with a Host Organisations' policy will not be tolerated and may result in disciplinary action which may include termination of assignment and/or termination of employment with Maxwell Recruitment and Training.

Responsibilities

Maxwell Recruitment and Training have a duty of care to its workers to take reasonable steps to prevent bullying and violence.

Managers have a responsibility to:

- comply with this policy;

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- monitor the working environment to ensure that acceptable standards of conduct are always observed;
- model appropriate behaviour;
- seek appropriate advice and assistance when dealing with formal or informal complaints.

All persons including workers have a responsibility to:

- comply with this policy;
- cooperate with Maxwell Recruitment and Training in the event of an investigation;
- when appropriate, deal with sensitive information in a confidential manner.

Bullying

A worker is bullied at work if a person or group repeatedly act unreasonably towards them or a group of workers and the behaviour creates a risk to their health and safety.

Bullying may involve physical or verbal abuse, aggression or intimidation, but it may also be more subtle or indirect and include:

- putting new workers through “initiation rituals”;
- verbal abuse, threats, sarcasm or other forms of demeaning or intimidating language or communication;
- constant negative criticism;
- threatening to take unjustified action against a person unless they comply with unreasonable requests;
- placing unreasonable work demands on people;
- deliberately isolating workers/team members.

Bullying will not be tolerated by Maxwell Recruitment and Training and any worker found to have been involved in bullying another worker may be subject to disciplinary action including termination of a workers’ employment or engagement.

Violence

A worker may be exposed to work-related violence as a victim or witness to a violent incident.

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Work-related violence is any incident in which a person is abused, threatened, or assaulted in circumstances relating to their work. Violence at work can come from a member of the public, a customer or even a colleague.

The term 'work-related violence' covers a broad range of actions and behaviours that can create a risk to workers' health and safety, such as:

- verbal threats;
- threatening someone with a weapon;
- throwing objects;
- pushing, shoving and hitting;
- spitting and biting;
- sexual abuse

There will be no tolerance for violence. All incidents of violence and aggression will be reported and investigated. All causes will be identified, and appropriate action will be taken to prevent it from happening again. If any worker is found to have been violent to another person within the workplace, the worker may be subject to disciplinary action including termination of a worker's employment or engagement.

Complaints regarding bullying and violence

Breaches of this policy will be treated seriously.

Workers who become aware of a breach or suspected breach of this policy are encouraged to discuss this matter with his or her manager on a confidential basis.

A worker who believes they are a victim of bullying or violence may deal with the matter:

- Informally - by confronting the person with whom they are aggrieved (if the worker feels safe to do so); and/or
- Formally - by using Maxwell Recruitment and Training's issue resolution procedure

Should the worker elect to raise a formal grievance, Maxwell Recruitment and Training may carry out an investigation. Alternatively, Maxwell Recruitment and Training may take whatever action it deems necessary to attempt to resolve the workers' grievance.

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If after an investigation by Maxwell Recruitment and Training, a workers' complaint or statement is found to be false and malicious, disciplinary action may be taken against the worker up to and including termination of the workers' employment or engagement.

If a workers' complaint is substantiated, Maxwell Recruitment and Training may take disciplinary action against the perpetrator. Depending upon the seriousness of the breach of this policy, such action may include termination of a workers' employment or engagement.

Breach of this Policy

Any worker who is found to have breached this policy may be subject to disciplinary action, up to and including termination of employment or assignment.

Psychological Health at Work Policy

Maxwell Recruitment and Training is committed to ensuring both the physical and psychological health of our workers whilst at work. We believe that the psychological health and wellbeing of our workers is the key to organisational success and sustainability.

The purpose of this policy is for Maxwell Recruitment and Training to establish, promote and maintain the psychological health and wellbeing of all workers through workplace practices, and encourage workers to also take responsibility for their own psychological health and wellbeing.

Objectives

The objectives of this policy are:

- build and maintain a workplace environment and culture that supports psychological health and wellbeing and prevent discrimination, bullying, harassment and violence;
- Increase workers' knowledge and awareness of psychological health and wellbeing issues and behaviours;
- reduce stigma within the workplace, around mental health conditions such as depression and anxiety;
- facilitate workers active participation in a range of initiatives that support psychological health and wellbeing;
- Identify and effectively manage psychological hazards and associated risks.

Responsibilities

Maxwell Recruitment and Training is responsible for, as far as reasonably practicable:

- ensuring a process is in place to gather information to effectively identify and manage psychological hazards and associated risks;
- monitor risk factors such as job demand, job control, support, workplace relationships, understanding of role/job, organisational change to ensure they do not present a risk to workers' psychological health;
- developing reporting systems (e.g. incident/hazard report procedure) and encouraging workers to report hazards and incidents that present a risk to their or other psychological health;
- providing support systems (e.g. Employee Assistance Program) and encouraging workers to seek psychological support if required;
- provision of adequate information, instruction, training and supervision to enable workers to carry out their tasks safely;

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- maintaining effective communication and consultation including consultation, cooperation and coordination with key stakeholders on health and safety matters that may present a risk to workers' psychological health; and
- ensuring systems are in place to allow for consultation and the identification and resolution of work health and safety issues involving psychological health.

Officers (senior managers) are responsible for exercising due diligence, by taking reasonable steps:

- to keep abreast of work health and safety requirements and matters;
- to gain an understanding of the operational risks to which workers psychological health may be compromised;
- to ensure the company has appropriate resources to effectively manage psychological hazards and associated risks;
- to ensure the company has adequate processes in place to gather and consider information regarding psychological hazards, risks and incidents and responding to those in a timely and effective manner;
- to ensure the company implements, monitors and verifies the effectiveness of processes for complying with duties of the company under the relevant health and safety legislation;

All workers are responsible for:

- ensuring their own and others health and safety is not affected by their actions
- not adversely affecting the health and safety of other persons
- complying with reasonable instructions, as far as they are reasonably able
- co-operate with reasonable health and safety policies or procedures that have been notified to them
- reporting hazards and incidents.

As a provider of on-hire services, Maxwell Recruitment and Training is committed to effective consultation and engagement with workers on work health and safety matters. We recognise that we share a primary duty of care with host organisations in regards to our on-hire workers and therefore we are committed to consult, cooperate and coordinate activities with hosts to produce the required health and safety outcomes.

Consultation, Communication and Issue Resolution Procedure

1. Purpose

The purpose of this procedure is to provide a process for consultation and communication with workers on matters relating to work health and safety. The procedure also provides a process for work health and safety issues to be resolved in an effective and timely manner.

2. Consultation

We acknowledge health and safety legislation requires us to consult with our workers about matters that are likely to affect their physical and psychological health, safety and welfare. Therefore, we will ensure workers are consulted in relation to the matters below where matters directly affect or are likely to directly affect, workers' health and/or safety:

- identifying or assessing hazards or risks
- making decisions on how to control risks
- making decisions about the adequacy of facilities for worker welfare
- making decisions about procedures to:
 - resolve health and safety issues;
 - consult with a worker on health and safety;
 - monitor worker' health and workplace conditions;
 - provide information and training.
- proposing changes that may affect worker' health and safety, such as changes too:
 - changing work systems, work procedures or the work environment;
 - developing a new product or planning a new project;
 - purchasing new or used equipment or using new substances, and
 - restructuring the business.

2.1. Consultation Mechanisms

- Regular team meetings attended by management and workers;
- Regular management meetings attended by management, including senior management;
- Additional meetings and/or one-to-one discussions;
- Consultation with workers will occur prior to placement and during placement.

2.2. Consultation Process

- Affected workers will be provided with all relevant information, such as an explanation of what the matter involves, what action is being proposed and why;
- Workers will be given adequate time to consider the information, provide their views and give feedback to management;
 - All comments and suggestions received from affected workers will be taken into account, and feedback will be provided to affected worker by management;
 - Affected workers will be informed of final decisions and the reasons for them as soon as possible. This information will also be sent via email where appropriate;
 - Minutes and copies of presentations will be taken to record matters that workers are consulted on, who was in attendance, agreed timeframes and actions;
 - This procedure will be communicated to workers.

2.3. Consultation, co-operation and co-ordination with other duty holders

We are aware of the requirement to consult, cooperate and coordinate activities with other duty holders who have a work health or safety duty in relation to the same matter. To ensure that we meet our duties in respect to consultation, cooperation and coordination activities with other duty holders we will firstly identify who the other duty holders are that we need to consult with, for example, a supplier, a contractor, clients (host organisations).

Consult

Before deciding on a course of action, a representative of our company will contact the other duty holder and:

- discuss the health and safety matter and share all relevant information that we have in relation to it;
- find out what the other duty holder knows about the health and safety risks and ways to control

- them, and
- plan what each duty holder will do to control the risks.

The outcome of the consultation should be a shared understanding of what the risks are, which workers are affected and how the risks will be controlled.

Co-operate

We will co-operate with other duty holders by providing assistance where necessary and interacting with other duty holders in such a way that each of our activities does not interfere with another person's duty.

Co-operation also means that, if we are approached by other duty holders wanting to consult with us on a health and safety matter, we should:

- not obstruct communication, and
- respond to reasonable requests from other duty holders to assist them in meeting their duty.

Co-ordinate

We will coordinate with the other duty holders so that each person can meet their duty of care effectively without leaving any gaps in health and safety protection. Coordination involves planning and organising activities together.

3. Communication

We will communicate the following information to workers:

- existing WHS practices and systems
- changes to current WHS practices and systems
- outcomes of workplace inspections.
- Client SWMS/SOPs/JSA's
- emergency processes e.g. evacuation plan, incident controller details, etc.

Methods of Communication:

- WHS Induction
- Safety Interactions
- Toolbox Talks

4. Issue Resolution

Where there is a concern about health and safety at the workplace and following consultation on the

matter, the concern remains unresolved, the parties involved must make reasonable efforts to achieve a timely, final and effective resolution of the issue in accordance with the following procedure. A representative of a party to an issue may enter the workplace for the purpose of attending discussions with a view to resolving the issue.

4.1. Parties to a health and safety issue resolution

The following parties may be involved in the resolution of a work health and safety issue include:

- the person conducting the business or undertaking/employer (i.e. our company) or a representative (a person with an appropriate level of seniority) of our company;
- any other person conducting a business or undertaking/employer or their representative who shares a duty of care with our company (e.g. host organisation)
- If the worker or workers affected by the issue are in a workgroup, the health and safety representative for that workgroup, or their representative;
- If the worker or workers affected by the issue are not in a workgroup, the worker or workers or their representative

4.2. Issue Resolution Process

Workers are encouraged to consult with management (including the host organisations management representatives, if the worker is delivering training on another site, or working under the management and control of a host organisation) to raise and discuss any health and safety concerns. At any time, the worker can consult with their workgroup's health and safety representative (if applicable) or their relevant health and safety committee (if applicable).

If the issue has the potential to cause a serious threat to health and safety, then the manager or worker may instruct work activity to cease*

****Health and safety legislation allows for a worker to cease, or refuse to carry out, work if the worker has a reasonable concern that to carry out the work would expose the worker to a serious risk to the worker's health or safety, emanating from immediate or imminent exposure to a hazard.***

The worker and/or manager should formally report the health and safety issue by completing an incident report form.

A representative of Maxwell Recruitment and Training's management team will determine if the issue involves other persons conducting a business or undertaking/employer to whom we share a duty of care within regard to the health and safety issue. Management will consult, co-operate and co-ordinate with other persons conducting a business or undertaking (employer) to achieve a timely, final and effective resolution of the issue. The consultation will also involve affected workers and their representatives.

If the issue remains unresolved, the worker and/or management representative can raise the issue with senior management.

If reasonable efforts have been made to resolve a health and safety issue, and the issue remains unresolved, any party to the issue can request the Regulator, SafeWork NSW to appoint an inspector to assist in resolving the issue. It is acknowledged that on attending a workplace, an inspector may exercise any of the inspector's compliance powers under the relevant Act in relation to the workplace.

The outcomes of issue resolution must be communicated to relevant parties and recorded on the incident report form. Any actions are taken/controls implemented to assist in the resolution of the health and safety issue must be monitored via monitoring processes.

5. Right of Entry

A WHS permit entry holder must also hold a current Fair Work Act 2009 entry permit. Their WHS entry permit and photographic identification must be available at all times for inspection. Where there is a suspected workplace WHS contravention, a permit holder is not required to give prior notice. However, as soon as reasonably practicable they must give notice of their entry and the suspected contravention to

Maxwell Training or the person with management or control of the workplace.

The permit holder may, in relation to the suspected contravention, inspect any work system, plant substance or structure; consult with and its workers; be allowed to inspect and make copies of relevant documents (unless to do so would contravene a State or Commonwealth law); and warn any person of a serious risk to health and safety if immediate or imminent.

Otherwise a permit holder is required to give at least 24 hours' notice (and no more than 14 days) to Maxwell Training or the person with management or control of the workplace before entering a workplace to consult on WHS matters or provide advice on those matters to relevant workers.

Maxwell Training will not, without reasonable excuse, refuse or unduly delay a permit holder's entry into a workplace or obstruct them from exercising their rights under the WHS Act.

The permit holder must not intentionally and unreasonably delay, hinder or obstruct any person or disrupt any work at a workplace or otherwise act in an improper manner.