

Purpose

1. The purpose of this policy is to:
 - demonstrate commitment of the 'Geelong Arts Centre' (Centre) to occupational health and safety (OHS);
 - support compliance with the *Occupational Health and Safety Act 2004* (Vic) (OHS Act);
 - support the intent of the Geelong Performing Arts Centre Enterprise Agreement 2021-2024;
 - support the intent of the Centre Strategic Plan 2022 – 2025 and Centre People and Culture Plan 2022 – 2025; and
 - form the foundation of the Centre 'OHS management system' along with all procedures made under this policy.

Scope

2. This policy applies in respect to Centre:
 - 'workplace participants'; and
 - 'members of the public'.

Policy

Commitment to health and safety

3. The Centre commits to ensuring the health and safety of workplace participants and members of the public and recognises this commitment is integral to being a leader, connector, and creator of extraordinary cultural experiences.
4. The following guiding principles underpin the Centre's health and safety commitment:
 - positive safety leadership enabling a safety culture that is informed, just, and values reporting and learning;
 - pursuit of excellence in safety through good governance, best practice, and continuous improvement;
 - compliance with legal duties and obligations as minimum standards;
 - integration of safety into day-to-day business activities;
 - resourcing and planning for safety improvement;
 - implementation and review of a robust OHS management system;
 - measuring and reporting safety performance;
 - driving risk management practices and actively working towards the elimination or reduction of the risk of physical and psychological harm to the extent that is 'reasonably practicable';
 - holding 'employees' accountable for their safety responsibilities and performance;
 - encouraging employee participation in safety;
 - actively communicating and consulting about safety;

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- resolving health and safety concerns and issues in a timely, collaborative way and with integrity and transparency;
 - ensuring capability to work safely through the provision of training, instruction, and supervision; and
 - minimising the social and financial effects of work and non-work related injury/illness for employees through early intervention, rehabilitation and a return to work that is safe, meaningful, and sustainable.
5. The Centre commits to continuous improvement in safety with planning informed by the following objectives:
- improve safety leadership, climate, and culture;
 - implement a robust OHS management system;
 - improve the risk management of key hazards; and
 - improve the OHS capability of workplace participants.
6. The Centre's Health and Safety Policy will be posted on the Centre website and the Centre intranet known as Amplify.
7. A summary of the Centre's Health and Safety Commitment (Appendix A) will be posted at site receptions and on-site noticeboards.

Health and safety legal duties

Main duties of the Centre

8. The Centre will, so far as is reasonably practicable, ensure the health and safety of workplace participants and members of the public by eliminating risks to health and safety. If it is not reasonably practicable to eliminate risks to health and safety, the Centre will reduce those risks so far as is reasonably practicable.
9. The Centre will, so far as is reasonably practicable, provide and maintain a working environment for Centre employees and Centre 'labour-hire workers' that is safe and without risks to health, including in relation to:
- 'workplaces' under its management and control;
 - 'plant';
 - the use, handling, storage, or transport of plant or 'substances';
 - systems of work;
 - the provision of adequate 'welfare facilities' at workplaces under its management and control; and
 - the provision of information, instruction, training, or supervision.
10. The Centre will make the same provision as in Clause 9 for 'independent contractors' and their employees regarding matters over which the Centre has control or would have control if not for any agreement purporting to remove or limit that control.

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11. The Centre will also:

- monitor the health of Centre employees and Centre labour-hire workers;
- monitor the condition of workplaces under its management and control;
- keep information and records relating to the health and safety of Centre employees and Centre labour-hire workers, in accordance with legal requirements and the Privacy Policy; and
- employ/engage persons suitably qualified in relation to OHS to provide OHS advice to the Centre.

12. The Centre will also ensure, so far as is reasonably practicable, that persons other than Centre employees, labour-hire workers and independent contractors are not exposed to risks to their health and safety arising from the conduct of the Centre's undertaking.

Additional duties of the Centre

13. The Centre will, so far as is reasonably practicable:

- ensure workplaces under its management and control, and the means of entering and leaving those workplaces, are safe and without risks to health;
- ensure the way in which plant is installed, erected, or commissioned does not make its use unsafe or pose a risk to health;
- consult with Centre employees and Centre labour-hire workers on required health and safety matters and will consult through 'health and safety representatives' (HSR) where elected;
- consult with independent contractors on required health and safety matters and in relation to matters over which the Centre has control or would have control if not for any agreement purporting to remove or limit that control;
- consult, co-operate and co-ordinate with 'labour-hire providers' regarding any labour-hire workers; and
- notify 'WorkSafe' of any 'notifiable incident' and preserve those incident sites.

Duties of employees

14. While at work, Centre employees and Centre labour-hire workers will:

- take reasonable care for their own health and safety;
- take reasonable care for the health and safety of other persons who may be affected by their actions or omissions at a Centre workplace;
- co-operate with the Centre regarding any action taken by the Centre to comply with OHS legal requirements;
- not intentionally or recklessly interfere or misuse anything provided at a Centre workplace in the interests of health, safety, or welfare.

Duty of any person

15. Workplace participants and members of the public will not engage in conduct at a Centre workplace that places or may place another person in danger of serious injury.

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16. Trust and Trust subcommittee members and the 'Executive Leadership Team' (ELT) will exercise due diligence to ensure the Centre complies with its health and safety legal duties and obligations and will take reasonable steps to:
- acquire and maintain up-to-date knowledge of OHS matters;
 - gain an understanding of the nature of the operations of the Centre and of the hazards and risks associated with those operations;
 - ensure that the Centre has available for use appropriate resources and processes to eliminate or reduce risks to health and safety, so far as is reasonably practicable, from work carried out as part of the Centre's business;
 - ensure that the Centre has appropriate processes for receiving and considering information regarding incidents, hazards and risks and responding in a timely way to that information; and
 - ensure that the Centre implements and periodically reviews processes for complying with any duty or obligation of the Centre under the OHS Act.
17. The Director of Operations and Experience is the ELT member with overall responsibility for leading and managing health and safety at the Centre.

Hirers, tenants, independent contractors, and labour-hire providers

18. The following parties will observe their health and safety legal duties under the OHS Act while working at workplaces under the management and control of the Centre:
- independent contractors and their employees;
 - 'hirers' and their employees and contractors; and
 - 'tenants' and their employees and contractors.
19. The Centre will consult, co-ordinate, and co-operate with hirers, tenants, independent contractors, and labour-hire providers to:
- establish safe systems of work; and
 - ensure there is a clear understanding as to the extent of OHS responsibility on the part of each duty holder.

Centre health and safety expectations

20. The Centre expects that all workplace participants will:
- take reasonable care for their own health and safety and that of others who may be affected by their actions or omissions;
 - co-operate with any action taken by the Centre to comply with health and safety requirements; and
 - not intentionally or recklessly interfere with, or misuse anything that's in place, to support health, safety, or welfare at any Centre workplace.

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21. The Centre expects all persons attending the Centre, including members of the public, to:

- behave in a respectful manner; and
- not engage in behaviours that may amount to bullying, harassment (including sexual harassment), violence, aggression, or discrimination in respect of any person; and
- observe the Centre conditions of entry.

Discrimination

22. The Centre will not engage in 'discriminatory conduct' toward a Centre employee or Centre labour-hire worker because the person:

- is or has been a HSR or member of a Centre health and safety committee (Committee);
- exercises or has exercised a power as a HSR or member of the Committee;
- assists, has assisted, gives or has given any information to WorkSafe or a WorkSafe Inspector, an authorised representative of a registered employee organisation (ARREO), a HSR or a member of the Committee; or
- raises or has raised a concern or issue about OHS to the Centre, WorkSafe, a WorkSafe Inspector, an ARREO, an HSR, a member of the Committee or an employee of the Centre.

Speak Up

23. The Centre encourages workplace participants and members of the public to speak up if they believe the Centre or any person is not complying with this policy.

24. Internal reporting avenues are available:

- workplace participants may report a health and safety concern in accordance with the Health and Safety Concern and Issue Management Procedure;
- Centre employees may also lodge a grievance in accordance with the Grievance Management Policy; and
- members of the public may make a complaint to the Centre via a Customer Events Officer, phone, or website enquiry form.

25. External reporting avenues are available depending on the nature of the matter:

- any person may make a public interest disclosure in accordance with the *Public Interest Disclosures Act 2012* (Vic);
- any person may make a complaint to WorkSafe;
- workplace participants and 'patrons' may make a complaint to the Victorian Equal Opportunity and Human Rights Commission; and
- Centre employees may make a complaint to the Fair Work Commission.

26. The Centre will ensure persons making public interest disclosures are protected from direct and indirect detrimental action being taken against them in reprisal for making a public interest disclosure in accordance with the *Public Interest Disclosure Act 2012* and the Centre's Public Interest Disclosure Guidelines.

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Health and Safety Policy Breaches



27. A breach of this policy by:

- A Centre employee, may result in disciplinary action, including termination, in accordance with the Geelong Performing Arts Centre Enterprise Agreement 2021 – 2024 and relevant industrial relations legislation;
- other workplace participants, may result in contract re-negotiation, including termination; or
- a member of the public, may result in denial of entry to, or removal from the Centre in accordance with the Live Performance Australia Ticketing Code of Practice and the Centre terms and conditions.

Records

28. The Centre manages 'record' keeping processes in accordance with the *Records Management Policy* and the mandatory standards issued by the Public Records Office of Victoria under the *Public Records Act 1973 (Vic)* to ensure the Centre meets its obligations as a public entity.

Further information

29. Further information, advice or assistance on any matters related to this policy is available by contacting safety@geelongartscentre.org.au

Responsibilities

Role	Responsibility
Trust and Trust Subcommittee members and Executive Leadership Team	<ul style="list-style-type: none">• Exercise due diligence to ensure the Centre complies with its health and safety legal duties and obligations
Executive Leadership Team	<ul style="list-style-type: none">• Take reasonable care to ensure the Centre complies with its health and safety legal duties and obligations• Ensure processes are in place to enable the Centre to consult, co-operate, and co-ordinate with hirers, independent contractors and labour-hire providers regarding health and safety matters• Ensure the Centre does not engage in discriminatory conduct towards Centre employees or Centre labour-hire workers for reasons of health and safety
Director of Operations and Experience	<ul style="list-style-type: none">• Assume overall responsibility for leading and managing health and safety at the Centre
Employee	<ul style="list-style-type: none">• Observe the health and safety duties of an employee
Independent contractor	<ul style="list-style-type: none">• Observe health and safety duties under the OHS Act• Consult, co-operate and co-ordinate with the Centre regarding health and safety matters
Labour-hire provider	<ul style="list-style-type: none">• Consult, co-operate and co-ordinate with the Centre regarding labour-hire worker health and safety matters

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Labour-hire worker	<ul style="list-style-type: none"> Observe the health and safety duties of an employee
Workplace participant	<ul style="list-style-type: none"> Observe the Centre health and safety expectations of workplace participants and all persons Not engage in conduct at a Centre workplace that places or may place another person in danger of serious injury
Hirer	<ul style="list-style-type: none"> Observe health and safety duties under the OHS Act Consult, co-operate and co-ordinate with the Centre regarding health and safety matters
Tenant	<ul style="list-style-type: none"> Observe health and safety duties under the OHS Act Consult, co-operate and co-ordinate with the Centre regarding health and safety matters
Member of the public	<ul style="list-style-type: none"> Observe the Centre health and safety expectations of all persons Not engage in conduct at a Centre workplace that places or may place another person in danger of serious injury

Appendices

- Appendix A: Health and Safety Commitment

Related Geelong Arts Centre documents

- Geelong Performing Arts Centre Enterprise Agreement 2021-2024
- Strategic Plan 2022 – 2025
- People and Culture Plan 2022 – 2025
- Privacy Policy
- Public Interest Disclosure Guidelines
- Health and Safety Concern and Issue Management Procedure
- Grievance Management Policy
- Records Management Policy
- All OHS procedures made under this policy.

Related references

- Occupational Health and Safety Act 2004* (Vic)
- Public Interest Disclosures Act 2012* (Vic)
- Geelong Performing Arts Centre Trust Act 1980* (Vic)
- Public Records Act 1973* (Vic)
- Geelong Performing Arts Centre Trust Act 1980* (Vic)
- Live Performance Australia Ticketing Code of Practice

Definitions

Discriminatory conduct	<p>Where an employer:</p> <ul style="list-style-type: none"> dismisses an employee, injures their employment, or alters the employee's position to the detriment of the employee; threatens to do any of the above things to an employee; or
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	<ul style="list-style-type: none"> refuses or fails to offer employment to a prospective employee, or discriminates between prospective employees, in offering terms of employment
Employee	Means a person employed under a contract of employment or contract of training
Executive Leadership Team	Chief Executive Officer, Directors, and Head of Programming
Geelong Arts Centre	The Geelong Performing Arts Centre Trust established by section 3(1) of the <i>Geelong Performing Arts Centre Trust Act 1980</i> (Vic), trading as Geelong Arts Centre, and includes any of its venues, facilities, or locations.
Hirer	<p>A person or organisation that uses Centre managed facilities in return for payment and subject to a contract for purposes including but not limited to:</p> <ul style="list-style-type: none"> productions dance tuition functions meetings other events <p>Hirers include touring companies, community theatre groups, artistic practitioners, and schools.</p> <p>Hirers may have persons working for or with the hirer including employees, contractors, volunteers and/or students that attend the Centre. Hirers may also have visitors that attend the Centre.</p>
Health and safety representative	A health and safety representative for a DWG who has been elected and holds office in accordance with Part 7 of the <i>Occupational Health and Safety Act (2004)</i> Vic
Independent contractor	<p>A person or organisation engaged by Geelong Arts Centre to provide goods or services to Geelong Arts Centre including but not limited to:</p> <ul style="list-style-type: none"> building and trades contractors consultants touring companies artistic practitioners <p>Independent contractors may have persons working for or with the independent contractor such as employees, subcontractors, and/or volunteers that attend the Centre. Independent contractors may also have visitors attend the Centre.</p>
Creative Development scholar/Intern/ work experience student	<p>A person working:</p> <ul style="list-style-type: none"> with payment or in-kind reward to satisfy Centre scholarship requirements; without payment on a vocational placement to satisfy requirements of a qualification; or without payment as a secondary student gaining work experience
Labour-hire provider	An organisation that supplies a worker to, recruits the worker for or places the worker with other businesses (known as hosts), on a fee or contract basis (also known as temping, contracting, on-hire or labour

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	supply). This includes group training organisations that provide trainees and apprentices to hosts
Labour-hire worker	A worker supplied to, recruited for, or placed with a business (known as host) by a labour-hire provider on a fee or contract basis. A labour-hire worker is taken to be an 'employee' of the host under the <i>Occupational Health and Safety Act 2004</i> (Vic)
Member of the public	A collective term for patrons and visitors.
Notifiable incident	An incident that results in any of the outcomes set out in section 37 of the OHS Act, and that must be reported to WorkSafe immediately after the Centre becomes aware the incident has occurred at a workplace under the Centre's management or control
Occupational health and safety management system	A set of plans, procedures and actions that assist an organisation to systematically manage health and safety risk associated with their business
Patron	Includes: <ul style="list-style-type: none"> • an invited guest who attends a Centre ticketed or non-ticketed event; and • a person attending the Centre café or rooftop bar
Plant	Any machinery, equipment, appliance, implement, or tool including any component, and anything fitted, connected, or related to any machinery, equipment, appliance, implement or tool
Reasonably practicable	In relation to ensuring health and safety regard must be had to the following matters: <ul style="list-style-type: none"> • the likelihood of the hazard or risk concerned eventuating; • the degree of harm that would result if the hazard or risk eventuated; • what the person concerned knows, or ought reasonably to know, about the hazard or risk and any ways of eliminating or reducing the hazard or risk; • the availability and suitability of ways to eliminate or reduce the hazard or risk; • the cost of eliminating or reducing the hazard or risk.
Record	Information in any format created, received, and maintained as evidence by the Geelong Arts Centre or person in the transaction of business and defined by the <i>Public Records Act 1973</i> as: <ol style="list-style-type: none"> (a) any record made or received by a public officer in the course of their duties; and (b) any record made or received by a court or person acting judicially in Victoria.
Substance	Any natural or artificial substance, whether in the form of a solid, liquid, gas, or vapour
Tenant	A person or organisation that leases office or desk space at the Centre for a short- or long-term period which is the subject of a contract. Tenants may have persons working for or with the tenant, such as employees, that

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	attend the Centre. Tenants may also have visitors, such as clients, that attend the Centre
Visitor - invited	A member of the public that is not a patron or an uninvited visitor and attends the Centre for purposes associated with the Centre, an independent contractor, a hirer, or a tenant. Invited visitors include corporate visitors, emergency services personnel, delivery persons, and the parents or guardians of students who are under 18 years.
Visitor – uninvited	A member of the public that is not a patron or an invited visitor and includes sightseers, persons in the vicinity of the Centre and intruders
Volunteer	A person who gives their time willingly for the common good and without financial reward
Welfare facilities	Welfare facilities include toilets, shelter, seating, dining rooms, change rooms, drinking water, personal storage, washing and first aid facilities
Workplace	A place, whether or not in a building or structure, where employees or self-employed persons work
Workplace participant	A collective term for all persons working for the Centre or at a Centre workplace including: <ul style="list-style-type: none"> • employees engaged by the Centre • labour-hire workers engaged by the Centre • independent contractors engaged by the Centre and all persons working with or for an independent contractor • Centre volunteers including Trust and Trust sub-committee members • Creative Development scholars, interns, and work experience students engaged by the Centre • hirers and all persons working with or for a hirer • tenants and all persons working with or for a tenant.
WorkSafe	The Victorian WorkCover Authority, known as WorkSafe, is Victoria's workplace health and safety regulator and injury insurer.

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Health and Safety Commitment

The Geelong Arts Centre commits to ensuring the health and safety of workplace participants and members of the public and recognises this commitment is integral to being a leader, connector, and creator of extraordinary cultural experiences

Our commitment hallmarks

Excellence	Communication
Leadership	Risk management
Accountability	Compliance
Integration	Resolution
Resourcing	Capability
Planning	Measuring
Participation	Reporting
Consultation	Rehabilitation

Our commitment to continuous improvement

We actively plan to:

- improve safety leadership, climate, and culture;
- implement a robust health and safety management system;
- improve risk management of, and reduce harm associated with, key physical and psychosocial hazards; and
- improve health and safety capability.

**WE ARE
CREATIVELY
SAFE**

We all commit to health and safety

Geelong Arts Centre will comply with its health and safety legal duties and obligations and will, so far as is reasonably practicable:

- provide and maintain a working environment for Centre employees and Centre labour-hire workers that is safe and without risks to health;
- provide and maintain a working environment for independent contractors that is safe and without risks to health in relation to matters over which the Centre has control; and
- ensure that other workplace participants and members of the public are not exposed to risks to their health and safety arising from the conduct of the Centre's undertaking.

Everyone working at Geelong Arts Centre:

- takes reasonable care for their own health and safety and that of others who might be affected by their actions or omissions;
- co-operates with any action taken by the Centre to comply with health and safety requirements; and
- does not intentionally or recklessly interfere with, or misuse anything, that's in place to support health, safety, or welfare.

Everyone, including members of the public, ensures they:

- do not engage in conduct that places or may place another person in danger of serious injury;
- behave in a respectful manner;
- do not engage in behaviours that may constitute bullying, harassment (including sexual harassment), violence, aggression, or discrimination in respect of any person;
- observe the Geelong Arts Centre conditions of entry.

This commitment forms part of the Geelong Arts Centre Health and Safety Policy.
Please see the policy on the Geelong Arts Centre website or Amplify for more information.

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