

Come home safe

The PSA has been informed of a number of assaults on staff last week, including at Baxter, Cobham, and Riverina.

The extent of assaults, injuries on workers and workers' compensation claims in Juvenile Justice is not acceptable. This demonstrates a failure to look after staff safety and was one of the factors that caused the Minister to authorise the current process of Managing Safety in Juvenile Justice.

Until this process is finalised, it is not acceptable for workers to continue to get assaulted in Juvenile Justice. Every worker has a right to come home safe.

Juvenile Justice has a "primary duty of care" under the Work Health and Safety Act to ensure the health and safety of all of its workers.

The Juvenile Justice Delegates Committee had an emergency teleconference on Friday 5 April 2019. Your delegates recommended the following cease unsafe work process is utilised when appropriate. This process is supported by the *Work Health and Safety Act 2011 (WHS)*.

Section 84 of the *WHS Act 2011* allows a worker to cease unsafe work. Unsafe work is defined as work that is a "serious risk to the worker's health or safety, emanating from an immediate or imminent exposure to a hazard".

The PSA has developed [this form](#) for you to use when taking this action to control risks from detainee violence or threat of violence.

Please take the following steps:

Immediate response

1. If an incident occurs when there is non-compliance by a detainee (e.g. non-following directions, abuse, threats, assaults etc.), follow procedures and restore order, apply first aid, and follow other emergency procedures.

Notification

2. Note the incident in CIMS for the detainee behaviour, and on SAP for the WHS record. Notify your supervisor from the Department and ask them what controls they can put in place. If the controls are not adequate to prevent an assault on staff continue with the following steps.
3. The Department should be assisting in assaults with charges being laid with the police.
4. If a worker was taken to hospital, then it is also a requirement to notify SafeWork on 13 10 50. This is the Department's responsibility. However, workers can also call and notify SafeWork.

Risk management

5. If controls (e.g. DRMP) have failed and/or the Department have not provided additional resources/controls after notification and consultation to manage the detainee's risk of violence, please download the [cease unsafe work form](#), type in the details requested and modify as appropriate.
6. Contact your HSR or PSA delegate and have a meeting with your work colleagues about the form.



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7. Once you are happy with the form, all workers should sign the cease unsafe work form. Please provide a copy to your centre management (or duty manager) once signed, and email a copy to comehomesafejj@psa.asn.au.

Issue resolution

8. PSA will notify SafeWork NSW and get a WSMS number (case number).
9. Until the issue is resolved all staff should continue to maintain these control on the high risk detainee.
10. The PSA with staff will participate in consultation to assist in the issue resolution as per Section 81 *WHS Act* and SafeWork NSW may assist also.

Note: You are not on strike or placing work bans when you cease unsafe work, and you remain available to undertake other safe work. You are protected from discrimination under the *WHS Act* when you cease unsafe work.

#comehomesafe

What can you do?

- » Ask a work colleague join the PSA today
- » Make the union strong by forwarding this bulletin to your colleagues
- » Attend PSA meetings at your worksite
- » Get involved become a PSA Delegate
- » Not a member? [JOIN](#) online!

Your PSA staff –

Gino Di Candilo – Industrial Officer
gdicandilo@psa.asn.au

Martin Robinson – Organiser
mrobinson@psa.asn.au

