

KABALE UNIVERSITY



OCCUPATIONAL SAFETY AND HEALTH POLICY

2021

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1.0 INTRODUCTION

Kabale University has a population of about 4,500 people comprising of Academic Staff,

Administrative Staff, Support Staff and Students. In order to protect this population, the University has found it inevitable to develop an Occupational Health and Safety Policy. The responsibility for managing work related risk falls upon those who create that risk. This applies irrespective of whether the risk maker is an employer, an employee, self-employed, an occupier of a premise, a designer or a manufacturer or supplier of articles or substances.

For employers, this responsibility or duty of care, extends to cover any one who could foreseeably be harmed by any activities associated with the employer's undertaking. Whilst employers may delegate the performance of certain tasks to others, for instance through the line management structure or by contracting out third parties, the responsibility of ensuring that the duty of care has been met remains with them. Consequently, employers need to implement suitable governance arrangements to provide the necessary reassurance that delegated tasks, including those contracted out to third parties, have actually been carried out, and to take appropriate corrective action where this is found not to be the case. The extent of any monitoring should be proportionate to the degree of risk created.

Occupational Safety and health laws also impose a duty of care on individuals to anyone who may be affected by their acts or omissions in the course of carrying out their employer's undertaking. The extent of this duty will depend on the degree of control that the individual has over the way in which work tasks are performed. The purpose of this policy is to provide a healthy and safe working and learning environment as required by the Occupational Safety and Health Act, 2006 of the Laws of Uganda. This policy shall also contribute towards maintaining a Kabale University culture of respect, integrity and inclusivity.

2.0 POLICY STATEMENT

Kabale University strives to provide a healthy and safe working and learning environment. This is not just a moral and legal responsibility but also a prerequisite for it to achieve its primary mission to teach, conduct research and promote community outreach at the highest standards through the attraction and retention of high quality staff, students and other working partners. This commitment to protecting people, property and the environment also extends to ensuring the University's operations do not place the community at risk of injury, illness or property damage.

At Kabale University we recognize that good standards of health, safety and welfare are an integral part of good management. The sensible and proportionate management of risk

supports innovation and sustainability. This coupled with the provision of safe and healthy work, living and social spaces contributes to our key strategic aims of providing excellence in teaching and research in standard facilities which enable people to flourish and achieve their full potential.

3.0 SCOPE OF APPLICATION

The policy applies to;

- a) To all staff, students and contractors of Kabale University
- b) Every aspect of Kabale University community including all educational, research, commercial, residential, recreational and management activities. It describes the University's commitment to discharge its duty of care to anyone potentially impacted by its undertaking, the organizational roles and responsibilities of specified employees, and the arrangements in force to secure the Safety, health and welfare of all people to whom it owes a duty of care.
- c) The policy also sets out the expectations on employees, students, and contractors to support the University's efforts to provide a safe and healthy workplace and to meet their own individual duty of care to others.

4.0 CITATION

The policy shall be cited as **"The Kabale University Occupational Safety and Health Policy, 2021"**

5.0 DEFINITIONS

Competence means having the required skills, expertise, experience and training to carry out a required task safely.

Risk Management is the process of identification of hazards, estimation of related risk of injury or illness and implementation of mitigating control measures.

"So far as is reasonably practicable" means weighing risk against the effort of time, expense and resources needed to further reduce it. The law presumes that the balance of this judgement should be in favor of reducing the risk. It is only if the effort is grossly disproportionate to the risk that this standard can be deemed to have been met.

Undertaking means and includes not only the core business activities and functions but also any ancillary activities such as cleaning and maintenance, repair of buildings, plant or

equipment associated with the employer's business regardless of who performs these activities.

University community means all individuals who use the university property for study, work, recreation, or other activities and in the performance of the official duties of the University.

University Property means tangible and non-tangible things, belonging to, or contracted to the University, or members of the University Community facilities and services.

University means Kabale University

6.0 POLICY OBJECTIVES

Kabale University will ensure compliance with the Occupational Safety and Health Laws, industry standards and best practices by;

- a) Providing and maintaining safe work places, plant and systems of work.
- b) Adopting a risk management approach which is consistent with the nature of tasks and activities.
- c) Taking as far as is reasonably practicable, all measures for the protection of the University staff, students and the general public from the dangerous aspects of the University activities.
- d) Ensuring, as far as is reasonably practicable, that the working/studying environment is kept free from any hazard due to pollution by:
 - i) Employing technical measures, applied to new works/plant or processes in design or installation, or added to existing works/plant or processes; or employing supplementary organizational measures.
 - ii) Providing information, instruction, training and supervision to ensure safe systems of work.
 - iii) Ensuring that nominated safety personnel are adequately trained and supported
 - iv) Providing and maintaining personal protective equipment as required.
 - v) Continuously reviewing and improving its management system, plans and programs.

7.0 LEGAL AND POLICY FRAMEWORK

This Policy is founded on the following National and Institutional legal framework;

a) The 1995 Constitution of the Republic of Uganda.

Article 40(1)(a) of the 1995, Constitution stipulates that in order to ensure that economic rights are realized, Parliament shall enact laws to provide for the right of persons to work under satisfactory, safe and health conditions. Parliament has done this through the enactment of the Occupational Health and Safety Act, N0.9 of 2006.

b) The Occupational Safety and Health Act, N0.9 of 2006.

Section 13 of this Act provides that it is the responsibility of an employer to take reasonable and practical measures for the protection of his or her workers and the general public from dangerous aspects of the employers undertakings and to ensure that the working environment is kept free from any hazard.

c) The Universities and Other Tertiary Institutions Act, 2001 (as Amended in 2003 and as Amended in 2006)

Section 40(2) of this Act stipulates that the University Council as the supreme governing body shall formulate the general policy of the Public University and give general guidelines on matters relating to the operations of the University.

d) The Kabale University Human Resource Manual, 2016 (as Amended in 2019)

Section 5.3 of this Manual recognizes that the safety of workers is a priority and stipulates that where a staff is injured or dies in the course of his/her employment, the University compensates him/her in accordance with the Workers Compensation Act, Cap.225.

e) The Kabale University Strategic Plan 2020/2025

Kabale University has continued to strive to become a vibrant University that is efficient and effective in teaching and learning, research, innovation and community engagement. According to Strategic Pillar One and Strategic Objective one the University has prioritized to strengthen governance, management and administrative systems. This is to be achieved through reviewing and implementing appropriate policies and frameworks hence this Policy.

f) Other national laws in line with this Policy include; the Workers Compensation Act, No.8/2000, the Employment Act No.6/2006, the Public Health Act Cap,281 among many others.

8.0 GUIDELINES TO ACHIEVE THE OBJECTIVES

The University shall aim to meet the health, safety and welfare commitments, so far as is reasonably practicable, by:

- a) Providing effective leadership and resources and access to competent advice across the organization to enable agreed health, safety and welfare standards to be met.
- b) Clearly defining roles and responsibilities so that all members of the campus community are clear of the contribution they will make to securing their own health, safety and welfare and that of others who may be affected by their acts or omissions.
- c) Achieving legal compliance, as a minimum, but striving for good or best practice where it is appropriate and proportionate to do so.
- d) Assessing the significant risks associated with our business activities and implementing sensible and proportionate control measures to reduce the risk of injury and ill-health and damage to property or the environment.
- e) Developing and implementing a safety management system and associated arrangements, including arrangements to consult employees and students, to identify agreed performance standards and the means by which the achievement of these will be monitored and reviewed in order to secure continuous improvement.
- f) Embedding consideration of safety, health and welfare matters when planning and coordinating all business activities to enable the early identification of unacceptable risks and the implementation of satisfactory control measures.
- g) Providing adequate information, instruction, training and supervision to our employees, students, partners and contractors to encourage ownership of safety, health and welfare matters and to enable each person to carry out their duties safely and to contribute to the overall delivery of the aims of this policy.
- h) Working with employees, students and their elected and appointed representatives, to make sure that they are consulted on matters of health and safety and can contribute to the development of our safety management system and arrangements.
- i) Taking appropriate, timely and proportionate corrective and preventative actions to manage intolerable risks identified by monitoring, auditing and investigative activities.

- j) The University will review, and where necessary revise, our policy at suitable intervals (biennially or following any significant health and safety event or material change in organization or arrangements) to ensure that it continues to reflect our commitment and stated objectives.

9.0 ORGANIZATION ROLES AND RESPONSIBILITIES

The following fragment sets out individual roles, responsibilities and accountabilities for managing health, safety and welfare issues at the University. All defined organization roles, responsibilities and accountabilities are subject to the qualification of “so far as is reasonably practicable”.

i) University Council

The ultimate responsibility for occupational health and safety matters within the University sits with University Council which is the University’s governing body and as such is responsible for:

- a) Setting and monitoring University strategy and policy, including the overarching Occupational health and safety policy
- b) Monitoring health and safety performance and seeking appropriate reassurance that health and safety performance is satisfactory
- c) Recommending and monitoring improvements where health and safety performance is found to be unsatisfactory.

Council has delegated management responsibility for occupational health, safety and welfare matters to the Vice-Chancellor.

ii) Vice-Chancellor

The Vice –Chancellor is accountable to Council for the implementation of the University’s occupational health and safety policy and for monitoring health and safety performance.

The Vice-Chancellor has executive authority to set specific health and safety policy and for agreeing University performance standards for the management of health, safety and welfare matters. The Vice-Chancellor has delegated executive responsibility for the delivery of specific aspects of day-to day health and safety matters through Management and its line management structures. The role of Executive Committee and individual members is described below.

iii) Management

The activities and operation of the University are directed and controlled by Management and the associated line administration structures. Management, under the leadership of the Vice-Chancellor, is the forum where delegated authority to make changes to policy, including health and safety policy, is exercised. Management will consider and attempt to resolve occupational health and safety implications arising from strategic and operational decisions made within that Committee. Management will receive regular reports on health and safety performance and quarterly updates via the minutes of the University's Health and Safety Committee.

iv) Management Members

The roles and responsibilities of individual members of Management are described below.

v) Deputy Vice-Chancellors- Academic Affairs

The Deputy Vice-Chancellor Academic Affairs is accountable to the Vice-Chancellor for the health and safety management in each of the University's academic faculties and the Schools. This involves line management of the Deans of faculties through whom the responsibility for health and safety management in academic areas is cascaded down to Heads of Department. The key responsibility placed on the Deputy Vice-Chancellor is to make routine enquiries of direct reports, including where necessary making requests for supporting information to be provided, to satisfy himself that health and safety responsibilities are being correctly implemented. Where issues with health and safety performance are identified then the Deputy Vice-Chancellor should agree on actions to be taken with the relevant Dean or Head of Department. Feedback on health and safety performance should be provided to the Vice-Chancellor as relevant.

vi) Deans of Faculties

Deans of Faculties are accountable to the Deputy Vice-Chancellor for the line management of the Heads of Department / Directors within the faculty. In practice this means having a broad understanding of the risks associated with works carried out within their school or faculty and making routine enquiries of their Heads of Department, and where necessary asking for suitable evidence to be provided, to ensure that significant health, safety and welfare risks are being appropriately managed. Feedback on health and safety performance, including any actions taken to improve performance, should be provided to the Deputy Vice-Chancellor.

vii) University Secretary

The University Secretary has been appointed by the Vice-Chancellor to chair the University's Health and Safety Committee. The role of this Committee is discussed in the arrangements section of this document. The Committee has delegated authority to approve certain health and safety policies, standards and guidance. Where such instruments are likely to impact the University on a wider basis, then the University Secretary is responsible for bringing these to Management for consideration.

10.0 UNIVERSITY SAFETY COMMITTEE

(1) The University shall establish a University safety committee

(3) The University Safety Committee shall be Chaired by the University Secretary.

(4) The Committee shall be comprised of the Faculty representatives one person from each faculty and two representaves from the Administration Unit of both Gender.

(5) There shall be two students on the University Safety Committee who shall be male and female.

11.0 DUTITES AND RESPONSIBILITIES OF THE UNIVERSITY SAFETY COMMITTEE

- a) Provide a forum for consultation on health and safety policy, standards and guidance.
- b) Monitor workplace standards and health and safety performance and to discuss improvements to health and safety practice.
- c) To share information on emerging issues and areas of good or best practice.
- d) Provide a forum for employees to raise concerns over workplace hazards or unsafe practices.
- e) The full terms of reference shall be provided by management and the employees may also raise health and safety concerns directly with their line management.
- f) The committee shall meet regularly according to the safety needs of the University but atleast once every semester.
- g) The Committee shall conduct periodical safety inspections in any case atleast once every semester.
- h) The Committee shall have a work plan and make reports to the University Management whenever need arises and in any case atleast every semester.
- i) A safety committee shall keep under review the measures taken to ensure the safety and health of staff, students and any other functions as may be prescribed.

12.0 ALL OTHER MANAGEMENT MEMBERS(DEPUTY VICE CHANCELLOR FINANCE AND ADMINISTRATION, UNIVERSITY LIBRARIAN, UNIVERSITY BURSAR,ACADEMIC REGISTRAR)

All members of Management reporting directly to the Vice-Chancellor are accountable to the Vice-Chancellor for health, safety and welfare matters in their line management chain. These are described in the Heads of Department and Directors of Professional Services section, below.

13.0 HEADS OF DEPARTMENT, FACULTY DIRECTORS AND DIRECTORS OF Departments

Heads of Department, Faculty Directors and Directors of Departments/directorates are accountable for the health, safety and welfare at work of all the staff that they line manage and for others whose health or safety may be affected, to any extent, by the work of the department, directorate or service.

To properly carry out this role, they will need to:

- a) Have an appropriate awareness of University health and safety policy, standards and guidance and the minimum requirements of legislation as they relate to the work of their department, directorate or service.
- b) Have a broad understanding of the significant risks associated with the work carried out by their department, directorate or service and ensure that significant risks have been assessed and that suitable and sufficient control measures are implemented. This task may be delegated to individual line managers or specific individuals but the responsibility for ensuring this is done remains with the relevant Head of Department or Director.
- c) Produce a departmental health, safety and welfare handbook describing the local arrangements for securing the health, safety and welfare of staff and the health and safety of students and anyone else potentially affected by department, directorate or service's activities. This document should define the roles and responsibilities for health and safety within their department, directorate or service.
- d) Appoint sufficient numbers of competent people, such as a Departmental Health and Safety Coordinator, to assist with the management of health, safety and welfare matters.
- e) Allocate sufficient resources to ensure that health, safety and workplace welfare issues, including any matters arising, are appropriately managed or resolved.
- f) Ensure that departmental / divisional staff and students receive any necessary training, information, supervision and instruction required in order to carry out their work safely.

- g) Consult staff on significant matters that may affect health, safety or welfare at work. This requirement will either be satisfied by having a regular agenda item at management meetings, or, where the health and safety risk profile makes it appropriate, to establish a specific departmental, directorate or service health and safety committee.
- h) Carry out a health and safety inspection of the premises occupied at suitable periods throughout the year and ensure that the significant outcomes of these inspections are recorded. The school or service health and safety meeting or committee should consider the risks presented by the work taking place in the premises and the standards achieved and if necessary implement more frequent inspections. Remedial action taken in response to the inspection should be reported through departmental management meetings or the departmental health and safety committee where one is appointed.
- i) Satisfy themselves, by making suitable and sufficient enquiries, that any other duty holders providing services to the department (for example contractors or other University functions) are competent and are adequately meeting their duties.
- j) Cooperate with other duty holders to enable them to meet their duties under this policy or any supporting policy, standards or guidance.
- k) Complete the annual health and safety self-assurance return.
- l) Make appropriate reports to their line manager, on the health and safety performance achieved and on their plans to address any identified concerns.

14.0 LINE MANAGERS AND SUPERVISORS

Staff in a line management or supervisory position, including academic members of staff responsible for students, are accountable for the health and safety of the people, activities, and projects that they supervise. They must be aware of the health and safety issues, including any significant risks and control measures, relevant to their activities and projects. It is the responsibility of the person supervising hazardous activities that are to be carried out by students to ensure that a risk assessment has been carried out and suitable and sufficient control measures implemented before commencement of that activity. This assessment should take due account of the inexperience or other reasonably foreseeable vulnerabilities that the student may have.

The supervision of employed students should be appropriate to their experience or competence and will be at a higher level than that expected for more experienced members of staff. Line managers and supervisors are required to comply with the University's Occupational Health and Safety Policy and associated standards and guidance and any other relevant

arrangements within their area or activity. They must cooperate with their Head of Department or Director, and will be accountable for any tasks that may be delegated to them

15. MEMBERS OF STAFF

All staff are accountable to their line manager for the health and safety of all the staff they line manage, of all others who may be affected by their work, and for premises and equipment that they manage.

All staff are responsible for ensuring that they conduct their activities, and those activities over which they have control, in accordance with the University's health and safety policies and relevant statutory provisions. They must co-operate with their line manager and head of Department or service so that health and safety responsibilities can be discharged. This responsibility cannot be delegated to others.

Students employed to carry out work within or on behalf of the University are considered by health and safety legislation to be members of University staff whilst carrying out that activity.

16.0 KABALE UNIVERSITY STUDENTS

Students, except those in the course of carrying out paid employment, are not generally considered to be employees under health and safety legislation. As such, the requirements of the national Occupational Safety and Health Act will not normally apply to students. However, students are required to comply with the University's Rules and Regulations and these include a requirement to comply with health and safety instructions, not to misuse or damage equipment provided for their safety or for the safety of others and to comply with relevant aspects of University Occupational health and safety policy.

17.0 CONTRACTORS

The University has a legal duty to provide a safe working environment for contractors working on University managed property. Contractors will have responsibilities, under the Occupational Safety and Health Act, 2006 for their safety and for the safety of anyone else who may be affected by their work. This includes a responsibility to cooperate with other duty holders in order to discharge that responsibility. As such, contractors are required to observe relevant University health and safety policy, standards and guidance whilst working under the direct control of the University.

18.0 OTHER ROLES WITH SPECIFIC HEALTH AND SAFETY RESPONSIBILITIES

a) Head of Estates, Dean of students and Sports Officer

These named directors have additional accountabilities to their respective line managers in that they have responsibility for health and safety matters associated with the buildings and infrastructure falling under their control. This includes the provision and maintenance provision of safe buildings, safe facilities and safe grounds, and encompasses any statutory testing or monitoring of building fabric, services and infrastructure.

The Head of Estates is responsible to carry out the tasks associated with their building-related maintenance and repair duties. The Dean of students is charged with ensuring that students are accommodated in reasonable and habitable structures to avoid injury in the student's hostels. The sports officer is charged with ensuring that students are safe while engaging in sport related activities. However, this delegation of tasks does not remove the accountability on each of these for the actual delivery of these duties.

b) Director of Human Resources

In addition to the accountabilities placed on all Directors, the Director of Human Resources is responsible for the appointment of a "Competent Person" as required under health and safety legislation and for the performance of the University Health, Safety and Environment Service.

19.0 CONSULTATION WITH EMPLOYEES

The University has a statutory duty, under the Occupational Safety and Health Act, 2006 to provide a suitable forum to formally consult employees on significant matters of health and safety. This duty shall be met through the establishment of the University's Health and Safety Committee.

20.0 GENETIC MODIFICATION SAFETY COMMITTEE

The University shall establish a genetic modification Safety Committee as required under the Genetically Modified Organisms (Contained Use) Regulations 2014. The GMSC is made up of suitably competent members of academic staff and is chaired by the academic staff who specializes in genetically modified organisms. The role of Genetic Modification Safety Committee is to provide competent advice, guidance and oversight of all works involving the acquisition, use, storage, transport or disposal of genetically modified organisms (GMO) and

other specified biological agents. No such work is allowed to be started at the University without the prior approval, in writing, of the chair of GMSC. All laboratories in which these biological materials are handled and all workers who handle them must be registered with the appropriate body. Specific policy, standards and guidance on Biological Safety and Genetic Modification must be consulted prior to any work in this field.

21.0 MONITORING HEALTH AND SAFETY PERFORMANCE

Health and safety performance will be managed proactively across the University through a plan of departmental and topic specific audits. Departments will be responsible for carrying out periodic safety inspections. The University will carry out an annual health and safety self-assurance exercise to enable all Deans, Directors and Heads of Department/Units to confirm that they are managing their health and safety responsibilities.

The significant findings of proactive monitoring will be reported at departmental level, through management meetings or departmental safety committees where these are established. Matters arising should be recorded on an action plan setting out ownership of specific issues and timeframes for corrective action to be taken.

The University will also carry out reactive monitoring through the collection and reporting of work-related incident and ill-health data.

The results of all monitoring activities, including the significant findings of any incident investigations, are submitted to University Health and Safety committee on a quarterly basis. Incident statistics are included in the Vice-Chancellor's report to each University Council meeting and an annual report on health and safety is submitted to Council each February.

22.0 EFFECTIVE DATE FOR THE POLICY

The policy shall be effective from the date of its approval by the University Council.

23.0 POLICY REVIEW

The policy will be reviewed periodically, but at least every after three (3) years to take into account emerging issues and trends. A dynamic action plan outlining how the commitment will be operationalized will be developed in the first year of the implementation of the policy.