



Health and Safety Guideline

HSG 1.1 Leadership and Regulatory Requirements

1. Purpose

This document defines the process the University of Newcastle uses to identify its leadership and Health and Safety-related legal and other regulatory obligations. The University requires leadership and commitment from executive management and all workers in support of the Health and Safety Management System (HSMS) to drive a positive culture of awareness, responsiveness and continuous improvement of the system and regulatory requirements.

2. Scope

This Guideline applies to all health, safety and wellbeing activities of staff, students, visitors (including volunteers and contractors), Council members, and other persons interacting with the University of Newcastle (workers); the operations of staff of University aligned Research Centres and controlled entities; and all activities conducted by or on behalf of the University of Newcastle on and outside of the University's campuses.

3. Guidelines

3.1. Leadership and Commitment

The following list, while not exhaustive, includes ways that leadership and commitment to health, safety and wellbeing at the University can be demonstrated:

- health and safety is included as an agenda item at meetings held by Executive Committee, Leaders and Supervisors;
- the Executive Committee, Leaders and Supervisors make a point of stating that health and safety is the priority and no worker is expected to put their health and safety at risk in order to get a task done;
- health and safety goals, objectives and plans are set and shared by the Executive Committee, Leaders and Supervisors with workers;
- active assessment of performance and progress in implementing health, safety and wellbeing goals is tracked through Health and Safety Committees;
- resources are allocated by Leaders and Supervisors locally to ensure the requirements of the Health and Safety Management System are met;

- time is made available by members of the Executive Committee, Leaders and Supervisors for workers to attend health and safety training;
- health and safety responsibilities are identified for all positions and these responsibilities are written into position descriptions;
- Health and Safety Committees are supported with a balance between workers and Leaders and/or Supervisors as representatives;
- the Executive Committee, Leaders and Supervisors actively encourage worker participation in evaluating the hazards, risks and impacts of changes in their work environment;
- ideas for workplace health and safety improvements and innovations are supported and implemented by the Executive Committee, Leaders and Supervisors wherever reasonably practicable;
- recommendations for corrective action arising from audits, safety inspections, Health and Safety Committee meetings, incident investigations and other reports are implemented by Leaders and Supervisors wherever reasonably practicable and followed through to monitor effectiveness;
- Leaders and Supervisors adhere to safety requirements whenever they are in the work environment e.g. wearing appropriate personal protective equipment;
- good workplace health and safety performance is recognised and publicised by Leaders and Supervisors;
- in the event that workplace health and safety procedures are not being followed, action is taken by members of the Executive Committee, Leaders and Supervisors to correct the behaviour; and
- Leaders and Supervisors are actively involved in workplace health and safety activities such as Incident investigations, Health and Safety Committee meetings and workplace safety inspections.

3.2. Identifying legal and HSMS requirements and context of the organisation

A list of legal and regulatory requirements affecting University activities are identified and incorporated into the Health and Safety Management System (HSMS) and recorded in the HSMS Document Register and Legislative Matrix.

The Legislative Matrix includes reference to relevant acts, regulations, codes of practice, standards and other guidance material. The matrix will identify which HSMS Elements or Guidelines directly relate to which acts, regulations, codes of practice and standards.

As described in the University's Work Health Safety Policy, the University will comply with all legislative obligations of the Work Health Safety Act (2011), associated Acts and

Regulations and where reasonably practicable, relevant Codes of Practice and Standards as described by the NSW Regulators. Changes to legal, regulatory and relevant HSMS Guidelines and documents, including the impact of the change, will be reviewed and communicated by the Health, Safety and Wellbeing team to appropriate workers and interested parties / stakeholders at least annually. This communication will occur in accordance with Guideline [HSG 2.1: Consultation and Communication](#).

New or amended legal and regulatory requirements are identified through:

- information maintained, monitored and provided by the University's Legal and Compliance business function;
- SafeWork NSW legislative alerts, updates and information provided by SafeWork NSW as a result of entry into a University workplace;
- OHS Alert subscription;
- Safe Work Australia alerts and updates; and
- advice from the University of Newcastle's Legal and Compliance business function.

3.3. Identification of other external or internal health, safety and wellbeing requirements

The Health, Safety and Wellbeing Team must determine if any other internal or external requirements impact the Health and Safety Management System (HSMS), with new or amended requirements identified through:

- Standards Australia subscription;
- access to relevant legislation, regulations, codes of practice and standards via Health, Safety and Wellbeing webpages;
- alignment of HSMS practices to other organisations;
- information maintained, monitored and provided by University's Risk Services business function; and
- new knowledge and trend analysis as a result of relationships with competitors, external interested parties, contractors, partners, providers, networks, associations and workers.

An understanding of the health and safety context of the University and the needs and expectations of workers and other interested parties must be considered in the [University Work, Health and Safety Policy](#), HSMS Document Register and Legislative Matrix and annual Health and Safety Risk Report to Executive and Council.

3.4. Monitoring of legal and regulatory requirements

Integration of health, safety and wellbeing legal or other regulatory requirements is monitored and assured by the Health, Safety and Wellbeing team through:

- implementation of this Guideline by the Health, Safety and Wellbeing team under the HSMS framework and other monitoring, review and audit requirements of the HSMS to identify opportunities for improvement;
- annual Health, Safety and Wellbeing report to University Council and Executive Committee which outlines any amendments to regulatory requirements that impact, or may impact, upon the University's Health and Safety Management System - including the processes and procedures that have been maintained to ensure that the University is complying with regulatory requirements;
- review of health, safety and wellbeing training requirements to ensure that legal and regulatory requirements are covered and understood;
- maintenance of HSMS records, as required by regulatory requirements;
- annual review of the actions undertaken by the University Council to meet their duty of care obligations according to the University of Newcastle Act 1989 (NSW); and
- annual review of reports or disclosure to authorities as required by health and safety related regulatory requirements.

4. Definitions

In the context of the Health and Safety Management System Framework:

Executive Committee	Consisting of the Vice-Chancellor, the Deputy Vice-Chancellors, the Pro Vice-Chancellors, the Chief Operating Officer and the Chief Financial Officer.
Hazard	A situation, condition, or event, including a person's behaviour, that exposes a worker to a risk to their health or safety during the course of work in a workplace, that has the potential to cause injury, illness or even death or to damage buildings, plant or equipment.
Leader / Supervisor	Any member of the University who is responsible for supervising staff and/or undergraduate or postgraduate students and/or for leading research projects.
Regulatory requirements	The legal obligations imposed upon the University, its officers and employees, and other Workers under the <i>Work Health and Safety Act 2011</i> (NSW) and the <i>Work Health and Safety Regulation 2017</i> (NSW).
Risk	The likelihood that a hazard will cause harm and the consequence of that harm.
University Council	The University's governing authority established under section 8A of the University of Newcastle Act 1989 (NSW).

Worker	Includes an employee, conjoint, student on work experience, contractor, sub-contractor, and volunteer. A person is a worker if the person carries out work in any capacity for the University or another person conducting a business or undertaking, including work as: (a) an employee, or (b) a contractor or subcontractor, or (c) an employee of a contractor or subcontractor, or (d) an employee of a labour hire company who has been assigned to work in the person's business or undertaking, or (e) an outworker, or (f) an apprentice or trainee, or (g) a student gaining work experience, or (h) a volunteer, or (i) a person of a prescribed class.
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5. Responsibilities

A comprehensive list of health, safety and wellbeing responsibilities is provided in Guideline [HSG 1.2: Roles and Responsibilities](#).

6. References & Related Documents

The following documentation is referenced in, or applicable to this Guideline:

[Work, Health and Safety Policy](#)

[Element 8: Monitoring, Review and Audit](#)

[HSG 1.2: Roles and Responsibilities](#)

[HSG 2.1: Consultation and Communication](#)

HSMS Document Register and Legislative Matrix (REG-EL01.02)

7. Amendment History

Version	Date of Issue	Approval	Section(s) Modified	Details of Amendment
1, 2	October 2016	Manager Health and Safety	-	Original versions with latest amendments HSG 1.1 Demonstrating Leadership and HSG 2.1 Regulatory Requirements
3	July 2023	CPCO	All	1. Combined and renumbered from HSG 1.1 and 2.1 to HSG 1.1 and renamed as Leadership and Regulatory Requirements. 2. Updated all content in all sections

				3. Added new/renamed Related Documents 4. Added Amendment History 5. Amended document control header and footer
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8. Appendices

Nil