

Work Health And Safety Act CEO Briefing Bushfire Volunteers

Workplace health and safety laws have changed in Western Australia with the Workplace Health and Safety (WHS) Act 2020

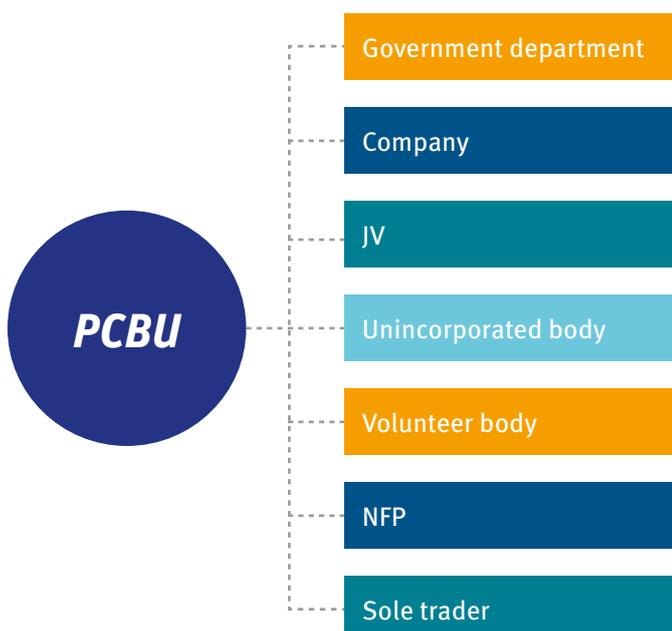


Photo courtesy of DFES Incident Photographer, Wade Ranson

What's changed for employers?

Within the new WHS Act the term employer has been replaced with "Person conducting a business or undertaking" or "PCBU". A Local Government is a PCBU.

PCBU captures the broader employing entities. These include:



PCBU's duties under WHS

The PCBU (*local government*) has a primary duty of care to ensure, as far as is reasonably practicable, that the health and safety of persons is not put at risk from work conducted as part of the business or undertaking.

The PCBU does this by, so far as is reasonably practicable, providing:

- a safe place of work;
- for safe systems of work;
- information, instruction, training and supervision on how to deal with hazards;
- for the monitoring of the health and safety of workers; and
- for the safe use of plant, substances and structures.

Duties of an officer

A local government CEO is an officer. An **officer** must have an understanding of the business or operations that they are responsible for and understand the WHS hazards and risks associated with the business or operations.

They must ensure that adequate resourcing is provided to manage the WHS hazards and risks and that the resources are being used correctly.

New WHS laws and volunteers

The new WHS Act has expanded the definition of a “worker”. A worker now includes paid and unpaid work, **which includes volunteers**.

Who is a volunteer?

A **volunteer** is a person who is acting on a voluntary basis (irrespective of whether the person receives out-of-pocket expenses).

Within the new WHS Act a person is a **worker** if the person carries out work in any capacity for a PCBU. This includes all **local government volunteers including the bushfire brigade**.

We all have a role to play

In order for volunteers to work within the community, a number of groups and organisations provide financial, logistical and infrastructure support. With these groups working together, both the community and volunteers are better equipped to face future challenges, whilst ensuring all parties meets their duty of care and legislative obligations.



Community

The local community and not-for-profit groups provide support by working collaboratively alongside volunteers before, during and after emergencies. This ensures that everyone takes responsibility for building resilience within the community.

Local government

Local government bodies work actively within the community to support bush fire brigades and other volunteer groups. During emergency incidents, local governments help to facilitate response and recovery efforts.

State government

A number of state government departments assist communities and help them prevent, prepare for, respond to and recover from emergencies. These departments include the Department of Fire and Emergency Services, Parks and Wildlife Service, WA Police and Department of Communities.

Training for volunteers

All volunteers require proper work health and safety training as would any other worker in order to perform their duties without harm.

The level of training must be commensurate with the level of assessed risk associated with the tasks they perform and the environment in which they perform it in. All volunteers need to receive a health and safety induction when they commence work.

As a PCBU the local government and brigade need to work together to ensure that volunteers are adequately prepared to perform their tasks and activities in a safe and healthy manner.

LGIS has developed a set of guidelines that can be provided to bushfire volunteers to support or start the safety conversations, outlining the key hazards.

Protective equipment and clothing

The local government as the PCBU are required to provide bushfire volunteers with personal protective equipment (PPE) and clothing (PPC) to address known hazards and reduce the risk of injury. This should be done in collaboration with the relevant brigade, ensuring that appropriate training in the maintenance and use is provided including:

- how it should be worn and appropriately fitted;
- the conditions it should be kept in and how to look after it;
- when and how often it should be replaced; and
- appropriate cleaning and hygiene practices.

PPE and PPC **MUST** be worn by bushfire volunteers.

More information

If you would like more information about Work, Health and Safety legislation please contact:

Emma Horsefield – LGIS Safety Program Manager
0407 957932 or your Regional Risk Coordinator

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