

Duty Of Care

Know Your Safety Obligations

YOURSAFETY@IRP - TOOLBOX DISCUSSION

Duty of Care refers to your legal obligation to take reasonable care so that you or others in the workplace aren't harmed.

This means that if you identify a hazard or likely risk of harm, you must take all steps possible to eliminate the hazard and associated risk or minimise it so that the chance of injury or damage is reduced to as low as reasonably practicable/possible.

The employer/person conducting the business or undertaking is considered to hold the "primary duty of care"; however a duty of care of some degree will apply to everyone on site according to the extent of the person's association with the workplace.

Your duty of care cannot be transferred to another person so it is important that you understand your obligations in the workplace.

If you are unsure of your Duty of Care on your site contact your IRP consultant or Worksafe (www.worksafe.wa.gov.au).



The following is a list of general responsibilities pertaining to each stakeholder in the "Duty of Care" process:

Government

- Provide direction through legislation – OSH Act & Regulations;
- Ensure legislative requirements are adhered to and enforced – WorkSafe WA;
- Provide guidelines by which work places are measured.

Employers (person conducting the business or undertaking)

- "Must, so far as practicable, provide and maintain a working environment where employees are not exposed to hazards" (OSH ACT 1984);
- Take reasonable care of employees and those who visit the workplace;
- Observe the act and regulations;
- Ensure employees, visitors and contractors follow instructions for safe work practices.

Managers / Supervisors are required to

- Provide adequate supervision;
- Provide and enforce the use of safety devices, protective equipment and clothing;
- Ensure a system exists to encourage safe working conditions and practices.

Employees must

- Use safety devices, protective equipment and clothing;
- Report hazards, accidents and incidents;
- Follow instruction and systems as instructed by the employer;
- Participate in consultative mechanisms;
- Take care of their own safety;
- Ensure their work practices do not adversely affect others in the workplace;
- Observe the act and regulations;
- Understand the consequences of not following safe work practices.

Talk to your site supervisor and your IRP consultant if you have any questions about the Duty of Care on your site – Tel. 9477 7999