WORK, HEALTH, AND SAFETY POLICY

Policy Code	BUS04
Policy Lead	Director Learning and Innovation
Approving Authority	Board of Directors
Approval date	28 June 2024
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Next Review Date	April 2025
Version	2024.2
Relevant legislation or external requirements	National Code of Practice for Providers of Education and Training to Overseas Students 2018 (NC: 5, 6, 9, 10) Higher Education Standards Framework (Threshold Standards) 2021 (HESFs: 1.3.2c, 2.3, 6.2.1a) Codes of Practice (NSW) Education Services for Overseas Students Act 2000 (Cth) (ESOS Act) Education Services for Overseas Students Regulations 2019 (Cth) (ESOS Regulations) Model Code of Practice Work Health and Safety Act 2011 (NSW) Work Health and Safety Regulation 2017 (NSW) Workers Compensation Act 1987 (NSW) Workplace Injury Management and Workers Compensation Act 1998 (NSW)
Related ASA Documents	Work Health and Safety Procedure Critical Incident Management Plan Critical Incident Policy Critical Incident Procedure Discrimination, Bullying, and Harassment Policy and Procedure Mental Health Framework Risk Management Framework Risk Management Policy Risk Management Procedure Sexual Assault and Sexual Harassment Policy and Procedure Staff Code of Conduct Staff Handbook Student Support Framework Student Code of Conduct Student Handbook Student Support, Wellbeing, and Health Policy and Procedure

1. Purpose

The purpose of this policy is to establish guidelines and procedures to ensure the health, safety, welfare, and cyber security of all individuals associated with ASA Institute of Higher Education (**ASA**). This includes promoting a culture of respect, dignity, and support, as well as addressing issues related to sexual assault and sexual harassment.

2. Scope

This policy applies to all employees, students, contractors, visitors, and anyone else on ASA premises or engaged in activities under ASA's jurisdiction. It encompasses physical and psychological wellbeing, cyber security, and prevention and response to sexual assault and sexual harassment.

3.   Principles

ASA is committed to ensuring a safe and healthy campus for its employees, students, and visitors. All ASA staff, students and visitors have a collective responsibility to adhere to safe working and studying practices to prevent injuries and illnesses and act in compliance with the relevant Acts and legislations.

- Complying with health and safety obligations, as set out in relevant legislation.

- Integrating health and safety risk management practices into all operations providing a safe environment for work and study (including safe facilities, structures and systems of work).

- Publicising and advocating ASA's commitment to health, safety and security.

- Providing adequate facilities for the health and safety at work of workers, students and visitors.

- Maintaining and continually improving the Health and Safety Management System through actions such as regular reviews and audits.

- Monitoring the health of workers and the conditions at the workplace as part of an illness and injury prevention strategy.

- Providing relevant information, training, instruction, or supervision to workers and where appropriate, students and visitors.

- Encouraging everyone to take proactive steps to resolve potential health and safety matters.

- Managing any accidents and incidents, including digital activities, that occur, to minimise harm and prevent recurrences.

- Adapting to changes in best practice, regarding workers' and other people's needs and legislation.

- Allocating appropriate resources to facilitate the fulfilment of ASA's health and safety responsibilities.

- Regularly reviewing the Health and Safety Management System documents to ensure they remain relevant and meet ASA needs.

4.   Definitions

Term	Definition
bullying	Bullying is when people repeatedly and intentionally use words or actions against someone or a group of people to cause distress and risk to their wellbeing. These actions are usually done by people who have more influence or power over someone else, or who want to make someone else feel less powerful or helpless.

Term	Definition
Critical Incident	A critical incident is a traumatic event which may cause students, staff, contractors, or visitors extreme physical and/or emotional distress connected to ASA's business operations. Some examples of critical incidents are: • missing students, • severe verbal or psychological aggression, threats or intimidation, • any death, serious injury, or acute illness (physical or mental) requiring emergency medical attention, • physical or sexual assault, serious harassment or domestic violence, • issues such as drug or alcohol abuse, • fire, explosion or bomb threat resulting in death, significant injury or significant property loss, • chemical, radiation or bio-hazard spillage, • a hold up or attempted robbery or other serious criminal incidents, • traffic collision resulting in serious injury or death, • confirmation of a serious infectious disease or virus, • storms or other natural disasters, • political or civil unrest, • threats or evidence indicating that any of the above may occur. It is important to note that what is a critical incident for one person may not be a critical incident for another. Every critical incident is unique and will need to be dealt with differently and according to the needs of the people affected. Minor incidents, such as petty theft, are not covered by this policy.
cyber attack	A deliberate act through cyberspace to manipulate, disrupt, deny, degrade or destroy computers or networks, or the information resident on them, with the effect of seriously compromising national security, stability or economic prosperity.
cyber incident	An occurrence or activity that may threaten the confidentiality, integrity or availability of a system or the information stored, processed or communicated by it.
cyber resilience	The ability to adapt to disruptions caused by cyber security incidents while maintaining continuous business operations. This includes the ability to detect, manage and recover from cyber security incidents.
cyber security	Means the practice of defending computing devices, networks, and stored data from unauthorised access, use, disclosure, disruption, modification, or destruction.
cyber security monitoring	The Cyber security monitoring process for ASA includes • Identifying assets • Risk assessment • Risk mitigation • Continuous monitoring • Incident response plan • Regular testing and review
cyber threat	Any circumstance or event with the potential to harm systems or data.

Term	Definition
discrimination	Happens when a person or a group of people: 1. is treated less favourably than another person or group because of a particular characteristic or attribute (or because they associate with another person or group with a particular characteristic or attribute) ('direct discrimination'); or 2. where an unreasonable rule or policy, which applies to everyone has an unfair effect on a person or group, because they have a particular characteristic or attribute ('indirect discrimination'). Protected characteristics or attributes include a person's age, breastfeeding, family responsibilities, gender identity or intersex status, impairment or disability, lawful sexual activity, parental status, political belief or activity, pregnancy, race, relationship or marital status, religious belief or activity, sex, sexuality, social origin, trade union activity, and irrelevant criminal or medical record.
due diligence	Means performing appropriate checks on a supplier to understand whether the supplier (and/or any contracted third parties) is genuine, capable and reliable, meets required standards and expectations, financially viable, has the required licences and status, complies with relevant legislation and is of good repute and integrity.
duty of care	ASA owes a duty of care to its students, staff, and any other persons on ASA premises or engaged in activities under ASA's jurisdiction. ASA fulfils this duty through taking reasonable care for their health and safety and implementing such measures as are reasonable to protect persons from risks of harm that reasonably ought to be foreseen.
Emergency Critical Incident	A critical incident that poses an immediate or imminent threat, physical and/or emotional distress to staff, students, partners, contractors or visitors to ASA, cyber bullying, harassment or threat to staff and/or students and which may require an immediate response.
facility	A physical space where business is performed. This can be a building, a floor of a building or a designated space on the floor of a building.
hazard	A situation in the workplace that has the potential to harm the health and safety of people or damage facilities and equipment.
health	For the purpose of this policy, health is defined as: • Physical health relates to the functioning of the physical body. • Mental Health relates to people's emotions, thoughts and behaviours.
Incident Response Plan	A plan for responding to cyber security incidents.
mental health	Mental health is a state of mental well-being that enables people to cope with the stresses of life, realise their abilities, learn well, and work well, and contribute to their community. It is an integral component of health and well-being that underpins our individual and collective abilities to make decisions, build relationships and shape the world we live in.
mental health difficulties	People affected by mental health difficulties may experience higher than average levels of distress that interferes with their cognitive, emotional and social functioning. The impacts tend to be less severe than with a mental illness and may be affected by life stressors.
mental illness	People affected by a mental illness (disorder) can experience levels of emotional and/ or psychological distress beyond their current ability to manage effectively. These conditions involve thoughts, feelings, symptoms and/ or behaviours which cause distress, reduce functioning and negatively impact on day-to-day experiences.
mental wellbeing	Mental wellbeing is how we respond to life's ups and downs. In this simple mental wellbeing definition lies deeper meaning and implication for our lives. It includes how a person thinks, handles emotion (emotional wellness), and acts.

Term	Definition
near miss	An unplanned event that could have resulted in an injury/illness to people or danger to health.
risk	The possibility of loss, damage, or other adverse or unwelcome circumstance.
risk assessment	The term 'risk assessment' captures the overall process of risk identification, risk analysis and risk evaluation.
Risk Management Framework	The Risk Management Framework is the set of components that provide the foundations and organisational arrangements for designing, implementing, monitoring, reviewing, and continually improving risk management throughout ASA.
safety	The condition of being protected from or unlikely to cause danger, risk, or injury.
sexual assault	Sexual Assault occurs when a person is forced, coerced, or tricked into sexual acts attempted or sexual contact is performed against their will or without their consent. Sexual assault describes the forced penetration of the vagina or anus of any person with any part of the body of another person, or any object, against their will or consent. It also includes oral sex. Sexual assault is a crime under the Australian Law. Sexual assault can be committed against people regardless of their gender, age, sexual orientation, ability, and background. Sexual assault is sometimes referred to as rape, sexual abuse, or sexual violence.
sexual harassment	Sexual harassment is any unwelcome behaviour of a sexual nature that makes a person feel offended, humiliated, and/ or intimidated. It may include, but is not limited to, unwelcome sexual advances, persistent questions relating to a person's sexual orientation or sex life, or unwelcome requests for sex or sexual favours. Sexual harassment is a form of sex discrimination, can be obvious or indirect, can be physical or verbal, can be repeated or one-off and can be perpetrated by any gender and towards any gender.
trauma-informed response	A trauma-informed response is a response that demonstrates an understanding and recognition of the impact of trauma, and emphasises physical, psychological, and emotional safety, and the importance of empowerment and choice for those who have been subjected to sexual assault or sexual harassment or gender-based violence.
victimisation	Occurs if a person commits, or threatens to commit, an act against a complainant or respondent, or another person acting in support of a complainant or respondent as a result of that complaint.
Work Health and Safety (WHS)	Workplace Health and Safety (WHS) refers to health and safety practices that systematically eliminate or minimise health and safety risks.

5. Policy Statement

ASA is fully committed to best practice with regard to work health, safety, cyber security, and welfare. This commitment includes, but is not limited to:

- ensuring all relevant statutory legislation, regulations, standards and codes of practice are adhered to, and that all staff are aware of their existence and understand what they mean;

- ensuring all relevant policies and procedures, as well as induction and on-the-job training, incorporate a work health and safety component;

- ensuring work health and safety practices and responsibilities are clearly communicated and understood; and

- that a culture of work health and safety is supported and promoted through governance and management structures.

6. Responsibilities

6.1 Responsibilities of Board of Directors

The Board of Directors is responsible for:

- providing resources necessary to maintain effective WHS, welfare and cyber security practices;
- overseeing the assessment, management, and control of risk across ASA
- accountable for overall risk, including WHS risk; and
- assuring compliance with the requirements of all legislation relevant to ASA as a higher education provider.

6.2 Responsibilities of Management

- Senior Management is responsible for providing a safe, healthy, secure and inclusive environment for work and study.

- Management will allocate resources and support necessary to implement and maintain effective WHS, welfare and cyber security practices.

6.3 Responsibilities of Employees

- All employees are responsible for promoting a culture of respect and preventing sexual assault and sexual harassment.

- All employees are responsible for following WHS, Sexual Assault and Sexual Harassment, Discrimination, Bullying and Information Technology policies and procedures, and Staff Code of Conduct.

- Reporting hazards, incidents (including cyber incidents), sexual assault or sexual harassment, breaches, near misses or suspicious activities promptly to Senior Management.

- Cooperating with WHS, Sexual Assault and Sexual Harassment, Discrimination, Bullying, and Cyber Security initiatives, including participation in training and compliance activities.

- Providing support and assistance to individuals who have experienced or witnessed sexual assault or sexual harassment or discrimination or bullying.

6.4 Responsibilities of Students

- Adhering to WHS, Sexual Assault and Sexual Harassment, Discrimination, Bullying and Information Technology policies and procedures and the Student Code of Conduct during their time on campus or engaged in ASA activities.

- ASA encourages students to report any safety, sexual assault, sexual harassment, discrimination, bullying and cyber security concerns to Staff or relevant authorities promptly to assist ASA in upholding a safe and holistic campus culture and eradicating gender-based violence. Students will be supported and counselled appropriately in these contexts.

6.5 Responsibilities of Contractors, Visitors, any other persons

- Contractors, visitors, and any other persons are required to comply with WHS, welfare, and information technology policies and procedures while on ASA premises.

- Contractors must adhere to welfare and cyber security requirements specified in their

contracts and agreements.

- Contractors, visitors, and any other persons must report any hazards, incidents (including cyber incidents), breaches, near misses, or suspicious activities promptly to staff.

- ASA encourages contractors, visitors, and any other persons to report any sexual assault, sexual harassment, discrimination, or bullying promptly to staff or relevant authorities.

7. Risk Management

7.1 Hazard Identification and Risk Management

- Regular assessments will be conducted to identify workplace hazards and assess associated risks.

- In addition to physical hazards or incidents, cyber security risks will be assessed to identify vulnerabilities and potential threats to information systems and data. Refer to the Cyber Security Policy and associated procedure and plan for more information.

- Measures will be implemented to eliminate or mitigate identified risks, including cyber security risks and protect against unauthorised access, data breaches and cyber attacks.

7.2 Incident Reporting and Investigation

- All incidents, injuries, and near misses must be reported immediately.

- Procedures will be established for reporting and investigating cyber security incidents, breaches, or suspicious activities.

- Response plans will be developed to address cyber security incidents promptly and minimise their impact on operations and data integrity.

- Investigations will be conducted to determine the root cause of incidents and implement corrective actions to prevent recurrence.

8. Compliance

- Compliance with this policy is mandatory for all individuals associated with ASA.

- Non-compliance may result in disciplinary action.

9. Relevant HESFs

This Policy and the associated Procedure comply with Higher Education Standards Framework (2021) which specifies that:

Standard 1.3 Orientation and Progression […]
2.   Specific strategies support transition, including: […]
      c.   providing access to informed advice and timely referral to academic or other support. […]

Standard 2.3 Wellbeing and Safety
1.   All students are advised of the actions they can take, the staff they may contact and the support services that are accessible if their personal circumstances are having an adverse effect on their education.
2.   Timely, accurate advice on access to personal support services is available, including for access to emergency services, health services, counselling, legal advice, advocacy, and accommodation and welfare services.
3.   The nature and extent of support services that are available for students are informed by the needs of student cohorts, including mental health, disability and wellbeing needs.

4. A safe environment is promoted and fostered, including by advising students and staff on actions they can take to enhance safety and security on campus and online.
5. There is a critical-incident policy together with readily accessible procedures that cover the immediate actions to be taken in the event of a critical incident and any follow-up required.

Standard 6.2 Corporate Monitoring and Accountability
1. The provider is able to demonstrate, and the corporate governing body assures itself, that the provider is operating effectively and sustainably, including: [...]
   a. the governing body and the entity comply with the requirements of the legislation under which the provider is established, recognised or incorporated, any other legislative requirements and the entity's constitution or equivalent […]

10. Version Control

This Policy has been reviewed and approved by the ASA Board of Directors as at April 2024 and is reviewed every year.

The Policy, with associated Procedure, are published and available on the ASA website https://www.asahe.edu.au/policies-and-forms/.

Change and Version Control				
Version	Authored by	Brief Description of the changes	Date Approved:	Effective Date:
2024.2	Project Officer	Document formatting updated to reflect change of Trading Name to ASA Institute of Higher Education	28/06/2024 by CEO	01/07/2024
2024.1	Director Learning and Innovation	Updated policy to include HESF references, changes in regulatory compliances. Benchmarked against 6 other Higher Education Providers.	26/04/2024	08/05/2024
Previous version archived. New Policy code and numbering system implemented.				
3.0		Board of Directors approval	09/03/2022	
2.0		Academic Board approval	09/11/2020	
1.0		Academic Board approval	19/05/2020	