

International Screen Academy Pty Ltd.

Trading as:

Sydney Actors School

Sydney Film School

WATERLOOSTUDIOS



SYDNEY
ACTORS
SCHOOL



SYDNEY
FILM
SCHOOL

LEGISLATION WORK HEALTH AND SAFETY

Including
Legislation - General
Workplace Health and Safety (WHS)

Reference:

Standard 8 Clause 8.5 -8.6

Work Health and Safety Act 2011 (NSW)

VERSION HISTORY

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Document Management:	General Manager	Mr Ashley Curry
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V2.2	January 2018	Updated to National Code 2018
V2.1	May 2017	Updated to National Code 2017
V2.0	September 2016	Quality assurance check across documents with reference to ASQA fact sheets and ESOS Act changes & Explanatory guide
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COMPLIANCE WITH LEGISLATION

PURPOSE

International Screen Academy (ISA) trading as Sydney Actors School and Sydney Film School is a registered Australian company.

The company recognises and will comply with its obligations under NSW and Commonwealth legislation that are relevant to our operations.

In addition, the company through the Executive Chairman recognises the responsibilities and undertakings required of a Registered Training Organisation to meet and maintain systems that comply with the VET Quality Framework and VET legislation, the ESOS Act and National Code 2018.

Reference to this legislation, regulations and standards are throughout our documentation and processes.

ISA will have an efficient notification process that informs staff, contractors, students and clients of changes that affect the services we deliver and where relevant, the impact of those changes to their circumstances.

REFERENCES

Standard 8	Clause 8.5 The RTO complies with Commonwealth, State and Territory legislation and regulatory requirements relevant to its operations.
	Clause 8.6 The RTO ensures its staff and clients are informed of any changes to legislative and regulatory requirements that affect the services delivered.
NC 6 Student Support Services	Staff who interact directly with students are made aware of RTO's obligations under the ESOS Framework and potential implications for student arising from the exercise of these obligations

IMPLEMENTATION

The **Executive Chairman** is responsible for compliance with legislation

The **General Manager** has responsibility for day to day notification of changes to legislation for staff and students

The **Administration staff and Trainers and Assessors** will be informed about and work within legislation guidelines through the policies.

PROCESS

Legislation is accessible information accessed through external websites and subscriber news and networks

Our RTO is not a large organisation and in the education environment we find that legislation and guidelines are regularly changing. The General Manager will manage the RTO's compliance with legislation. The low risk approach to ensuring the key staff is abreast of legislation is to adopt the following strategies:

- We use legislation websites and regulatory agency links to refer to the latest legislation
- We subscribe to relevant legislation website updates, regulatory agency and industry body newsletters that keep our key staff aware of legislative changes and the implications of those changes for our company and its staff and clients
- Our key staff will participate in relevant professional development and share this information with the team at a level that is appropriate for our size of organisation.
- We include references to essential legislation in our policies and apply the legislation in our affected documents and operating procedures
- We implement company obligations pertaining to legislation through key staff position descriptions and roles. The organisation will have officers with responsibilities such as safety, fire and evacuation, accident and critical incident management, first aid and student welfare.
- External expertise is used to provide the organisation with specific professional skills and advice in legislation related areas such as finance, taxation, ASQA compliance, consumer affairs and mediation, WHS, workers compensation, technology and privacy.

Accessible information and awareness on legislation for staff and contractors

- All staff and contractors will be provided access to the Policy Manual and related and relevant documents and legislation through the server and links to external websites
- All staff and contractors will sign a position description and employment contract that refers to legislation and duty of care and responsibilities.
- All staff and contractors complete an induction into the organisation. Induction includes a checklist that refers to compliance and legislation and the rights and responsibilities of staff and contractors.

- All trainers and assessors will be supplied with and sign the RTO Code of Conduct that emphasises their duty of care and responsibilities under legislation and regulation and training packages. All trainers and assessors will be able to induct students and take new groups through room safety, hazard reporting, fire and evacuation procedures, accident and first aid procedures and more.

Accessible information and awareness on legislation for students

- All students will have access to “Plain English” explanations around key legislation through the website and handbook.
- We will provide links to legislation and relevant compliance websites through our website. This includes the VET Quality Framework, the ESOS Act and role of ASQA.
- We will refer to legislation obligations as part of the agreement between ISA and the student and this is signed and accepted by the parties.
- All students complete an RTO and course induction. We will refer to legislation obligations and our duty of care and the student’s rights and obligations at the induction which is signed off by the student and placed in the student file or accepted electronically.

Notification of changes that affect staff, contractors and students

- The General Manager will manage the RTO’s compliance with legislation. Compliance with legislation, in particular the VET Quality Framework and Standards for RTO’s 2015 and National Code 2018 is an item on the management meeting agenda.
- Where **legislation affecting staff and contractors** is changed and the staff and contractors need to be informed, the delegated manager will communicate the changes using:
 - Staff newsletters or notification updates from the Manager by email with hyperlinks embedded in the notifications;
 - Notices of changes to policy or procedure with hyperlinks or file references;
 - Agenda items on operations weekly meetings
 - Agenda items on the trainer meetings and management meetings
 - Specific professional development for staff and contractors as required

Staff and contractors can access up to date legislation on the following website links:

<ul style="list-style-type: none"> • www.training.com.au • http://www.asqa.gov.au • www.training.gov.au • http://cricos.education.gov.au 	<ul style="list-style-type: none"> • www.austLli.com.au • www.safeworkaustralia.gov.au • www.safework.nsw.gov.au • www.fwa.gov.au
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- Where **legislation affecting students** is changed and the students need to be informed, the communication can take a number of forms including:
 - News notices on the website
 - Social media notices (if used and relevant)
 - Emails where the change to legislation is particularly important and requires follow up by the student
 - Changes to teaching content and a record of teaching that content during a course

Relevant Legislation

General: Relevant legislation that the RTO will comply with includes:

- Affirmative Action (Equal Opportunity for Women) Act 1986
- Age Discrimination Act 2004
- Copyright Act, 1879. 42 Vic No 20 (Reprinted March 1979)
- Disability Discrimination Act 1992 (Commonwealth)
- Disability Standards for Education 2005 (Commonwealth)
- Equal Employment Opportunity Act (1987)
- Fair Work Act (2009) and related regulations and guidelines
- Human Rights and Equal Opportunity Commissions Act 1986 (Commonwealth)
- Human Rights Legislation Amendment Act 1999
- Anti-Discrimination Act 1991
- Privacy Act 1988 (Commonwealth)
- Privacy Regulations 2013 (Commonwealth)
- Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Privacy Amendment Act)
- Racial Discrimination Act 1975 (Commonwealth)
- Sex Discrimination Act 1984 (Commonwealth)
- Work Health and Safety Act 2011(NSW)
- Work Health and Safety Regulation 2017 (NSW)

VET Quality Framework Legislation:

ISA is an approved Registered Training Organisation (RTO) and CRICOS provider under the National Vocational Regulator (ASQA). www.asqa.gov.au There is extensive coverage of RTO and CRICOS legislation and other guidance on the ASQA website. Our company and its policies and procedures and programs will comply with the following legislation.

- National Vocational Education and Training Regulator Act 2011
- Fit and Proper Person Requirements 2011 & Explanatory Statement
- Data Provision Requirements 2012 & Explanatory Statement
- Financial Viability Risk Assessment Requirements 2011 & Explanatory Statement
- Standards for Registered Training Organisations (RTO's) 2015 & Explanatory Statement
- ASQA Guidelines and General Directions as advised on the ASQA website.

CRICOS Legislation and Standards:

ISA is a registered provider on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS). The institution and courses are listed on CRICOS at:

<http://cricos.education.gov.au/>

A registered provider must comply at all times with the:

- Education Services for Overseas Students Act 2000 (ESOS Act)
- Education Services for Overseas Students Regulations 2001, and
- National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018
- ASQA Guidelines and General Directions as advised on the ASQA website.

WORKPLACE HEALTH AND SAFETY

PURPOSE

The Health and Safety Policy establishes the International Screen Academy's commitment to the principles and practices of workplace health and safety (WHS) in order to protect the health and safety of the ISA community and environment.

OUR POLICY STATEMENT

ISA's WHS Statement

International Screen Academy is committed to maintaining the health and safety of the ISA Community and environment.

This applies to all workers, students, and other persons associated with the Academy and in the course of approved activities on and outside the campus.

To enable us to provide a healthy and safe workplace, we will:

- ensure effective governance and oversight of ISA's performance in health and safety;
- develop and enhance a proactive safety culture;
- implement a health and safety management system that complies with WHS legislation and adopts the principle of continuous improvement;
- establish and monitor measurable objectives for health and safety, targeting continual improvement for eliminating injury and illness;
- allocate suitable financial and physical resources to support WHS
- use consultation and communication channels to discuss and resolve health and safety matters;
- provide safe and suitable equipment and infrastructure for ISA activities; and
- implement a return to work program to support staff who have been harmed or injured to return to work in a safe and timely manner.

REFERENCE

Standard 8	Clause 8.5 The RTO complies with Commonwealth, State and Territory legislation and regulatory requirements relevant to its operations.
	Clause 8.6 The RTO ensures its staff and clients are informed of any changes to legislative and regulatory requirements that affect the services delivered.
Legislation	Work Health and Safety Act 2011(NSW)

	Work Health and Safety Regulation 2017 (NSW)
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IMPLEMENTATION

Roles and Responsibilities

Executive Chairperson

The Executive Chairperson is responsible for overseeing the performance of the International Screen Academy regarding WHS and undertaking activities to address due diligence obligations.

The Health and Safety Committee (HSC) is responsible for:

- discussing, setting, and monitoring the ISA health and safety goals;
- confirming implementation of the health and safety system through the key staff and safety officers to meet duty of care responsibilities and control health and safety risks within the WHS legislation and associated regulations as they relate to the delivery of academic and professional endorsed activities; and;
- reporting to the Executive Chairman on ISA health and safety performance against goals. NOTE: Workers compensation and individual injuries are not a responsibility of the committee

Safety Officers

The Safety Officers, as per the Work Health and Safety Act 2011 (NSW), are responsible for ensuring:

- their knowledge of health and safety matters is maintained;
- the activities, operations, and equipment are safely managed using the risk management process and that applicable safe working instructions and procedures for hazardous activities are in place;
- there are processes in place to receive information about incidents, hazards and risks in a timely manner;
- There is regular risk assessment, monitoring and reporting of health and safety across the campus, its facilities and equipment and workers in the provision of academic and professional endorsed activities and;
- The activity of the Safety Officers and their responsibilities are reported to the HSC.

General Manager, Heads of Departments

The General Manager and Heads of Departments within operations and academic are responsible for the following within their area of management:

- promote the duty of care that health and safety as central to the culture of the Academy;

- educate and inform the workplace through the distribution of information and training to ensure WHS competency; and implement the duty of consult by participating in safety consultation arrangements;
- ensure trained staff in First Aid are accessible on campus over operational hours;
- ensure technical and specialist staff are on campus to co-ordinate the access and use of equipment;
- encourage incident reporting, lead incident investigations and implement control measures;
- engage in the injury management process when a community member sustains an injury;

Workers and Students

Workers and students are responsible for:

- taking reasonable care for their own health and safety and not adversely impacting the health and safety of others;
- following reasonable safety instructions and directions from staff and
- reporting health and safety injuries, hazards, and near miss events

PROCESS

ISA uses Safe Work NSW guides and relevant materials in the health and safety processes

This is a guide to the processes ISA follows.

Duty to Consult

WHS will be an agenda item at all management meetings.

The Health and Safety Committee (HSC) will manage consultation.

The General Manager and Heads of Department will implement consultation and communications.

WHS policy and practices are included in the induction program for all employees and trainers.

WHS policy and practices are included in the orientation program for all students.

Campus and Equipment Risk Assessment

The Safety officer, technical officer or other staff members, conduct planned, and regular risk assessments and safety checks of the campus, equipment and external facilities using Workplace Health and Safety Risk assessment process and recommended Safe Work forms and checklists.

External Training Premises or Equipment Safety Checks

In the case of external premises and related equipment that will be used for workshops, a check will be undertaken prior to signing any agreement for its use.

A report will be retained by the Safety Officer.

When a trainer uses the external premises, he will be supplied with a venue and equipment checklist that provides information to check when setting up for that venue and process for notification if risks are identified.

Notification of a Hazard

A member of staff or contractor or student who identifies a hazard or potential hazard in their daily work or activities on campus will notify the administration office initially or the Safety Officer. Following procedures, there will a hazard and risk assessment conducted with actions that follow. The General Manager will consider the recommendation and any additional information that may be required and authorise action.

First Aid

A First Aid kit is at our workplace.

A nominated staff member will be trained in first aid.

A First Aid officer will be identified and on site at campus during operating hours.

Injuries will be reported to the First Aid Officer or the Safety Officers and to Work Safe NSW where necessary (See below).

Reporting Notifiable Occurrences

A person incurring an injury or serious illness should advise the designated First Aid person if able to do so.

The First Aid Officer will, if the situation warrants it, arrange for the person to be sent to the Emergency Department of the hospital or call for a doctor.

Other action will depend on the circumstances of the case.

The First Aid Officer or Safety Officer will enter the particulars on the Injury and Incident Report Form of the incident and the action taken.

The General Manager will notify the insurance company of the circumstances within 48 hours of the occurrence of the injury or illness. A claim may be required and will follow procedures.

Reporting 'Non-Disturbance' Accidents (Death or Serious Injury / Illness)

On receiving a report of a 'non-disturbance' accident the General Manager will be immediately contacted and will give emergency aid if possible.

Ambulance, police (and Fire Brigade if necessary) will be called immediately as required.

A 'non-disturbance' area of at least 4 metres will be established around the location of the accident if possible.

An Injury and Incident Report Form is to be completed by the injured employee's supervisor or student's trainer and a copy will be forwarded to the General Manager as soon as possible.

In the case of an injury or death, or an illness believed to be attributable to a hazard in the workplace or where our staff may be working off campus at another location, an Incident Report is to be completed following procedures. The General Manager will notify the insurance company of the circumstances within 48 hours of the occurrence of the injury or illness. A claim may be required and will follow procedures.

Fire Safety

ISA will observe all relevant fire safety requirements. Fire-fighting equipment across the campus will be checked and tagged every six months and a fire drill will be held annually as part of the office fire evacuation training procedures. The Safety Officer will exercise general oversight of fire safety requirements at all times.

A nominated staff member will be trained in evacuation and fire safety appropriate for the size of our organisation.

Emergencies and Evacuations

ISA acknowledges its responsibility under WHS legislation to maintain a safe and healthy workplace and acknowledges the development and observance of sound emergency and evacuation procedures as part of that responsibility.

The Safety Officer will be trained in emergency and evacuation procedures for the campus.

The Trainers will complete emergency and evacuation training as part of their induction.

There will be clear signage and instructions across campus following workplace procedures that include the Exit Procedure and identification of the location of exits, gathering points, fire extinguishers and First Aid kits.

The Trainers will explain the emergency and evacuation procedures to students in the first session of any subject. They will highlight any particular safety considerations associated with that subject e.g. dangers in the use of special equipment, or health issues associated with physical activity, and satisfy themselves that the students are familiar with the dangers and the procedures to be followed to address them.

In the event of an emergency management's first responsibility is to its students, staff and visitors and accounting for them and their wellbeing must take place before any other activity.

In the event of an emergency or evacuation people are to follow the evacuation procedure displayed in all classrooms and offices. Trainers or office staff on site at the time will direct students and others in accordance with the procedures, gather in the prescribed assembly points, and take all practicable steps to ensure that an accurate record is kept of person's onsite prior to and subsequent to the emergency.

Trainers or office staff involved in any serious emergency will participate in a consultation meeting with the Safety officer and should complete an Incident Report form as soon after the event, and as fully and accurately, as possible.