



Health and Safety in Early Childhood Education

Duty holders and their responsibilities under the Health and Safety at Work Act 2015

Duty Holder	Definition	ECE Position(s)	Responsibilities
Person conducting a Business or Undertaking (PCBU)	The PCBU is usually a legal or corporate entity, including a self-employed person. They have the primary duty of care for the health and safety of workers and others.		<p>The PCBU must ensure the health and safety at the workplace of:</p> <ul style="list-style-type: none"> all workers other people, by ensuring they are not put at risk from work being carried out. <p>This means the PCBU must, among other things:</p> <ul style="list-style-type: none"> provide a safe and healthy environment for workers, including access to facilities provide the right information and training to all workers provide and allow for worker participation in health and safety matters notify all serious illness, injury or near misses monitor workers' health and workplace conditions to prevent illness or injury.
Officers	<p>Officers have significant influence over the management of the business or undertaking. They must exercise due diligence to ensure the PCBU meets its health and safety obligations.</p> <p>NOTE: People who merely advise or make recommendations to an officer of the organisation are not officers.</p>		<p>Officers must take reasonable steps to:</p> <ul style="list-style-type: none"> know about current work health and safety matters understand the hazards/risks associated with the workplace operations make sure there are resources and processes for managing risks ensure there are processes for receiving and reviewing information on and responding to incidents, hazards and risks ensure workplace health and safety processes and resources are being used.
Workers	<p>Workers work for the business or undertaking and can include:</p> <ul style="list-style-type: none"> employees contractors or subcontractors and their workers labour hire company employees apprentices or trainees people on work experience or a work trial volunteer workers whose work is integral to the business' operations <p>NOTE: <u>Other volunteers</u>, such as for fundraising, <u>are not workers</u>.</p>		<p>Workers must:</p> <ul style="list-style-type: none"> take reasonable care for their own health and safety take reasonable care that their behaviour does not adversely affect the health and safety of others report any incident, risk or hazard to an officer or health and safety representative comply with any reasonable instruction from the PCBU to allow the PCBU to comply with the Act cooperate with the PCBU's health and safety policies or procedures inform visitors etc of any known hazards or risks in the workplace.
Health and safety representatives	<p>Health and safety representatives are workers who are elected to represent a defined workgroup.</p> <p>A workgroup is a defined group of workers who are represented by one or more health and safety representatives. The workgroup may be defined by physical location, a business group or a group of workers who have common risks.</p>		<p>Health and safety representatives can:</p> <ul style="list-style-type: none"> represent workers on health and safety matters investigate complaints from workers about health and safety issues monitor health and safety measures taken by the PCBU provide feedback to the PCBU about health and safety compliance issue provisional improvement notices and direct work group members to cease unsafe work if appropriate.
Other persons	Other persons include parents, visitors, other volunteers, general public and those who may be put at risk by the work of the PBCU. It <u>does not include</u> people who unlawfully enter the premises.		<p>Other persons should:</p> <ul style="list-style-type: none"> take reasonable care for their own health and safety take reasonable care that that their behaviour does not adversely affect the health and safety of others comply with any reasonable instruction from the PCBU to allow the PCBU to comply with the Act.
	Other persons include children.		In the ECE context, children at ECE services, kōhanga reo and playgroups have no responsibility for their own health and safety.