

## WHS RESPONSIBILITIES

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Advice on the guidance below has been provided by the risk manager of our insurer (AIRS) and the Bishop's Chancellor, and with reference to WHS guidance provided by the dioceses of Adelaide, Canberra and Goulburn, North West Australia and Tasmania—all states have similar WHS legislation and use similar terminology.

Under the NSW Work Health and Safety Act 2011 (the Act), several key roles carry distinct obligations to ensure a safe workplace. The **primary duty holder** is the Person Conducting a Business or Undertaking (PCBU), responsible for the health and safety of all workers and others affected by its operations, so far as reasonably practicable. In the Diocese of Bathurst context, the identified PCBUs are the:

- Anglican Diocese of Bathurst Synod Management Fund (SMF)
- Anglican Property Trust Diocese of Bathurst (APT)
- parishes of the Anglican Diocese of Bathurst.

Other key roles outlined in the Act are 'officer', 'worker' and 'other persons at the workplace', each of which carries some responsibility for WHS in an organisation. Note that:

- **volunteers acting as officers are not liable** for a breach of the Act in that specific role
- a person can fall into more than one category and so can have duties and obligations from multiple categories.

In the event of any breach or alleged breach of the Act, SafeWork NSW will likely focus on diocesan PCBUs and their officers but the overlapping responsibilities, as outlined in the table below, reinforces the need for clear communication, cooperation, and coordination on WHS matters to ensure effective risk management in all parishes.



Category	Definition	Act ref	Duties + obligations	Applicable entities/roles
Person conducting a business or undertaking (PCBU)	Primary duty holder responsible for ensuring, so far as is reasonably practicable, the health and safety of workers and others at a workplace, which includes all properties owned by the Anglican Property Trust Diocese of Bathurst (APT) and all other places where activities of the parish/diocese are undertaken.	ss. 19, 20, and 21	So far as is reasonably practicable, ensure: <ul style="list-style-type: none"> <li>the health and safety of workers while at work</li> <li>that the health and safety of others is not put at risk by the work of the business or undertaking</li> <li>the workplace is without risk to health and safety of a person</li> </ul>	<ul style="list-style-type: none"> <li>Anglican Diocese of Bathurst Synod Management Fund (SMF)</li> <li>Anglican Property Trust Diocese of Bathurst (APT)</li> <li>parishes of the Diocese of Bathurst</li> </ul>
Officer	A person who makes, or participates in making, decisions that affect the whole or a substantial part of the parish/diocese, or who can affect the financial standing of the parish/diocese.	s. 27, 34D	Exercise due diligence to ensure that the PCBU complies with its duties and obligations, <b>noting that volunteers acting as officers are not liable for a breach of the Act in that specific role</b> but are liable for duties and obligations as a worker.	<ul style="list-style-type: none"> <li>Diocesan roles: Bishop, Registrar, members of Bishop in Council (BiC), APT trustees</li> <li>Parish roles: rectors/priests in charge (including locums), wardens</li> </ul>
Worker	Any person who carries out work for the parish/diocese.	s. 28	<ul style="list-style-type: none"> <li>Take reasonable care for own health and safety</li> <li>Take reasonable care that his/her acts or omissions do not adversely affect the health and safety of others</li> <li>Comply with reasonable instructions of the PCBU</li> <li>Comply with reasonable policies and procedures of the PCBU</li> </ul>	<ul style="list-style-type: none"> <li>Diocesan roles: diocesan staff, clergy with diocesan roles (i.e. bishop, archdeacons), contractors engaged in work in or for the diocese</li> <li>Parish roles: clergy (whether paid or not), volunteers serving in any capacity, employed parish staff, contractors engaged in work in or for the parish</li> </ul>
Other persons at the workplace	Any person at any of our premises.	s. 29	<ul style="list-style-type: none"> <li>Take reasonable care that his/her acts or omissions do not adversely affect the health and safety of others</li> <li>Comply with reasonable instructions of the PCBU</li> </ul>	<ul style="list-style-type: none"> <li>Congregation members</li> <li>Visitors at events or when buildings are open</li> <li>Visitors to cemeteries</li> <li>Wedding /funeral/baptism attendees or participants</li> <li>People visiting for appointments</li> </ul>