



Western Cape
Government

Department of Community Safety

Occupational Health and Safety Policy

2022/ 2023

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1. Terminology

Unless the context *indicates* otherwise, these terms shall have the following meaning:

CONCEPT/TERM	MEANING
Accident	an unexpected and undesirable event, especially one resulting in damage or harm to an employee resulting in personal injury, illness or death of the employees
Contingency Plan	a plan or procedure that will take effect if an emergency occurs
Department	the Western Cape Department of Community Safety
Employee	means any person who is employed by or works for the employer and who receives or is entitled to receive any remuneration or who works under the direction or supervision of the employer
Employer	Western Cape Government: Department of Community Safety
Hazard	any source of potential damage, harm or adverse health effects on something or someone
Housekeeping	Keeping work areas neat and orderly by maintaining halls and floors free from slip and trip hazards and removing of waste material/other fire hazards
Inspector	Means a person designated under Section 28 of the OHS Act
OHS Act	means the Occupational Health and Safety Act 85 of 1993, also referred to the Act in the context of this document
Personal Protective Equipment (PPE)	clothing and equipment that is worn or used in order to provide protection against hazardous substances or environments
Reasonably Practicable	practicable having regard to the severity and scope of hazard or risk concerned; the state of knowledge reasonably available concerning that hazard or risk and of any means of removing or mitigating that hazard or risk; the availability and suitability of means to remove or mitigate that hazard or risk in relation to the benefits deriving therefrom
Risk	probability that a person will be harmed or experience an adverse health effect if exposed to a hazard. It may also apply to situations with property or equipment loss, or harmful effects on the environment
Safe	free from any hazard
Workplace	Means any premises or place where a person performs work in the course of his employment

2. Western Cape Government Values

OUR CORE VALUES

These values are our guiding principles for what we stand for and believe in.



Caring

To care for those we serve and work with.



Competence

The ability and capacity to do the job we were employed to do.



Accountability

We take responsibility.



Integrity

To be honest and do the right thing.



Innovation

To be open to new ideas and develop creative solutions to problems in a resourceful way.



Responsiveness

To serve the needs of our citizens and employees.

3. Introduction

The Occupational Health and Safety Act, Act no. 85 of 1993 provides for procedures to create a safe working environment for all persons at work and places an obligation on the employer and employees to maintain a safe working environment.

The Department of Community Safety (DOCS) recognizes its employees to be its most valuable asset and undertakes to safeguard them through providing and maintaining as far as reasonably practical, a working environment that is safe and without risks to their health and safety.

4. Purpose

The purpose of this policy is to provide occupational health and safety guidelines for all employees within the Department of Community Safety as well as to set out the occupational health and safety structure, roles and responsibilities of each function in line with the Occupational Health and Safety Act, Act no. 85 of 1993.

5. Scope

This policy shall apply to all employees of the Department of Community Safety, its divisions, visitors, clients and contractors, without exception.

6. Objectives

The primary objective of this policy is to eliminate work-related accidents and diseases in the workplace. This requires the adoption and implementation of a culture of prevention by both the employer and employees.

In order to achieve this, the department seeks to:

- Provide and maintain, as far as reasonably practical, offices, systems, work procedures and equipment that are safe and without risk to the health of staff.

- Take steps to eliminate as far as reasonably practical, any hazards or potential hazards to the safety and health of employees before resorting to Personal Protective Equipment.
- Take all the necessary measures to ensure compliance to the OHS Act.

7. Normative References

Publications that provided information or guidance for the development of this document are listed below:

- Occupational Health and Safety Act 85 of 1993, as amended
- ISO 45001 Occupational Health and Safety Management Systems

8. Regulatory Framework

This policy draws its mandate from the following prescripts, policies and statutes:

- Constitution of the Republic of South Africa, 1996 (Act No. 108 of 1996)
- Occupational Health and Safety Act 85 of 1993, as amended
- Compensation for Occupational Injuries and Diseases Act 130 of 1993, as amended
- Basic Conditions for Employment Act 75 of 1997, as amended
- Labour Relations Act 66 of 1995, as amended
- Public Service Regulations, 2016
- Western Cape Government SHERQ Policy

9. Policy Statement

As the Accounting Officer together with Senior Management of the Department, in striving for excellence we recognise that the health and safety of every person involved in our operations is our most important responsibility.

Our commitment to providing a safe and healthy working environment for our operations shall include:

- Building a safety culture that enables every employee to think and participate in health and safety.
- Consider the health and safety hazards and risks associated with our activities and processes and take effective control measures to reduce these.
- Comply with the relevant legislative requirements.
- Strive to continuously improve our health and safety performance and workplace conditions by setting ourselves health and safety objectives and targets, supported by effective and sustainable programs.
- Regularly review our performance, actions and compliance and where required take corrective or preventative actions.
- Communicate on health and safety matters with our stakeholders.
- Demand a sincere and sustained commitment from management to provide a safe and healthy work environment for all.

The DOCS Policy Statement is reflected in Annexure 1.

10. Responsibilities and Obligations

It is the responsibility of both the employer as well as all employees to ensure a safe and healthy working environment on the premises of the Department.

10.1 Responsibilities of the Head of Department

Public Service Regulations, 2016, Chapter 4, part 3, paragraph 53 stipulates that "a head of department shall maintain a safe and healthy work environment for employees of the department and a safe and healthy service delivery environment for members of the public".

Section 16 of the OHS Act outlines the responsibilities of the Head of Department. As such the DOCS Head of Department (HOD) shall as far as it is reasonably practicable ensure that all activities relating to health and safety are conducted and discharged according to the OHS Act.

As per Section 16 (2) of the Act, without derogating from her responsibility or liability the HOD may assign any duty to any person under her control who shall:

- act subject to the control and directions of the Head of Department
- bear the authority and powers of ensuring that all necessary activities are executed in terms of the Act.

10.2 Responsibilities of the Employer

The Department shall provide and maintain all equipment that is necessary to perform work and all systems according to which work must be done, in a condition that will not affect the health and safety of employees. Protective equipment shall be provided, as a last resort where it is required to mitigate risks and hazards.

To ensure that these duties are complied with, the Department shall (as prescribed by Section 8 of the OHS Act):

- take measures to protect employee's health and safety against hazards that may result from the production, processing, use, handling, storage or transportation of articles/substances i.e. anything that employees come into contact with at work.
- ensure that appointed first aiders are equipped with a first aid kit that would be accessible to all employees in case of emergency.
- identify potential hazards which may be present while work is being done, something is being produced, processed, used, handled, stored or transported.
- provide precautionary measures and means to implement the measures that are necessary for any equipment, which is being used to protect employees against hazards. This must be done by providing the necessary information, instructions, training and supervision while keeping the extent of employee's competence in mind. i.e. a list of what employees may and may not do, (e.g.

not permit anyone to carry on with any task unless the necessary precautionary measures have been taken).

- take steps to ensure that every employee complies with the requirements of this policy.
- enforce the necessary control measures in the interest of health and safety.
- ensure that each employee is trained and understands the hazards associated with the work he/she is performing.
- ensure that the Occupational Health and Safety precautionary measures are implemented and maintained.

10.3 Responsibilities of Employees

Whilst the Department shall fulfil its responsibilities as the employer, there are duties that the employees shall carry out as informed by Section 14 of the OHS Act, that is:

- take care of their own health and safety, as well as that of other employees who may be affected by their actions or negligence at work.
- carry out any lawful order given and obey the health and safety rules and procedures laid down by the employer or by any other authorized person in the interest of health and safety.
- if any situation which is unsafe or unhealthy it is the duty of the employee to report this to the employer or to the health and safety representative as soon as practicable.
- if employees are involved in an incident that may affect their health or has caused an injury to himself, they shall report that incident to their supervisor or health and safety representative as soon as practicable, but not later than the end of day during which the incident occurred.

11. Hazard Identification and Risk Assessment (HIRA)

The department in accordance with the OHS Act Section 8 (d) shall as far as reasonably practicable establish what hazards in the workplace may result in injury or ill health. This shall be done by conducting a Hazard Identification Risk Assessment

(HIRA). The baseline HIRA provides a quantitative evaluation of hazards in the workplace and their associated risks as well as an evaluation of the current control measures in place.

The results of the HIRA shall inform management on the hazards in the workplace and provide recommendations to mitigate against such hazards, thus improving the health and safety of all that fall within the scope of this document.

In the event of a significant injury, an occupational health and safety risk assessment shall be conducted by the OHS component.

12. Risk Mitigation

As contemplated in Section 8 (2) (d) of the Act, the Department shall, as far as reasonably practicable, establish what control measures should be implemented to protect the health and safety of its employees. As far as possible, the Department will follow the principle of implementing the hierarchy of controls as indicated in the figure below.

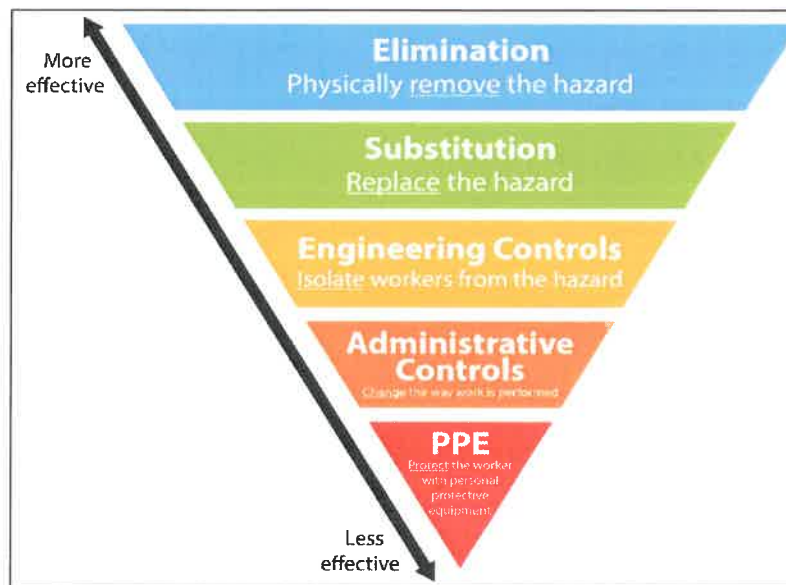


Figure 1: Hierarchy of Controls

If for any reason it is not possible to eliminate or mitigate against potential hazards to the health and safety of the employees the employer, as a last resort, shall provide employees with appropriate Personal Protective Equipment (PPE) as and when required.

13. Occupational Health and Safety Committee

With reference to Section (19) of the Act, an employer shall establish a health and safety committee where two (2) or more health and safety representatives have been designated. The Occupational Health and Safety Committee shall hold meetings as often as required, but at least once every three (3) months. Please refer to Annexure 2 for the terms of reference for the DOCS occupational health and safety committee.

14. Health and Safety Representatives

14.1 Designation of Health and Safety Representatives

Section 17 of the OHS Act stipulates the requirements on the designation of health and safety representatives. Every employer who has more than twenty (20) employees may designate in writing for a specified period of time health and safety representatives for such workplace. In the case of offices there shall be one (1) health and safety representative appointed for every hundred (100) employees or part thereof. The following shall apply to the appointment of health and safety representatives in the Department:

- Only officials who are appointed in a full-time capacity at a specific workplace and who are familiar with the conditions and activities at such a workplace will be eligible to be nominated and elected as health and safety representatives.
- Health and safety representatives will be nominated from amongst the employees at a workplace and if the nominees accept, they will be appointed accordingly and issued with appointment letters. Where more nominations are received than the number of health and safety representatives required, a ballot will take place to democratically elect the required number of representatives from amongst the nominees. For this purpose, every employee at a workplace will have one vote.
- Only where the process above does not provide the required number of health and safety representatives, will the employer be allowed to designate for a specified period an employee at such a workplace, as health and safety representatives. In this situation the employer may also call for and consider volunteers for such a position.

14.2 Functions of the health and safety representatives

In terms of Section 18 of the Act, the health and safety representatives may perform the following functions:

- Review the effectiveness of health and safety measures;
- identify potential hazards and potential incidents in the workplace by conducting monthly inspections;
- together with the employer investigate incidents and complaints from workers regarding health and safety matters and report them in writing to the Occupational Health and Safety Committee;
- accompany an inspector on any inspection;
- work in collaboration with the Department in promoting a safe and health hazard free environment;
- serve as members of the Occupational Health Safety Committee, without derogating from his/her responsibility;
- attend health and safety committee meetings.

14.3 Failure to fulfil duties

A health and safety representative may be removed from office for the following reasons:

- Dereliction of duty
- Repeated failure to carry out their assigned duties or instructions
- Resignation/ transfer

The request for the removal of a health and safety representative may be instigated by employees in the workplace or the employer. If a representative is found guilty after an enquiry, the employer will issue a letter informing him/her that he/she has been removed from the position of health and safety representative.

15. Training and Awareness

As stipulated in Section 8 (1) (d) of the Act, the employer shall provide information, training instructions and supervision to ensure, as far as reasonably practicable, the health and safety of its employees whilst at work.

Hereunto, DOCS shall ensure the following:

- An OHS awareness and training programme must be developed and implemented by the Departmental OHS Manager in collaboration with the OHS Committee.
- All employees shall be required to attend OHS awareness and training in order to assist them in fulfilling the requirements of the general duties of employees as contemplated in section 14 of the Act.
- Where applicable external training shall be provided for OHS officials, that is the health and safety representatives, first aiders, fire marshals, incident investigators and emergency controllers.
- Periodic OHS awareness campaigns will be conducted in the Department as a preventative measure.
- The senior manager within the business unit shall be responsible for releasing his/her emergency team for compulsory training and awareness sessions.

16. Emergency Preparedness

- The sub-directorate Occupational Health and Safety shall develop and implement the emergency evacuation plan within the Department to ensure smooth evacuation of the building during an emergency.
- Evacuation drills shall be exercised twice a year to evaluate the effectiveness of the plan and improve upon any shortfalls that may be identified.
- A detailed Emergency Preparedness and Response Plan is attached in *Annexure 3*.

17. Communication of the Policy

The Policy Statement shall, as contemplated in Section 7 (3), be displayed in prominent places where officials report for work, namely the foyers at 35 Wale Street. The policy statement and OHS Policy shall be uploaded to the departmental website for all employees to read.

18. Policy Review

The OHS Manager of the Department, assisted by the OHS Committee, must ensure that this OHS Policy and its associated directives are reviewed and updated on an annual basis. In the event of a significant OHS incident or change in legislation, amendments shall be made accordingly.

19. Implementation of the Policy

- The OHS Manager, assisted by the departmental OHS Committee must manage the implementation of the policy and its associated directives
- The implementation of the departmental OHS Policy and its associated directives is the responsibility of every individual this policy is applicable to.

21. Monitoring of Compliance

The Management, supervisors and health and safety committee members shall be responsible for monitoring compliance of the policy.

22. Enforcement of Policy

Senior management and supervisors are responsible for the enforcement of this policy.

23. Approval

Approved by:



ADV. Y PILLAY

HEAD OF DEPARTMENT

DATE: 2022 -04- 14

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Department of Community Safety

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