

# NATIONAL RESEARCH FOUNDATION

PRIME MINISTER'S OFFICE

SINGAPORE

## CREATE Safety Policy

**The Campus for Research Excellence and Technological Enterprise (CREATE) Safety Policy** is designed to protect the health, safety, and environment of all staff, occupants, visitors, and the surrounding community. This policy applies to everyone associated with CREATE and its premises. Our goal is to cultivate a culture that prioritizes health and safety through leadership, resource allocation, established processes, continuous education initiatives, and an unwavering commitment to this policy.

### Policy Statements

**1. Compliance with Legislation**

Strictly adhere to all relevant health, safety and environment laws and regulations, ensuring our practices meet or exceed legal requirements.

**2. Continuous Improvement & Risk Management**

Identify, assess, and control hazards in all research and operational activities, implementing preventive measures to mitigate risks. Establish a clear procedure for reporting and investigating accidents, incidents, and near-misses, using findings to prevent recurrence and improve safety practices.

**3. Robust Auditing Protocols**

Implement thorough auditing protocols to consistently review and enhance our safety and health performances, identifying potential risks and areas for improvement.

**4. Emergency Preparedness**

Develop and maintain emergency response plans. Conduct regular drills and reviews to ensure preparedness for potential emergencies.

**5. Training and Education**

Promote health, safety, and environmental awareness through comprehensive training programs, ensuring all relevant parties have the knowledge and skills to prevent incidents and injuries.

**6. Individual Responsibility**

Clearly communicate individual health and safety obligations to everyone operating under CREATE's control, specifying roles and responsibilities to ensure personal accountability and adherence to safety protocols. Foster open and transparent communication on safety matters by engaging all stakeholders.

This policy provides a comprehensive framework for maintaining a safe and conducive environment in CREATE, ensuring the well-being of all individuals.



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Mr. Beh Kian Teik  
Chief Executive Officer

## **Safety Policy**

### **Workplace Safety and Health Act (WSHA)**

(Please refer to Annex A)

- Section 12(1): Employers must take measures to ensure the safety and health of persons at work.
- Section 15: Principals must ensure that contractors conduct their work safely.

### **Workplace Safety and Health (Risk Management) Regulations**

(Please refer to Annex B)

- Regulation 3: Employers and principals are required to conduct risk assessments and manage safety and health risks, implying senior management involvement in these processes.

### **WSH (Approved Code of Practice for Safety and Health Management System) Notification**

(Please refer to Annex C)

- Approved Codes of Practice recommend senior management endorsement of safety policies as part of demonstrating leadership commitment.

### **Industry Practice**

(Please refer to Annex D)

- It is a recognized best practice within the industry for the CEO or MD to sign off on all safety policies. This endorsement:
- Demonstrates a clear commitment from the highest level of management.
- Ensures accountability and reinforces the importance of workplace safety and health.
- Aligns with the principles outlined in the WSHA and related regulations.

### **Singapore Standards and Guidelines**

(Please refer to Annex E)

- SS 506/ISO 45001 Standards: Emphasize the importance of top management commitment in occupational safety and health management systems.

- (b) all means of access to or egress from the workplace; and
- (c) any machinery, equipment, plant, article or substance kept on the workplace,

are safe and without risks to health to every person within those premises, whether or not the person is at work or is an employee of the occupier.

### **Duties of employers**

**12.**—(1) It is the duty of every employer to take, so far as is reasonably practicable, such measures as are necessary to ensure the safety and health of the employer's employees at work.

(2) It is the duty of every employer to take, so far as is reasonably practicable, such measures as are necessary to ensure the safety and health of persons (not being the employer's employees) who may be affected by any undertaking carried on by the employer in the workplace.

(3) For the purposes of subsection (1), the measures necessary to ensure the safety and health of persons at work include —

- (a) providing and maintaining for those persons a work environment which is safe, without risk to health, and adequate as regards facilities and arrangements for their welfare at work;
- (b) ensuring that adequate safety measures are taken in respect of any machinery, equipment, plant, article or process used by those persons;
- (c) ensuring that those persons are not exposed to hazards arising out of the arrangement, disposal, manipulation, organisation, processing, storage, transport, working or use of things —
  - (i) in their workplace; or
  - (ii) near their workplace and under the control of the employer;
- (d) developing and implementing procedures for dealing with emergencies that may arise while those persons are at work; and
- (e) ensuring that those persons at work have adequate instruction, information, training and supervision as is necessary for them to perform their work.

(4) Every employer must, where required by the regulations, give to persons (not being the employer's employees) the prescribed information about such aspects of the way in which the employer conducts the employer's undertaking as might affect their

(3) The duty imposed on every principal under subsection (1)(b) includes ascertaining that the contractor engaged by the principal —

- (a) has conducted a risk assessment in relation to the safety and health risks posed to any person who may be affected by the work for which the contractor is engaged by the principal to do; and
- (b) has informed any person who may be affected by the work for which the contractor is engaged by the principal to do of the nature of the risk involved in the work and any measure or safe work procedure which is implemented at the workplace.

[18/2011]

(4) In any proceedings for an offence under this section, it is not a defence for the principal to prove that the principal has taken, so far as is reasonably practicable, such measures as are necessary to ensure compliance with this section solely by providing directly or indirectly, by a term in a contract with the principal's contractor, that the contractor has complied with or will comply with the requirements mentioned in paragraph (a) or (b) of subsection (1).

[18/2011]

(5) In this section, "risk assessment" means the process of evaluating the probability and consequences of injury or illness arising from exposure to an identified hazard, and determining the appropriate measure for risk control.

[18/2011]

(6) Section 14 does not limit the duty of a principal under this section.

[18/2011]

### **Duties of persons at work**

**15.—**(1) It is the duty of every person at work —

- (a) to use in such manner so as to provide the protection intended, any suitable appliance, protective clothing, convenience, equipment or other means or thing provided (whether for his or her use alone or for use by him or her in common with others) for securing his or her safety, health and welfare while at work; and
- (b) to cooperate with his or her employer or principal and any other person to such extent as will enable his or her employer, principal or the other person (as the case may be) to comply with the provisions of this Act.

(2) A person at work must not wilfully or recklessly interfere with or misuse any appliance, protective clothing, convenience, equipment or other means or thing provided (whether for his or her use alone or for use by him or her in common with others)

### **Risk assessment**

**3.—**(1) In every workplace, the employer, self-employed person and principal shall conduct a risk assessment in relation to the safety and health risks posed to any person who may be affected by his undertaking in the workplace.

(2) The Commissioner may determine the manner in which the risk assessment referred to in paragraph (1) is to be conducted.

# 1. Introduction

## 1.1 Scope

- 1.1.1** This Code of Practice aims to provide clarity on and strengthen ownership of companies' Chief Executives' and Board of Directors' (henceforth termed as "Company Directors") workplace safety and health (WSH) roles and duties. Company Directors include the Chief Executive or equivalent officer involved in executive decisions as well as activities on policy and decision-making related to the business affairs of the company, which are capable of affecting the company as a whole or a substantial part of it. This is regardless of their title and whether he or she is a member of the entity's Board of Directors.

## 1.2 Purpose

- 1.2.1** Company Directors set the safety culture of their organisations. Their influence and control over their workplace resources and priorities ultimately drive WSH practices at workplaces.

- 1.2.2** The Workplace Safety and Health Act (WSH Act) section 48(1) already holds all Company Directors liable in ensuring their workers' safety and health. Under section 48(1)(b) of the WSH Act, they are also responsible for proving that they had exercised due diligence to prevent workplace incidents. This Code of Practice outlines the desired outcomes in organisational systems and culture that Company Directors should seek to achieve in order to comply with section 48(1) of the WSH Act, and lists examples of reasonably practicable steps that Company Directors can take to realise the desired organisational WSH systems and culture.

- 1.2.3** There are three key points to note about this Code of Practice:

### 1.2.3.1 Fulfilment of WSH Act obligations

By adopting the principles and measures in the Code of Practice, the Company Directors would be better placed to be considered to have taken reasonably practicable measures to uphold their workers' safety and health. Compliance with the Code of Practice could be used as a mitigating factor for the Court's consideration in the event of an organisation's WSH Act offence. Compliance with the Code of Practice means fulfilling the four principles listed in the Code of Practice. An organisation can fulfil the Code of Practice's principles by effectively implementing the specific measures suggested in the Code of Practice; more measures implemented will likely result in fulfilling each principle to a greater extent. However, compliance with the Code of Practice, in and of itself, does not equate to due diligence. The Court will assess the degree of diligence that the Company Directors have exercised, having regard to the nature of their functions and to all the circumstances related to the commission of the offence.

### 1.2.3.2 Relevance to all organisations

The Code of Practice is relevant for all Company Directors, regardless of industry and organisation size. Under the WSH Act, all Company Directors must demonstrate that they have exercised a reasonable degree of due diligence to prevent WSH lapses in their organisations. As such, they should adopt and adapt the recommended practices that best suit the nature of work in their sector and organisation.

### 1.2.3.3 Calibration of measures in the Code of Practice

Company Directors should calibrate the measures cited in the Code of Practice based on the relevance to their organisations, including industry type and nature of exposure to risks and hazards. There is no one-size-fits-all solution that meets the different needs of every organisation, and the measures listed within the Code of Practice are not intended to be exhaustive. An organisation can still comply with the Code of Practice by implementing other measures in place of those listed here if it can demonstrate how these other measures can also fulfil the four principles.

- 1.2.4** Workers and managers are also encouraged to know and understand what is expected of the Company Directors who lead their organisations.

## Singapore: New Code of Practice details Chief Executive, Director Workplace Safety and Health Statutory Duties

The Code details the organisational systems and culture to be implemented by directors of all companies to show full compliance with the Workplace Safety and Health Act 2006.

• 4 minute read



Workplace Safety and Health Statutory Duties

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### In brief

The Code of Practice: Chief Executives' and Board of Directors' Workplace Safety and Health Duties ("**Code**") will, when gazetted in October 2022, apply to all directors and equivalent officers involved in policy making and executive decisions for business affairs of companies in all industries, even for companies which have no manual work and little risk of physical injury.

While this Code is not mandatory, MOM will consider directors who adopt its principles and measures to have taken reasonably practicable measures to uphold their workers' safety and health. In prosecutions for offences under the existing Workplace Safety and Health Act 2006 (WSHA 2006), directors may show proof of compliance with the Code as a mitigating factor for the court's consideration.

We provide below the background to this Code and a summary of the four principles and the Workplace Safety and Health (WSH) measures as to management conduct and policy making, diligence, disclosure and reporting, budget, and dedicated staffing to be adopted by individual directors on a continuing basis.

### Background



- Ramping up inspections
- Imposing stiffer penalties
- Conducting a Safety Time Out
- Introducing a "Heightened Safety" period from 1 September 2022 to 28 February 2023

The courts have also introduced a new sentencing framework with harsher penalties against employers that fail to ensure the health and safety of employees at work under the WSHA 2006; see our alert: Recent High Court decisions on employer liability for workplace safety offences and compensation for workplace injuries.

However, MOM recognises that the inculcation of a safety culture, which underpins safe workplaces, must start with the senior management, who:

- Set the culture and allocate the resources within their organisations
- Ultimately shape WSH practices throughout the company

MOM earlier ran a public consultation on the proposed Approved Code of Practice (ACOP) on Chief Executives' and Board of Directors' WSH Duties, and expedited the ACOP from Q1 2023 to Q4 2022. On conclusion of the public consultation and industry engagements on 8 September 2022, MOM and WSH Council have reviewed the feedback received and will gazette and bring into effect the finalised document by October 2022.

## Recommended actions

The law already places WSH responsibilities on company leadership, with section 48(1) of the WSHA 2006 obliging all officers of a company, including directors, to:

- Ensure their workers' safety and health
- Prove they had exercised due diligence to prevent workplace incidents

The Code outlines the desired outcomes in organisational systems and culture that directors should seek to achieve in order to comply with section 48(1), and while directors should assess the relevance of the measures cited in the Code to their organisations, including industry type and nature of exposure to risks and hazards, the directors nonetheless adopt and adapt the recommended practices that best suit the nature of work in their sector and organisation.

Under the following four principles:

- Integrate WSH into business decisions and ensure clarity in directors' roles and responsibilities in leading WSH
- Continuously build a strong WSH culture, set the tone and demonstrate visible leadership in embodying and communicating highly effective workplace safety and health standards
- Ensure WSH management systems are effective and reviewed regularly
- Empower workers to be actively engaged in WSH

the Code lists reasonably practicable steps that directors can take to realise the desired organisational WSH systems and culture.

We summarise these measures below:



## Introduction

### 0.1 Background

An organization is responsible for the occupational health and safety of workers and others who can be affected by its activities. This responsibility includes promoting and protecting their physical and mental health.

The adoption of an OH&S management system is intended to enable an organization to provide safe and healthy workplaces, prevent work-related injury and ill health, and continually improve its OH&S performance.

### 0.2 Aim of an OH&S management system

The purpose of an OH&S management system is to provide a framework for managing OH&S risks and opportunities. The aim and intended outcomes of the OH&S management system are to prevent work-related injury and ill health to workers and to provide safe and healthy workplaces; consequently, it is critically important for the organization to eliminate hazards and minimize OH&S risks by taking effective preventive and protective measures.

When these measures are applied by the organization through its OH&S management system, they improve its OH&S performance. An OH&S management system can be more effective and efficient when taking early action to address opportunities for improvement of OH&S performance.

Implementing an OH&S management system conforming to this document enables an organization to manage its OH&S risks and improve its OH&S performance. An OH&S management system can assist an organization to fulfil its legal requirements and other requirements.

### 0.3 Success factors

The implementation of an OH&S management system is a strategic and operational decision for an organization. The success of the OH&S management system depends on leadership, commitment and participation from all levels and functions of the organization.

The implementation and maintenance of an OH&S management system, its effectiveness and its ability to achieve its intended outcomes are dependent on a number of key factors, which can include:

- a) top management leadership, commitment, responsibilities and accountability;
- b) top management developing, leading and promoting a culture in the organization that supports the intended outcomes of the OH&S management system;
- c) communication;
- d) consultation and participation of workers, and, where they exist, workers' representatives;
- e) allocation of the necessary resources to maintain it;
- f) OH&S policies, which are compatible with the overall strategic objectives and direction of the organization;
- g) effective process(es) for identifying hazards, controlling OH&S risks and taking advantage of OH&S opportunities;
- h) continual performance evaluation and monitoring of the OH&S management system to improve OH&S performance;
- i) integration of the OH&S management system into the organization's business processes;
- j) OH&S objectives that align with the OH&S policy and take into account the organization's hazards, OH&S risks and OH&S opportunities;