

Staff and Students Working Off-site

August 2009

From time to time staff and students may work off-site away from the Deakin campuses at Burwood, Waterfront, Waurn Ponds and Warrnambool. This document briefly describes the OHS compliance and insurance arrangements that apply in these situations.

Situation	Staff OHS Legislation and Workers Compensation	Students OHS Legislation, Law and Insurance
Field trips	(1) Staff on field trips	(5) Students on field trips
Offsite in Victoria	(2) Staff working offsite in Victoria	(6) Students working offsite in Victoria
Offsite Interstate	(3) Staff working offsite in another state	(6) Students working offsite in another state
Offsite Overseas	(4) Staff working offsite overseas	(7) Students working offsite overseas

Please note that there is a [statutory requirement in Victoria](#) to report all serious injury to WorkSafe Victoria. Please contact the University's OHS Unit on (03) 5227 2869 (Geelong / Warrnambool) (03) 924 68175 (Melbourne).

(1) Staff on field trips

Staff are covered by the OHS Act no matter where they work in Victoria. The University has direct responsibility through the local manager or supervisor for ensuring that an appropriate risk assessment is carried out and the legislation is in general complied with. Staff organising field trips should refer to the following:

- [OHS field work and field trips website](#)
- [Off-Campus Activities – OHS Manual](#)
- [Field trip first aid](#)
- [Motor vehicles procedure](#)
- [Health and safety assessment of research projects \(field work supplement\)](#)

The normal Workers' Compensation ([WorkCover](#)) arrangements for staff apply where the trip has been authorised by the University through local management.

(2) Staff working offsite in Victoria

The primary liability under the OHS Act lies with the occupier/manager of the actual workplace that staff may be working at. However it is likely that in a serious incident involving University staff, WorkSafe would involve the University in any investigation or prosecution. In particular, the University would have to demonstrate that it has taken appropriate action to guarantee the safety of its staff working elsewhere. This means establishing that the other workplace has safe systems of work in place, for example, a safety management system. There should also be an agreement with the other organisation to provide promptly copies of all accident reports involving Deakin staff to the University. The manager of the staff involved in the offsite work is responsible for carrying out this assessment before any work commences.

There are two qualifications to the above. Firstly in a situation where Deakin actually controls the off-site workplace even though it is in the middle of another workplace, for example, research laboratory run by Deakin staff in a hospital. Secondly in a situation where Deakin is providing services outside the normal expertise of the other organisation, for example, installing a pilot plant in a factory. In these cases the University has the primary responsibility even to staff of the other organisation that may be working there also. In these situations, the workplace should be treated the same as a Deakin workplace for OHS purposes. This means covering emergency arrangements, training and risk assessment.

The following sites/documents may be of assistance:

- [OHS field work and work placement website](#)
- [OHS website on Accident and hazard reporting](#)

The University is directly liable through [WorkCover](#) for the costs associated with an injury to a staff member at another workplace. In the longer term WorkCover may attempt to recover its costs from the other organisation.

(3) Staff working offsite in another state

All states have similar OHS Acts to Victoria and hence similar arrangements would apply. See (2) above.

[WorkCover](#) coverage depends upon the length of time spent interstate. If the absence is less than 6 months Victorian WorkCover applies as per Section (1) or (2) above. If the absence is more than 6 months, specific advice should be sought from your HR Adviser in [Human Resources Services](#).

If a group of staff is involved then the University may be required to take out a Workers' Compensation policy in the state concerned. Each state has different rules covering Workers' Compensation.

(4) Staff working offsite overseas

Local legislation applies as regards OHS. The principles in (2) above should be applied where practical.

[WorkCover](#) coverage depends upon the length of time spent overseas. If the absence is less than 6 months Victorian WorkCover applies as per Section (6) above. If the absence is more than 6 months, specific advice should be sought from your HR Adviser in [Human Resources Services](#).

It is important to note that WorkCover will only pay the equivalent Australian rate for medical services. This is particularly important in the United States. It is essential that you also check the Risk Management website for [travel insurance advice](#).

If a formal placement overseas is involved, for example with another University, then advice should be sought from the University about local Workers Compensation arrangements: in particular, whether the staff member will be covered by their policy. In determining WorkCover and other Workers' Compensation coverage the arrangements for paying salary is often critical. Further advice should then be sought from your HR Adviser in [Human Resources Services](#).

(5) Students on field trips

Parts of the OHS Act apply to students under the control of the University on field trips. There is also a common law duty to ensure the safety of students whilst under the control of the University. See also Section (1) above.

Insurance for students on field trips is covered on the [insurance for students section](#) of the Risk Management website.

(6) Students of Deakin working off-site (Student Placements)

Where Deakin places students in a workplace as part of their studies there is a general duty of care. The organisation that controls the workplace is also liable under the local OHS Act for the safety of work experience students.

Managers / supervisors responsible for student placements should consult:

- the OHS Manual section on [Work Placements](#)
- checklists and further information on the [OHS website](#)

Insurance for students on student placements is covered on the [insurance for students section](#) of the Risk Management website.

(7) Students working offsite overseas

Where Deakin facilitates overseas travel by students as part of their studies there is a general duty of care. Students and staff organising trips should consult the Risk Management website for [travel insurance advice](#).