

Duty of Care

SAFETY AWARENESS KEPT SIMPLE

Safety Talk Delivery Pack

This Safety Talk contains:

- 9 - Page Talk Text
- 10 - OHP Presentation Slide Pack
- 20 - A5 Talk Handout Sheets
- Assessment and Assessment Answers Sheet
- Employee Attendance Register
- A "How to Present Safety Talks Guide"

Using the talks (Extract "How to Present Safety Talks"):

Plan which topic you want to discuss with your team.

Read through the script before you hold the meeting to familiarise yourself with the material.

Start the talk with a comment that makes the topic relevant to the team. For example, if you have seen a number of people using ladders incorrectly, use this as your opening comment.

Follow the script but don't read straight from the page. The script is only a prompt and it will sound better if you use your own words.

Ask the questions as they appear in the script. It is important you do this because they are a lead in to the next section of your talk.

Give the team enough time to answer the questions. Safety talks can be boring for the team if you are the only one talking.

Hand out the information sheets as they appear in the script. Don't hand out all the information sheets at the start of the talk otherwise there is a temptation for the team to read ahead and not listen to the points you are making.

Collect the information sheets at the end of the talk so they can be used again.

To obtain your Safety Talk Delivery Pack go to: www.smartsafe.com.au

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INTRODUCTION

Many people do not realise that refusing or failing to observe company safety rules and safety procedures or instructions from their supervisor is, in fact, breaking the law.

People don't appreciate that, as an employee, they have certain legal obligations with regard to their own safety and the safety of other people in their workplace.

A failure to recognise and meet these legal obligations can result in:

- injury or harm to yourself;
- injury or harm to other people; and
- you being prosecuted.

Occupational safety legislation operates in the same fashion as other aspects of the law. Ignorance of the law is no defence for committing an offence.

For this reason it is important that you recognise and understand what your responsibilities are under the Duty of Care.



LEARNING OUTCOMES

By the end of this talk you will understand:

- the employee's duties;
- the employer's duties; and
- the consequences of not meeting your responsibilities.

WHAT IS THE DUTY OF CARE?

Many of you have probably heard the term Duty of Care before.

	<i>“What is Duty of Care and what is it designed to do?”</i>
	Hand out sheet 1 – Duty of Care

Duty of Care refers to the legal duties that employees and employers have to one another to provide and maintain a safe place of work for everyone.

One way of understanding how the duties of employer and employee fit together is to imagine the Duty of Care to be like a coin.

A coin can only have value when it has two sides. If you take one side away from the coin, you will no longer have a valuable commodity, just a lump of metal.

The same is true with the Duty of Care. Achieving a safe place of work requires both the employer and the employee to meet their respective duties.

Sample OHP Presentation Slide

Sheet 1 – Duty of Care

Employee duties



Employer duties

In order to provide and maintain a safe place of work for all concerned, employees and employers have legal duties to carry out.

Like a coin, the Duty of Care requires two sides in order to be of value.



Sample A5 Handouts

Sheet 5 – Bryan Smith



Bryan has failed to ensure the safety and health of another employee by not cleaning up the oil spill.

He tried to pass the responsibility on to the Supervisor.

He identified the hazard but failed to correct the problem immediately.

He left the hazard for others to fix. Just informing the Supervisor about the problem does not meet his Duty of Care responsibility.

Duty of Care – ST001

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Sheet 5 – Bryan Smith



Bryan has failed to ensure the safety and health of another employee by not cleaning up the oil spill.

He tried to pass the responsibility on to the Supervisor.

He identified the hazard but failed to correct the problem immediately.

He left the hazard for others to fix. Just informing the Supervisor about the problem does not meet his Duty of Care responsibility.

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