

Department of Justice and Attorney-General

Workplace Health and Safety Queensland

Children and young workers

Code of Practice 2006

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1. Introduction

In Queensland, the *Work Health and Safety Act 2011* (the Act) provides for the protection of all people at workplaces, including children and young workers. This legislation covers children who are working as well as children who are in a workplace for any other reason. The Act places the responsibility for workplace health and safety upon persons conducting a business or undertaking. This responsibility applies to the person conducting a business or undertaking whether the business or undertaking is conducted alone or with others, and regardless of whether or not the business or undertaking is conducted for profit. The Act also places responsibility on others responsible for work activities such as persons conducting a business or undertaking with management or control of the workplace, or persons conducting a business or undertaking with management or control of fixtures, fittings or plant at the workplace.

The Act also requires workers to take reasonable care for his or her own health and safety, take reasonable care that his or her actions do not adversely affect the health and safety of other persons, and to comply and cooperate with any reasonable instruction, policy or procedure of the person conducting a business or undertaking which relates to health and safety at the workplace. When children are employed, they have the same duties as any other workers under the Act.

This code of practice has been written for workplaces where children and young workers are likely to be. It is based on the understanding that there are some special characteristics of children and young workers to consider when managing workplace health and safety. Young workers may not make mature decisions about how to work safely. They may leap into situations before thinking about their own safety and the safety of others. They may not be capable of taking on the same work as adults in the workplace. Young workers may be keen to work, but may need more experience and training before they can work safely on their own. Children can be playful and adventurous at times when there is a need for great care. Sometimes their natural curiosity will take them into dangerous situations in workplaces, even when they are warned not to be there.

This *Children and Young Workers Code of Practice 2006* is an approved code of practice under section 274 of the Act. An approved code of practice is a practical guide to achieving the standards of health, safety and welfare required under the Act and the *Work Health and Safety Regulation 2011* (the Regulation).

A code of practice applies to anyone who has a duty of care in the circumstances described in the code. In most cases, following an approved code of practice would achieve compliance with the health and safety duties in the Act, in relation to the subject matter of the code. Like regulations, codes of practice deal with particular issues and do not cover all hazards or risks which may arise. The health and safety duties require duty holders to consider all risks associated with work, not only those for which regulations and codes of practice exist.

Codes of practice are admissible in court proceedings under the Act and Regulation. Courts may regard a code of practice as evidence of what is known about a hazard, risk or control and may rely on the code in determining what is reasonably practicable in the circumstances to which the code relates.

Compliance with the Act and Regulation may be achieved by following another method, such as a technical or an industry standard, if it provides an equivalent or higher standard of work health and safety than the code.

An inspector may refer to an approved code of practice when issuing an improvement or prohibition notice.

In providing guidance, the word 'should' is used in this Code to indicate a recommended course of action, while 'may' is used to indicate an optional course of action.

This Code also includes various references to provisions of the Act and Regulation which set out the legal requirements. These references are not exhaustive. The words 'must', 'requires' or 'mandatory' indicate that a legal requirement exists and must be complied with.

Who has duties?

A **person conducting a business or undertaking** has the primary duty under the Act to ensure, as far as reasonably practicable, that workers and other persons are not exposed to health and safety risks arising from the business or undertaking.

Officers, such as company directors, have a duty to exercise due diligence to ensure that the business or undertaking complies with the Act and Regulation. This includes taking reasonable steps to ensure that the business or undertaking has and uses appropriate resources and processes to provide and maintain a safe work environment.

As discussed above, **workers** have a duty to take reasonable care for their own health and safety and that they do not adversely affect the health and safety of other persons. Workers must comply with any reasonable instruction and cooperate with any reasonable policy or procedure relating to health and safety at the workplace.

Consulting with workers

Consultation involves sharing of information, giving workers a reasonable opportunity to express views and taking those views into account before making decisions on health and safety matters.

The Act requires that you consult, so far as is reasonably practicable, with workers who carry out work for you who are (or are likely to be) directly affected by a work health and safety matter.

If the workers are represented by a health and safety representative, the consultation must involve that representative.

You must consult your workers when proposing any changes to work that may affect their health and safety.

Consulting, cooperating and coordinating activities with other duty holders

The Act requires that you consult, cooperate and coordinate activities with all other persons who have a work health or safety duty in relation to the same matter, so far as is reasonably practicable.

Sometimes you may share responsibility for a health and safety matter with other business operators who are involved in the same activities or who share the same workplace. In these situations, you should exchange information to find out who is doing what and work together in a cooperative and coordinated way so that all risks are eliminated or minimised as far as reasonably practicable.

Further guidance on consultation is available in the *Work Health and Safety Consultation, Coordination and Cooperation Code of Practice*.

1.1 How is this code of practice structured?

Section 2 of this code of practice considers when a child is at the workplace. Eight different groupings of young workers and children in workplaces are identified, and a definition of “workplace” is provided.

Section 3 looks at children who are at the workplace as workers. It includes general information about the duties of persons conducting a business or undertaking towards workers and the special characteristics that they should consider when young workers are employed. The particular hazards that young workers may face at a workplace are described and methods for controlling the exposure to risks associated with these hazards are discussed.

Section 4 of the code covers children visiting workplaces. This section explains the duties of persons conducting a business or undertaking and others towards visitors and others. It also includes information about the special characteristics of children, workplace hazards that are likely to represent particular risk to these visitors, and controlling risk for children who may be visiting the workplace.

Section 5 provides further information on how the risks associated with children and young workers can be managed. The *How to Manage Work Health and Safety Risks* Code of Practice provides practical advice on the risk management process including the conducting of a risk assessment for the workplace. The information provided in sections 3 and 4 can be used by persons conducting a business or undertaking when performing a risk assessment for their workplace.

Section 6 can be used to assist in the training and supervision of young workers. It contains information on induction training for young workers, and also includes information about their duties as workers, their right to refuse work and the responsibility of all workers to avoid putting other workers at risk.

2. When is a child at a workplace?

To answer this question, this section describes the groups of children and young people that may be at a workplace. This section also defines a “workplace”.

2.1 Children and young workers

Children are people who are under 18 years of age. Within this code of practice, young workers are people who are under 18 years of age and who are performing work for the purposes of a business or undertaking.

Young workers

Young workers include the following:

- Children leaving school and entering full-time employment for the first time, including apprentices and trainees.
- Children engaged in part-time or casual employment.
- Children who work but are not paid for the work done, such as unpaid work done for a family business (excluding domestic chores).
- Work experience students and vocational education and training students who are still attached to the education and training system.

Children in workplaces

- Children who are part of the work process, such as customers in a shop.
- Children not engaged in a work activity, but brought to a workplace by a parent or other adult at any time.
- Children who live in the workplace.
- Children who enter workplaces unexpectedly at any time.

2.2 Definition of ‘workplace’

The Act defines a workplace as a place where work is carried out for a business or undertaking and includes any place a worker goes, or is likely to be, while at work. This definition includes places commonly recognised as workplaces, such as shops, factories, construction sites, hospitals, farms and rural properties. It also includes many other types of less obvious workplaces, such as a vessel used for teaching members of the public to scuba dive and a vehicle supplied by the person conducting the business or undertaking for use by a worker in the performance of work. Certain workplaces, such as mines, are not covered by this code of practice.

2.3 When is a child at a workplace?

Some examples of when children are at workplaces include when they:

- participate in work experience programs
- attend special work programs for disabled people
- go to work on a casual basis after school or during school holidays
- go to a parent’s workplace at any time, for example, during school holidays
- receive treatment in a hospital, medical centre or centre for the disabled
- live on a farm or other workplace
- ride in a truck, tractor, or other vehicle used for work
- help with farm work
- help in a family shop or business, and
- enter a backyard shed or work area used by a person who works from home.

Children in workplaces may be playing, they may have strayed onto the workplace, a parent or person who works at the workplace may have taken them onto the workplace, or they may be workers themselves. The reason children are in the workplace makes no difference to the fact that the work health and safety legislation provides for their protection from the risk of death, injury or illness being caused by:

- a workplace
- a relevant workplace area
- work activities, and
- plant or chemicals for use at a workplace.

3. Young workers

This section looks at children who are at the workplace as workers. There are general provisions in the Act about the health and safety of all workers, including young workers. These provisions apply to full-time, part-time, casual work and unpaid work, such as work in a family business, on a farm or assisting a parent who works at home. The definition of ‘worker’ also covers apprentices, trainees, subcontractors and volunteers.

3.1 Duties of persons conducting a business or undertaking

Under the Act, persons conducting a business or undertaking have a duty to ensure the workplace health and safety of all people who perform work for them. This duty extends to all workers and the definition of ‘worker’ includes contractors and volunteers who perform work for the business or undertaking. The duty also applies to any other person who can be affected by the work carried out as part of the business or undertaking.

Under the Act, persons conducting a business or undertaking have the following duties:

- providing and maintaining a work environment without risks to health and safety
- providing and maintaining safe plant and structures
- ensuring the safe use, handling and storage of plant, structures and chemicals
- providing adequate facilities for workers and ensuring access to those facilities
- providing information, training, instruction or supervision that is necessary to protect all persons from risks to health and safety arising from the work carried out as part of the business or undertaking
- monitoring the health of workers and the conditions at the workplace for the purpose of preventing illness or injury to workers from the conduct of the business or undertaking.

3.2 Special characteristics of young workers

Persons conducting a business or undertaking owe duties regarding workplace health and safety, and should follow the risk management process (see the *How to Manage Work Health and Safety Risks* Code of Practice) to manage health and safety at their workplace. Some of the special characteristics of young workers that may affect workplace health and safety are:

Characteristic	Implication
The size of the person and level of physical maturity.	Are young farm hands physically capable of handling large and cumbersome bags of seed?
Their general behaviour and maturity.	What might happen if young workers “skylark” around industrial machinery or in areas where chemicals are used in large open baths or vats?
Their work experience and training.	Would a young worker in a chemical assay laboratory understand that a chemical-resistant apron was needed for protection from the chemicals in use? That is, do young workers recognise hazards and understand the control measures in place to manage the risks associated with the hazards?
Their confidence to raise problems with their supervisors.	Would young workers feel confident to tell their supervisor that they are having difficulty performing a particular task? Would they tell their supervisor when their muscles are tired from repetitive work? Would they feel confident to make a complaint about another worker’s language or behaviour towards them?

<p>Their ability to make mature judgements about their own safety and the safety of others.</p>	<p>Would young workers on a remote station consider packing food, water, tools to repair a flat tyre and first aid equipment before they set off to ride motorbikes a long distance?</p>
<p>Their ability to cope with unexpected and stressful situations.</p>	<p>What would a young worker in a family shop do if confronted by aggressive customers or robbers, if there was no adult present at the front counter?</p>
<p>Special characteristics that mean young workers are more likely to be affected than adults in the same situation.</p>	<p>Should young workers be required to work at the same rate as adults when their muscles and bones are not fully developed?</p>

3.3 Particular hazards for young workers

The following hazards are likely to represent a particular risk to young workers compared with older, more experienced workers. Persons conducting a business or undertaking should pay attention to these hazards and make sure associated risks are managed using the risk management process as described in the *How to Manage Work Health and Safety Risks Code of Practice*.

Throughout this section of the code, numerous documents will be referred to. Unless stated otherwise, these documents are available on the Workplace Health and Safety Queensland website www.worksafe.qld.gov.au.

3.3.1 Physical work activity

Hazardous manual tasks

Young workers may be at greater risk of manual tasks injuries because of their smaller size and the fact that their muscle strength is still developing. They may misjudge the degree of difficulty when handling items that are heavy, bulky or out of reach and may persist when a more experienced worker would ask for assistance.

For more information about managing manual tasks risks, please refer to the *Hazardous Manual Tasks Code of Practice*.

Repetitive work

Injuries to the muscles and joints may occur in jobs where repetitive or forceful movements are required, especially with awkward postures or insufficient recovery time. Young workers may not be able to recognise the early symptoms of work-related overuse injuries or know what to do to avoid more serious injuries.

Vibration

Young workers may face a greater risk of injury to the arm and shoulder following long periods using tools and equipment that vibrates. They may become tired more easily in situations where they have to maintain a tight grip on a piece of equipment to control it.

Regular exposure to whole-body vibration, such as when riding in off-road vehicles on uneven surfaces, may be associated with back pain and other spinal disorders. Young workers may be at greater risk of damage to the spine because their muscle strength is still developing and their bones do not fully mature until around 25 years of age.

Noise

Young workers may face a greater risk of damaged hearing because of their poor understanding of the effects of excessive noise and failure to follow safety instructions. Research suggests that hearing impairment at a young age is likely to affect education and employment opportunities later in life.

For more information about managing noise risks, please refer to the *Managing Noise and Preventing Hearing Loss at Work Code of Practice*.

Extreme cold or heat

In the Queensland climate, there may be a high risk of workers collapsing due to heat exhaustion or potentially fatal heat stroke. Some industrial protective clothing may also prevent loss of body heat.

Young workers may not be able to recognise the early body reactions to extreme heat or cold, or know what to do to avoid more serious symptoms. They may also be unwilling to draw attention to the fact that they feel unwell in situations where they are trying to keep up with other workers.

For more information about managing environmental risks, please refer to the fact sheets regarding heat stress on the Workplace Health and Safety Queensland Website at www.worksafe.qld.gov.au.

Sunburn

The risk of sunburn may be increased in young workers who may be less likely to follow instructions to limit sun exposure or to use protective clothing and sunscreen lotions. As the effects of skin damage due to sun exposure are long term, the effects often do not become evident until later in life.

Hazardous chemicals and other substances

There may be greater risk of exposure to hazardous chemicals and accidents with explosive and flammable liquids and gases when young workers are involved, because of their inexperience and poor ability to understand the consequences of failing to follow safety instructions.

Young workers may be unsure of how to access safety information in Safety Data Sheets (SDSs) for hazardous chemicals and they may not understand them if they do have access to them. Exposure to certain chemicals may have more serious consequences for young workers than adults, e.g. the effects of lead.

Safe work procedures and the proper use, wear, storage and maintenance of personal protective clothing and equipment may need to be closely supervised to avoid serious injury or disease. Farm workers should undertake a recognised chemical safe course such as *ChemCert*.

For more information about managing the risks associated with chemicals, please refer to the *Hazardous Chemicals Code of Practice*, the *Labelling of Workplace Hazardous Chemicals Code of Practice* and the *Preparation of Safety Data Sheets for Hazardous Chemicals Code of Practice*.

3.3.2 Operating machinery

Industrial equipment and machinery

Inexperience may result in poor ability to identify hazards associated with the operation of industrial equipment and machinery or to understand the consequences of failing to follow safe operating instructions.

For more information about managing the risks associated with machinery, please refer to the *Plant Code of Practice* and the *Rural Plant Code of Practice*.

Vehicles

Young workers, with no experience driving vehicles on roads, may be required to drive vehicles and ride motorbikes in off-road situations, such as work on rural properties. They may also be required to move vehicles in other workplaces, such as within construction sites, depots, maintenance workshops and rail yards. Young workers, without the necessary skill or training, should not be operating vehicles on any work site.

Young workers may be less likely to be able to control a vehicle and more likely to take risks resulting in breakdowns and accidents. They may not have the experience to cope with off-road situations, such as driving in sand or mud. Lack of experience may also affect young workers' ability to survive if stranded in remote locations.

All terrain vehicles and farm bikes

All terrain vehicles (ATVs) and farm bikes can be hazardous. These vehicles are used for work and are capable of reaching high speeds. Injuries generally tend to be due to rider error. The risk of injuries is much greater among inexperienced ATV drivers than those who have received training. Young workers should have proper instruction, and be fully able to control the machine they are operating.

Persons conducting a business or undertaking at, or persons conducting a business or undertaking with management or control of rural workplaces should ensure:

- Riders of adult-sized ATVs and farm bikes in the workplace are over 16 years of age (as per manufacturers' instructions) and are given sufficient training and supervision.
- Passengers do not ride on ATVs or farm bikes (unless the ATV has a designated passenger seat), as passengers restrict the rider from adopting an active or dynamic riding style necessary as an aid to cornering and when riding up and down slopes.
- Riders wear appropriate personal protective equipment such as helmets, goggles, gloves, enclosed footwear and clothing that covers both arms and legs when operating an ATV or farm bike.
- ATVs and farm bikes only have attachments that are compatible to the bike's specifications.
- Riders of ATVs and farm bikes are appropriately trained, particularly in the riding characteristics and the use of the ATV or farm bike, in the different types of terrain and riding conditions they are likely to encounter in the workplace.
- ATVs or farm bikes in need of repair are not used.

3.3.3 Other work situations

Workplace violence and workplace harassment

Young workers may find it difficult to cope with stressful work situations, such as dealing with violent and aggressive behaviour. They may fear for their physical safety, especially if they work alone in jobs where they handle money. They may also worry about losing their jobs if they complain.

New work may be stressful for young workers who are subjected to practical jokes, teasing and unpleasant initiation ceremonies. Workers should not be subjected to this type of behaviour.

For more information about workplace harassment, please refer to the *Prevention of Workplace Harassment Code of Practice*.

Unpopular work

Young workers who are keen to do well in their first jobs may be given work that is unpopular with other workers. Inexperienced new workers may not know how to deal with hazards associated with unpopular work, such as cleaning up spills, cleaning toilets and working in spaces that are hot, noisy, cramped or dirty.

Paced work

Young workers may be less skilled in pacing the work according to their capabilities. They may be more subject to peer pressure to take on tasks that are too much for them, or to work too quickly.

3.4 Controlling exposure to risk for young workers

When selecting the best way to control exposure to the risk of death, injury and illness for young workers, persons conducting a business or undertaking must follow the risk management process set out in the *How to Manage Work Health and Safety Risks Code of Practice*.

4. Children in workplaces

This section of the code of practice looks at situations when children are in a workplace, but are not workers. In these situations, children may be visiting a workplace, may live at a workplace, or may be there as part of a work process.

4.1 Duties of persons conducting a business or undertaking towards children in workplaces

Under the Act, persons conducting a business or undertaking have a general duty to make sure that people are not harmed in any way by the work activity, business or undertaking. This duty extends to children who may be at the workplace for any reason, and at any time.

4.2 Special characteristics of children

In situations where children are at workplaces, the main characteristics to consider are their normal adventurous behaviour and disregard for their own safety. Children are more likely to play on equipment, to climb, hide in “cubby holes”, play in excavations, go where they are not supposed to go, and experiment with the chemicals they may find. Persons conducting a business or undertaking should ask themselves how and when children can gain access to the workplace or parts of the workplace, what they are likely to find and what they would do. They should consider access after hours as well as during normal work hours.

4.3 Particular hazards for children

The following hazards are likely to represent particular risks to children at the workplace. Persons conducting a business or undertaking should pay attention to these hazards and ensure the associated risks are managed using the risk management process described in the *How to Manage Work Health and Safety Risks Code of Practice*.

Construction sites

Children may interfere with hazardous chemicals such as paint and cement. They may climb on ladders left against the side of buildings or they may decide that scaffolding is fun to play on. There is a risk of falling from heights or they may dislodge something, such as bricks stacked on a scaffold, and these items may fall on others below.

Materials, such as large drainage pipes or stacks of timber stored adjacent to these workplaces, need to be taken into account when identifying hazards for children playing. To children, demolition and construction sites look like great places to explore, dig, hide and generally have a great time. They

are likely to climb into holes and excavations with high risk of suffocation if the earth collapses around them. There is also the chance that water will collect in excavations and empty containers, increasing the risk of drowning.

Electrical hazards

Children may use or interfere with electrical equipment in a manner that exposes them to the risk of death or injury. For example, they may turn on switches to see what happens, pour water on electrical equipment as part of their play activity and poke things into holes where there may be “live” wires. They may also remove warning tags placed to ensure others do not turn equipment on. All of these activities would increase the risk of electric shock for themselves and others. On construction sites, children playing may discover “live” cables unearthed in the construction process or crawl into small spaces where there are electrical hazards not identified by adult workers.

To control electrical risks, persons conducting a business or undertaking should ensure:

- Damaged or faulty electrical equipment such as power sockets, leads and appliances are removed from service.
- Damaged or faulty equipment is replaced, or repaired by a qualified electrical worker as soon as possible.
- Power points are protected by safety-shutters, or all vacant power points are covered by plastic plug protectors.
- Electrical appliances and leads are kept away from water.

Persons conducting a business or undertaking should consider installing a safety switch in their workplace. Safety switches monitor the flow of electricity through the circuit. They automatically shut off the electricity supply when current is detected leaking from faulty switches, wiring or electrical appliances. This stops the chance of current flowing to earth through a person, electrocuting them.

For more information about electrical safety, including specific duties, please refer to the Electrical Safety website: www.eso.qld.gov.au.

Hazardous chemicals and other substances

In situations such as farms and backyard workshops where children may play in work areas, they may interfere with hazardous chemicals or climb into spaces that have been fumigated. Children may be taken into workplaces, such as hairdressing salons, where they can wander into storage areas or work areas where chemicals are used. Children may not be able to read or understand warning signs.

Confined spaces

Children may wish to play and explore in areas such as storage tanks, silos, pits, sewers, wells, and other confined spaces. Children may enter confined spaces without the knowledge of adults, and possibly become locked in them.

Operation of plant

In situations where children have access to workplaces, they may be able to place their small hands and fingers into the gaps between parts of a machine, including guards designed for adult hands. They may also climb on or play with machines and may be caught by clothing or struck by machinery. It may be difficult for the operator of a vehicle to see children because of their smaller size.

If keys are left in vehicles, tractors or other machinery, they may be turned on as part of play activity. Riding in the back of work vehicles, such as trucks and utilities or trailers should be prohibited, as it increases the risk of falls or being thrown from the vehicle if there is a collision.

Extreme heat and cold

Children visiting workplaces may enter restricted areas, such as large freezers, and become locked in if no one knows they are there. They may also enter areas where kilns or ovens are used and not realise that some surfaces are hot to touch.

Sunburn

The risk of sunburn may be increased for children who may be less likely to follow instructions to limit sun exposure or to use protective clothing and sunscreen lotions. As the effects of skin damage due to sun exposure are long term, the effects often do not become evident until later in life.

Infections and diseases

Young children tend to place objects in their mouths and want to play with anything that is bright and colourful or noisy. Children in workplaces, such as hospitals and doctors surgeries, may explore treatment rooms that are left open. They face the risk of needle stick injuries if they play with waste containers.

Work with animals

Because of their lack of experience and small size, children and young visitors may be particularly at risk when they come into contact with animals. Animal behaviour is often unpredictable. Infection and disease may also be an issue if appropriate hygiene precautions are not followed. On rural properties where animals are kept, the stockyards, the watering troughs, tanks and dams are hazardous places, especially for young children who are unsupervised.

4.4 Controlling workplace health and safety risks for children

When selecting the best way to control exposure to the risk of death, injury and illness for children at workplaces, persons conducting a business or undertaking must work through the risk management process described in the *How to Manage Work Health and Safety Risks Code of Practice*.

Supervision is necessary, but there can be too much emphasis on this as a way of controlling exposure to risks for children. In some situations, the hazards can be eliminated and this is always the best option. Physical barriers, such as locked cupboards and storage areas, and guards minimise exposure to the risk for children entering dangerous areas at times when there is no supervision or when the implemented controls fail. These control measures are particularly effective in situations where children are living in the workplace.

If it is reasonable to expect that children will be at a workplace at any time for any reason, there should be clear ground rules about entry and supervision. Everyone at the workplace should know what the rules are and there should be a system to ensure the rules are followed. Unexpected or unplanned entry to workplaces should also be considered.

5. Managing the health and safety of children and young workers at workplaces

The Act and the Regulation require persons who have health and safety duties to ‘manage risks’ by eliminating health and safety risks so far as is reasonably practicable. If it is not reasonably practicable to eliminate the risks, persons with health and safety duties are required to minimise those risks so far as is reasonably practicable.

A safe and healthy workplace does not happen by chance or guesswork. It requires the person conducting the business or undertaking to think about what could go wrong at his or her workplace and to consider what the consequences could be. The person conducting the business or undertaking must then do whatever he or she can (in other words, whatever is ‘reasonably practicable’) to eliminate or minimise health and safety risks arising from their business or undertaking.

The *How to Manage Work Health and Safety Risks Code of Practice* describes the risk management process and provides information on how this process should be undertaken. The special characteristics of children and young workers at the workplace can affect health and safety. These characteristics are described in sections 3 and 4 of this code of practice and should be considered when undertaking the risk management process.

The risk management process needs to be undertaken:

- Before a young person begins work.
- To manage the risks to children who may enter or be in the workplace (including children who may live in the workplace).

For more information on how to use the risk management approach to meet workplace health and safety duties, please refer to the *How to Manage Work Health and Safety Risks Code of Practice*.

6. Training and induction for young workers

Under the Act, persons conducting a business or undertaking have a duty to provide workers with information, training, instruction or supervision that is necessary to protect all persons from risks to their health and safety. In addition, the Regulation requires that the information, training and instruction be provided in a way that is readily understandable by any person to whom it is provided. This section of the code of practice will assist persons conducting a business or undertaking to meet this duty. It will look at what information should include in induction and training for young workers.

Persons conducting a business or undertaking should provide information, training, instruction or supervision in a form appropriate to young workers. Young workers can not be put into a new job and automatically be expected to work safely. Nor is it enough to simply provide young workers with a workplace health and safety booklet, as they may not read or understand it. Language and literacy levels also need to be taken into account when providing young workers with information and instruction.

Knowledge and experience

People often make judgements based on some knowledge or experience of hazards and the safest way to deal with them. Over time, what they know about safety grows because of the variety of experiences they have, at home, at school, at play and at work. These things are not always learned in formal training courses.

Young workers usually have limited knowledge and a limited range of experiences. Before a young person begins work, persons conducting a business or undertaking should identify the gaps in their knowledge and assess their ability to work safely. Competency should be tested. It is not sufficient to accept a young worker's assurance that he or she is experienced and competent. Driving vehicles and riding motorbikes in off-road situations is one example where competency testing is needed before a young person begins these work activities.

Due to the high levels of risk involved with some activities, information, training, instruction, or supervision are of utmost importance in preventing injury and illness for young workers. Inexperienced workers require increased levels of information, training, instruction or supervision than experienced workers.

6.1 Induction of workers

Workplace health and safety induction provides workers with the initial information, training, instruction or supervision needed to function safely and effectively on the job.

Inductions are an opportunity to instil a positive attitude to workplace health and safety, especially when reinforced by the positive attitudes of management and other workers. A worker's experiences in the first few weeks on a new job or task will shape their attitudes to their work, the workplace and their co-workers. Inductions provide an opportunity to positively influence existing workers and people new to the business through the provision of information, training, instruction or supervision. This will assist in creating an efficient, productive and safe workforce.

Induction is much more than just having a brief chat with a young worker on their first day. Most inductions occur over a period of weeks, and are the basis for ongoing training. Time spent showing a worker the correct and safest way to do a job will be returned to the business or undertaking through effective work, efficient workers and fewer injuries.

Workplace health and safety inductions for new workers should occur as soon as is reasonably practicable following commencement of employment. The induction should cover a variety of topics including:

- a general overview of work health and safety law, including duties
- the workplace health and safety responsibilities of the position including, if relevant, duties in relation to risk management and staff supervision
- general safety and housekeeping procedures
- off-limit areas
- emergency procedures
- how to use and maintain equipment
- any specific conditions and prohibitions on the use of equipment
- any special safety information needed, such as safety precautions for working under specific conditions, or how to use safety devices such as emergency stop buttons
- inspection and maintenance programs in place at the workplace, such as when to request maintenance and who to ask
- instruction in any specific tasks e.g. maintenance of plant
- procedures for reporting injuries, illnesses and 'near misses'
- personal safety, including proper work clothing and personal protective equipment such as correct footwear
- proper use, wear, storage and maintenance of personal protective equipment

- specific hazards that may be encountered during work, and demonstrated safe working procedures
- the organisation's workplace health and safety program or policy
- the workplace health and safety risk management process
- the control measures in place to minimise exposure to the risks associated with workplace hazards, the correct use of these controls and how to ensure they are kept in full working order
- the meaning or intent of safety signs used at the workplace
- the safe use of hazardous chemicals, including how to access Safety Data Sheets (SDSs)
- how to access workplace health and safety resources and obtain good advice on general and specific safety topics.

The level of training required will depend on the:

- degree of risk involved with each task
- worker's previous experience in the industry
- worker's current skills and abilities (before training), and
- nature of the hazards involved.

Where relevant, the worker should be introduced to the:

- Health and Safety Representative (if one has been elected to the worker's workgroup)
- fire warden, and
- first aid officer.

Persons conducting a business or undertaking should keep records of all training provided to workers. Competency of workers to work safely may be tested through practical demonstrations and written or verbal assessments.

The person conducting the business or undertaking should determine what training is appropriate for the workplace and the type of work activity. Training can be formal or informal; in a classroom situation or on-the-job. The training should cover the hazards that have been identified at the workplace and what steps have been taken to reduce exposure to the risk of death, injury or illness. It should also cover the consequences of failing to follow safety instructions. Training should focus on the end result; that is, to have workers who have the skills and knowledge to work safely. The training should be evaluated to ensure this result has been achieved.

Inducting young workers

Persons conducting a business or undertaking should ensure that young workers understand what they are being told and shown during workplace inductions. They should encourage young workers to ask questions. The following steps will assist in this regard:

- give young workers clear instructions and ask them to repeat the instructions. Encourage young workers, particularly those workers with language or literacy needs, to ask questions
- show the new worker how to do the task, emphasising the main points
- supervise the new worker while they perform the task, and correct any mistakes
- ask questions as you go, and give the young worker an opportunity to ask questions and raise issues
- follow up the worker with frequent visits, and
- remember training is an ongoing process.

To assist with the induction program, organisations should have a documented induction program covering all risks present in the workplace. This will avoid inadequate ad-hoc induction training being undertaken.

Duties of young workers

Induction programs should also inform young workers about their duties as a worker under the Act. It is important for young workers to understand when they start work that, as workers, they have certain legal duties under the Act. The duties of workers under the Act include the following:

- (a) take reasonable care for his or her own health and safety
- (b) take reasonable care that his or her acts or omissions do not adversely affect the health and safety of other persons
- (c) comply, so far as the worker is reasonably able, with any reasonable instruction that is given by the person conducting the business or undertaking to allow compliance with the Act
- (d) cooperate with any reasonable policy or procedure of the person conducting the business or undertaking relating to health and safety at the workplace which has been notified to workers

The right to refuse work

Induction programs should inform young workers that under the Act, workers have a duty not to expose themselves to risk. Therefore workers should also be informed that they have a corresponding right under the Act to cease work that is unsafe. Specifically, any worker who believes that carrying out a certain task would expose him or her to a serious risk to health or safety emanating from an immediate or imminent exposure to a hazard, has a right under the Act to refuse to perform that task until exposure to the risk has been managed. Young workers should know what to do and who to contact if they believe there is a serious safety problem, i.e. report it to their Health and Safety Representative or supervisor. Workers should also be made aware of procedures for reporting hazards and resolving safety issues in their workplace.

6.2 Ongoing information, training, instruction and supervision

The workplace health and safety induction given to workers will provide most of the initial information, training and instruction for workers to commence work safely. Persons conducting a business or undertaking should continue to provide ongoing safety information, training, instruction or supervision. It is not a “once only” process for young workers who are new to the job. If the work is changed in any way, additional information, training, instruction or supervision should be provided to make sure young workers’ safety knowledge and skills are up-to-date. Persons conducting a business or undertaking should adequately supervise workers to ensure they are carrying out the tasks in accordance with the training that has been provided.

High-risk tasks will require more in-depth information, training, instruction or supervision. Workers should not perform high-risk tasks until they can demonstrate relevant knowledge, skills and experience. Persons conducting a business or undertaking should ensure that workers are adequately trained to undertake the tasks they are required to perform. Persons conducting a business or undertaking should assess, or have someone on their behalf assess the worker’s competency to ensure they are satisfied that the worker can safely perform the task. When performing high-risk tasks, young workers should always be accompanied by another competent person.

Workers may be required to receive training in relation to specific tasks, especially where these tasks have not been performed for a prolonged period.

Persons conducting a business or undertaking should ensure a record of all training provided to workers is kept at the workplace. Records should include:

- names of persons who received training
- dates of the training sessions
- skills taught
- outline of the course content
- names of the persons who provided the training and their qualifications, and
- tasks to be performed once training has been delivered.

If training occurs away from the usual place of work, supervisors should know about the content of the training programs so they are able to check on whether the young worker is putting classroom safety lessons into practice.

It is up to each person conducting a business or undertaking to decide on what training is appropriate for the workplace, depending on the type of work performed at the workplace. There should be prior consultation with all relevant parties. Training should focus on the end result, which is to have a young worker who has the skills and knowledge to work safely. The training should be evaluated to ensure that it achieves this result.

Due to their lack of experience in workplaces, young workers may have difficulty raising problems with their supervisors. Persons conducting a business or undertaking should take steps to reassure young workers and encourage open discussion about situations where they feel they are at risk of injury or harm.

Training, and the attitude to safety, has to be consistent across the workforce. Persons conducting a business or undertaking need to engender a culture of health and safety across their workplaces. If older workers don't use safety gear, then why should young workers? Everyone needs to reinforce this culture of safety in the workplace.

The following appendices are provided for information only, and do not form part of the code of practice.

Appendix 1 sets out some of the factors which can be taken into account to maintain the safety of children and young workers on farms.

Appendix 2 sets out a safety checklist for children on rural workplaces.

Appendix 1: Safety for children in rural workplaces

In rural workplaces, children are commonly exposed to workplace hazards which are not present in urban homes. There are many different hazards on rural workplaces which can have severe or fatal consequences for children. The safety of children is always an adult responsibility – primarily of the parent or carer, but also a shared responsibility. Under the Act, persons who conduct a business or undertaking at a rural workplaces or persons who conduct a business or undertaking who has management or control of a rural workplace have responsibilities to all visitors, including children. These responsibilities also apply to children living on a rural property.

In general, these persons conducting a business or undertaking should:

- Ensure older children actually have the mental development to identify risk situations and the physical development to operate controls before allowing them to operate machinery.
- Ensure children wear hearing protection if they operate or are required to be near noisy machinery or equipment.
- Ensure children wear appropriate personal protective equipment (such as helmets) when on bikes and all terrain vehicles (ATVs).
- Ensure children wear seatbelts or restraints when riding in vehicles on the farm, and do not ride in the back of utes or trailers.
- Ensure all chemicals and explosives are locked away from access by children.
- Keep workshops locked and only allow children to enter under adult supervision.
- Child-proof fence the house yard to separate small children from animals, vehicles, moving machinery and road traffic.
- Secure storage bins, silos and underground tanks to prevent young children accessing them during play activities.
- Prohibit children from entering animal enclosures and paddocks containing animals. Ensure that young children are closely supervised by an adult at all times if they are going to enter a paddock containing livestock.

Safe and secure play area

Creating a safe and secure play area for children to safely play is the most effective way to prevent major injuries to children on rural workplaces. Safe play areas, such as a securely fenced house yard, separate children from dips, dams, machinery, road traffic and other farm hazards. Safe play areas stop children from easily moving from the house to the rural workplace without the knowledge or approval of an adult. Safe play areas can also help in stopping hazards (such as horses, cattle and traffic) from coming near children.

Safe play areas are practical and can be relatively low cost. Most importantly, safe and secure play areas, supported by ‘out of bounds’ rules and active supervision, are the most effective way to meet workplace health and safety duties under the Act.

To complement the effectiveness of the safe and secure play area:

- Develop family rules on ‘out of bounds’ areas and activities for children on the rural workplace. Adults should consistently reinforce these rules.
- Ensure the safe play area has shade and interesting things to entertain the children to discourage them from looking for entertainment on the rural workplace.
- Ensure small children have an adult with them when they are outside the safe play area.
- Ensure older children tell an adult where they are going on the rural workplace.

- For more information on safe and secure play areas, please visit the Farmsafe Australia website: www.farmsafe.org.au.

All terrain vehicles and farm bikes

All terrain vehicles (ATVs) and farm bikes can be hazardous. These vehicles are used for work and recreation, and are capable of reaching high speeds. Injuries generally tend to be due to rider error. The risk of injuries is much greater among inexperienced ATV riders than those who have received training. If children are using ATVs and farm bikes, they should have proper instruction, and be fully able to control the machine they are operating.

In accordance with the manufacturers' instructions, children under 16 should not ride adult-sized ATVs. Adult-sized ATVs are not designed for safe riding by children.

Persons conducting a business or undertaking at, or persons conducting a business or undertaking with management or control of a rural workplaces should ensure:

- Passengers do not ride on ATVs or farm bikes (unless the ATV has a designated passenger seat), as passengers restrict the rider from adopting an active or dynamic riding style necessary as an aid to cornering and when riding up and down slopes.
- Riders wear appropriate personal protective equipment such as helmets, goggles, gloves, enclosed footwear and clothing that covers both arms and legs when operating an ATV or farm bike.
- ATVs and farm bikes only have attachments that are compatible to the bike's specifications.
- Riders of ATVs and farm bikes are appropriately trained, particularly in the riding characteristics and the use of the ATV or farm bike, in the different types of terrain and riding conditions they are likely to encounter in the workplace.
- ATVs or farm bikes in need of repair are not used.

Hazardous chemicals

Persons conducting a business or undertaking at, or persons conducting a business or undertaking with management or control of rural workplaces should ensure:

- Chemicals are stored in their correctly labelled containers and cleaned out after use. Chemicals should never be stored in food or drink containers.
- Chemicals are kept locked in cupboards or separate stores out of reach of children and separate from family living areas.
- Children are kept away from areas where chemicals are being sprayed or used.

For more information on the safe use of chemicals, please refer to the *Hazardous Chemicals Code of Practice*, the *Labelling of Workplace Hazardous Chemicals Code of Practice* and the *Preparation of Safety Data Sheets for Hazardous Chemicals Code of Practice*.

Firearms

Some basic requirements concerning firearm safety are outlined below. For further information, please refer to the *Weapons Regulation 1996*. This regulation can be accessed at the website of the Office of the Queensland Parliamentary Counsel: www.legislation.qld.gov.au.

Persons conducting a business or undertaking at, or persons conducting a business or undertaking with management or control of rural workplaces must ensure:

- Guns are stored in locked steel or solid timber cabinets that are securely bolted to the wall or floor.
- Guns, magazines and bullets are always stored in separate locked places.

- Guns are transported in locked containers.

Ladders

Owners and managers of rural workplaces should ensure:

- Ladders are stored away to discourage children from climbing onto structures such as roofs and trees, and risk falling.
- Ladders fixed to structures such as silos or tank stands are guarded, and are raised at least 1.8 metres above ground, to prevent children attempting to climb them.

Machinery

Many incidents involving children happen around machinery on rural workplaces. Owners and managers of rural workplaces should ensure:

- Machinery is not left with the engine running without adult supervision.
- Keys are removed from machinery when not in use, and stored in a separate locked location.
- All machinery is fitted with appropriate safety guards.

For more information on the safe operation of machinery and plant, please refer to the *Rural Plant Code of Practice* and the *Plant Code of Practice*.

Tractors

A tractor is one of the most dangerous pieces of machinery on a rural workplace. Tractors must be fitted with rollover protective structures (ROPS).

Persons conducting a business or undertaking at, or persons conducting a business or undertaking with management or control of rural workplaces should ensure:

- Children do not ride in tractors as passengers unless there is a safe, secure seat with a seat belt within the zone protected by the ROPS.
- Children do not play or ride on tractors, even when not in use.
- Parking brakes should be set securely when tractors are stopped.
- Any three-point linkage or hydraulic implements attached to the tractor are placed on the ground when the tractor is parked.
- If tractors are stored in an area or a shed that is accessible by children, then keys and starting devices should be removed from machinery when not in use.

For more information about the safe use of tractors, please refer to the *Safe Design and Operation of Tractors Code of Practice*.

Water hazards

Water hazards such as animal water troughs, low-set rainwater tanks, animal dips, dams and wells are common on rural workplaces. Children under the age of five years are at particular risk of drowning and these risks need to be managed.

Persons conducting a business or undertaking at, or persons conducting a business or undertaking with management or control of rural workplaces should ensure:

- Children and their supervising adults are aware of all water hazards near the house, and fencing and other barriers are adequate to keep small children contained in a safe play area where they can't access water hazards.
- Water hazards situated within walking or crawling distance of a house should be fenced or barricaded with lids, mesh or guards to prevent access by small children.

- Other water hazards, such as open post holes or buckets and containers are covered to prevent access by a small child.
- Unused animal dips and ditches are filled in.

Appendix 2: Safety checklist for children on rural workplaces

Is it safe for children?	Yes/No	Action to be taken?
<p>1. Water Is the house yard adequately fenced with a child-proof fence so that a small child can not access water hazards, such as swimming pools, nearby dams, irrigation channels, troughs, creeks etc. situated near the house?</p> <p>Are dips, tanks, wells and troughs near the house fitted with lids or mesh, and are unused dips and ditches filled in?</p>		
<p>2. Chemicals Are chemicals stored and adequately locked out of reach of children?</p> <p>Are chemical mixing and wash down bays adequately sited away from the farm house?</p> <p>Are effluent pits and drainage sumps adequately fenced and guarded to prevent access by children?</p> <p>Are chemicals always stored in appropriate containers (i.e. the original, labelled packaging), and not in food or drink containers?</p>		
<p>3. Silos or grain storage Are fixed ladders to silos, bins, tank stands etc. adequately guarded and raised at least 1.8 metres above ground level to prevent children from attempting to climb them?</p> <p>Are children and other unauthorised persons permitted near grain storage areas or grain handling activities?</p>		
<p>4. Firearms/explosives Are all firearms and ammunition stored separately and securely locked out of reach of children?</p> <p>Are all explosives locked away from access by children?</p>		

Is it safe for children?	Yes/No	Action to be taken?
<p>5. Machinery, equipment and appliances Do you prevent young children from entering the farm work area, especially around workshops, machinery storage areas, refuelling facilities etc.?</p> <p>If machinery and vehicle storage/parking areas are near the house, are tractors, trucks, ATVs, farm bikes and other machinery secured to prevent access or tampering by children?</p> <p>Do you prevent children from riding as passengers on tractors and mobile plant?</p> <p>Are there dangerous items of equipment or machinery left accessible to children?</p> <p>Are appliances and electrical tools left turned on or engaged and accessible to children? (e.g. machines with sharp or moving parts, old refrigerators etc).</p>		
<p>6. Animal pens and stock yards Do you prevent children from entering stock yards?</p>		
<p>7. Farm motorcycles and All Terrain Vehicles Are children appropriately trained and supervised when learning to ride farm motorcycles and All Terrain Vehicles (ATVs)?</p> <p>Do all riders wear a correctly fitting motorcycle helmet, long pants, and sturdy footwear when riding farm motorbikes?</p> <p>Does the rural workplace:</p> <ul style="list-style-type: none"> • Only allow children to ride an appropriately sized farm bike or ATV in accordance with manufacturer's recommendations? • Prevent passengers from riding on ATVs? 		