ASIC
Australian Securities & Investments Commission

Work health and safety policy

December 2023

About this policy

This policy sets out ASIC's commitment to the health, safety and wellbeing of all ASIC team members.

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A Policy objective

Purpose

1 This policy aims to establish and maintain work practices, systems and processes that ensure the health and safety of all ASIC team members in the work environment.

2 Under the *Work Health and Safety Act 2011* (**WHS Act**), ASIC (**we**, **our**, **us**) must take reasonable measures to ensure the health and safety of our team members while they are at work. Our team members must take reasonable care that their actions or omissions do not adversely affect the health and safety of other team members.

3 ASIC Officers and team members have an obligation under the following laws:

- WHS Act
- Work Health and Safety Regulations 2011
- *Safety, Rehabilitation Compensation Act 1988*
- Safety, Rehabilitation Compensation Regulation 2002.

For further information, email whs@asic.gov.au.

Scope

4 This policy applies to anyone who works at ASIC, including:

- Senior Executives and Commission members
- People Leaders, managers and team leaders
- full-time, part-time and casual employees
- permanent and temporary employees
- contractors, contingent workers and subcontractors
- workers seconded from other organisations
- volunteers and students.

For inclusivity, the above parties will be referred to as '**team members**', '**you**' or '**your**' throughout this policy.

5 This policy applies to all situations in which team members perform work in an ASIC workplace.

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B Work health and safety

6 ASIC is committed to providing a safe and healthy work environment by:

- managing, promoting and demonstrating visible leadership in all work health and safety (**WHS**) matters
- promoting open and transparent communication on all matters related to WHS
- providing safe systems of work to effectively manage WHS
- establishing measurable health and safety objectives for ASIC and monitoring ASIC's performance against those objectives
- encouraging reporting of health and safety matters, free from reprisal
- promoting a culture of psychological safety in which all team members consider their own health and safety and that of others.

Governing principles

7 We aspire to achieve our commitment to protecting the health and safety of all our team members through the following actions:

- resource and finance facilities and amenities for the welfare of team members, in compliance with WHS legal obligations
- ensure the WHS policy is readily accessible to all team members and interested parties
- consult, communicate and coordinate with all team members and other duty holders on matters relating to work health and safety
- provide information, instruction, coaching, training and supervision to enable team members to work safely
- provide and maintain a safe workplace environment, equipment and substances
- provide injury management programs to help injured team members recover and return to work quickly
- ensure that we have the arrangements and capability to effectively report, consult and communicate with team members on issues that may affect their health and safety
- actively identify work health and safety–related hazards and risks

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- investigate workplace incidents where appropriate and, as far as is reasonably practicable, prevent their recurrence and share lessons learnt
- regularly monitor and report on health and safety performance to ASIC Senior Executive Leaders and Commission members to help us continuously improve
- respond to matters relating to health and safety in a timely manner
- hold all team members accountable for meeting their health and safety responsibilities.

8 Team members must:

- report all hazards, incidents, illnesses and injuries
- attend health and safety training and information sessions as required
- follow all reasonable and lawful WHS procedures and directions
- complete WHS inductions
- request further training if unsure of safety requirements, safe use of equipment or procedures
- participate in health and safety initiatives and, if required, consult on health and safety matters and incident investigations
- promote safety understanding among other team members
- participate and cooperate in return-to-work programs after a work-related injury or illness, as required.

Non-compliance

9 Failure to comply with this policy may constitute a breach of the ASIC Code of Conduct and may lead to disciplinary action being taken against the team member, including possible termination of their employment.

10 People Leaders must take appropriate steps to manage their team members' non-compliance by liaising with the People and Development (**P&D**) teams and seeking guidance on the appropriate corrective action to address the non-compliance.

11 If you identify non-compliance with this policy, you must notify whs@asic.gov.au as soon as practicable.

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C Accountabilities and responsibilities

Accountability	Responsibilities
Team members	While at work, each team member must: • take reasonable care for their own health and safety • take reasonable care that your acts or omissions do not adversely affect other people's health and safety • comply, as far as reasonably able, with any reasonable instruction that is given by the person conducting the business or undertaking, to enable that person to comply with the WHS Act • cooperate with any reasonable policy or procedure relating to health or safety in the workplace that the person conducting the business or undertaking has implemented and that has been communicated to team members.
Commission members and Senior Executives	• Those defined as Officers of ASIC must demonstrate due diligence under the WHS Act (see key terms for the meanings of 'Officer', 'due diligence' and 'person conducting a business undertaking'). • Take reasonable steps to ensure ASIC has and uses appropriate resources and processes to eliminate or minimise risks related to health and safety in the workplace, as far as is reasonably practicable, by: ○ providing the resources to assist management and team members to meet health and safety obligations ○ maintaining effective communication and consultation with key internal stakeholders on safety matters ○ ensuring systems are in place to enable WHS issues to be identified and resolved ○ establishing measurable health and safety objectives for ASIC and monitoring performance against those objectives ○ minimising the impact.
People Leaders	• Promote safe and healthy work practices in the workplace. • Investigate any hazards or incidents reported in the workplace and implement any actions identified from an incident investigation. • Consult with all team members regarding health and safety issues. • Provide appropriate initial responses for all injuries, including organising any immediate medical assistance. • Ensure all hazards, incidents, illnesses and injuries are reported. • Partner with a team member if they have suffered a work-related injury that causes an absence from work, to ensure they follow ASIC's rehabilitation and return-to-work programs.

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Senior Executive in People and Development	• Develop and implement this policy.

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Key terms

Term	Meaning in this document
Commission member	A person appointed by the Governor-General as the Chairperson, the Deputy Chairperson or a member of ASIC under sections 9(2) and 10 of the *Australian Securities and Investments Commission Act 2001*.
Due diligence	Applies to Officers of a Person Conducting a Business Undertaking (PCBU) (defined below) and requires Officers (defined below) to: • ensure processes are verified, monitored and reviewed including taking reasonable steps: o to acquire and keep up-to-date knowledge of work health and safety matters o to gain an understanding of the nature of the operations of the PCBU's business or undertaking and generally of the hazards and risks associated with those operations o to ensure that the PCBU has available for use, and uses, appropriate resources and processes to eliminate or minimise risks to health and safety from work carried out as part of the conduct of the business or undertaking o to ensure that the PCBU has appropriate processes for receiving and considering information regarding incidents, hazards and risks and responding in a timely way to that information o to ensure that the PCBU has, and implements, processes for complying with any duty or obligation of the PCBU under work health and safety legislation o to verify the provision and use of the resources and processes referred to in the three preceding dot points. The processes for complying with duties and obligations that the PCBU should have in place and implement under section 27(5)(e) of the Work Health and Safety Act 2011 may include processes for: o reporting notifiable incidents o consulting with workers o ensuring compliance with notices issued under work health and safety legislation o ensuring the provision of training and instruction to workers about work health and safety o ensuring that health and safety representatives receive their entitlements to training.
Hazard	A situation or thing that has the potential to harm a person. Hazards at work may include noisy machinery, a moving forklift, chemicals, electricity, working at heights, a repetitive job, psychological or psychosocial hazards.

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Term	Meaning in this document
Person conducting a business undertaking	As defined in the *Work Health and Safety Act 2011*, • taken to mean ASIC (the Commission) for the purposes of this policy.
People Leader	An ASIC team member with people management responsibilities. For example, an Executive Director, a Senior Executive Leader, Senior Manager, manager or team leader.

Psychosocial hazards	As defined in the Work Health and Safety Regulations 2011, Regulations 55(a). That is, a hazard that:
	• arises from, or relates to:
	  ○ the design or management of work
	  ○ a work environment
	  ○ plant at a workplace
	  ○ workplace interactions or behaviours
	may cause psychological harm, whether or not it may also cause physical harm.
	For further information see Work Health and Safety Regulations 2011 Regulations 55 (a-d).

Officer	As defined in the *Work Health and Safety Act 2011* and includes any person who makes or participates in making a decision that affects the whole or a substantial part of the business of the corporation. All Commissioners, Executive Directors and some Senior Executives are likely to meet the definition of "Officer" for the purposes of the WHS Act. For the purposes of this policy only, Officers include Commission members and all Senior Executives.
Reasonable practicability	That which could be or could have been done, realistically, to ensure health and safety, considering the following factors: • likelihood • consequence • knowledge of person(s) involved (including what reasonably should be known at the time) • suitable controls and availability • whether the cost is grossly disproportionate to the risk.
Senior Executives	A Senior Executive Leader or Executive Director.
Workplace	Anywhere that ASIC team members and any other person perform work.

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Supporting resources

Supporting policy documents

Other ASIC policies that are relevant to WHS include:

- *Rehabilitation and Recovery Policy*
- *Workplace Adjustments Policy*
- *Flexible Work Arrangements Policy*
- Procedure for Investigating Code of Conduct and other Grievance
- Code of Conduct
- *Bullying Policy*
- *Discrimination and Harassment Policy*
- *Remuneration & Performance Management Policy*
- *Sexual Harassment Policy*
- *Social Media Policy*
- Relevant Commonwealth legislation
- *Work Health and Safety Act 2011*
- Work Health and Safety Regulations 2011
- *Safety, Rehabilitation and Compensation Act 1988*
- Safety, Rehabilitation Compensation Regulation 2002

Codes of practice and other guidelines

See the Comcare website for the latest Work Health and Safety Codes of Practice Guidance material.

LearnHub training

Workplace Health & Safety: Due Diligence Training for Officers

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Document control

Policy ownership

The Senior Executive Leader in People & Development is responsible for the development and implementation of this policy.

This policy is reviewed in accordance with ASIC's Enterprise Policy Design and Review Handbook.

Policy approval

This policy has been reviewed and approved by the following parties on the following dates:

Version	Approver	Approval date
1.1	Naomi Dunn	2015
2.0	Helen O'Loughlin	2018
3.0	Shayne Brown	2019
4.0	Shayne Brown	2020
5.0	Therese Harris	December 2023

Version history

Version	Details of changes/comments	Date
V3.0	ASIC Act review	May 2019
V4. 0	Very minor changes only	August 2020
V5.0	Review for compliance with the Enterprise Policy Framework, minor updates to the definition of Officer, Due Diligence and the inclusion of psychosocial hazards.	December 2023

Distribution

Version	Date	Distribution list
2.0	30/11/18	ASIC Workers
2.0	5/11/18	National Consultative Committee (**NCC**)
3.0	May 2019	ASIC Workers
4.0	Aug 2020	ASIC Workers
5.0	4 September 2023	WHS Committee
5.0	12 October 2023	NCC and Community and Public Sector Union (**CPSU**)
5.0	4 December 2023	ASIC Workers

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