



POLICY	
Issue Resolution	
Scope (Staff):	All
Scope (Area):	CAHS (Valid for PCH)

### Aim

To outline Occupational Safety and Health (OSH) issue resolution in order to resolve OSH issues in an efficient and practicable manner.

### Risk

- Breach of legislative requirements including Duty of Care under the [WA Occupational Safety and Health Act 1984<sup>1</sup>](#) and [WA Occupational Safety and Health Regulations 1996<sup>2</sup>](#).
- Increased risk of staff injury and illness if incidents and hazards are not resolved in a timely and efficient manner.

### Definitions

**Provisional Improvement Notices (PIN):** a notice issued by an appropriately trained elected OSH Representative regarding a previously raised OSH issue in the workplace. Only trained elected OSH Representatives are able to issue a PIN in the workplace, if they believe there has been a breach of the OSH Act<sup>1</sup> or OSH Regulations<sup>2</sup> and after consultation has occurred with the manager.

**Worksafe Improvement Notice:** is a written direction issued by a WorkSafe Inspector requiring a person to remedy (fix) an alleged breach of the Act or regulations. An Improvement Notice states which sections of the OSH legislation have been breached, what you should do to remedy these situations and a deadline for completing this work.

**Worksafe Prohibition Notice:** a written direction issued by a WorkSafe Inspector that prohibits any activity the Inspector believes involves or will involve a risk of imminent and serious injury or harm to the health of any person. On issuing a Prohibition Notice, the Inspector remains at the workplace until the employer is advised of the Notice and the prohibited activity has ceased.

**Serious Hazard:** a situation in the workplace that has the potential to cause significant harm to the health and safety of staff, volunteers, students, contractors and visitors

**Qualified OSH Representative:** An elected and suitably trained employee who has nominated by their peers to represent them on all Occupational Safety and health matters

### Principles

- CAHS complies with the OSH Act 1984<sup>1</sup> by developing and adopting procedures for the resolution of OSH issues at the workplace

- The [CAHS Employee Hazard Incident Form](#) must be completed following an incident as per the [CAHS Incident/Hazard Reporting policy](#)
- If a PIN is issued, it must be sent to all key stakeholders including the Manager of the area, Head of Department (HOD)/Director/Executive and the CAHS OSH Department via CAHS OSH email for recording.
  - Prior to the issuing a PIN consultation must occur with all key parties, including the CAHS OSH Department and relevant Executive member.

## Roles and Responsibilities

### ***Manager / Supervisor***

- All Managers and Supervisors are responsible for the following:
  - ensure identified OSH issues are resolved in consultation with the staff member who raised the issue and /or appropriately trained elected OSH Representative
  - ensure the workplace/area is secured to prevent injury to staff or others in the vicinity
  - escalate unresolved OSH issues to the Executive Director for registering on the risk register, if appropriate.
    - Consult with CAHS OSH Department for advice regarding raising a risk on the risk register.

### ***Employee***

- All employees have a responsibility to ensure that they:
  - report all incident and hazards via the [CAHS Employee Hazard Incident Form](#)
  - communicate and cooperate with management to resolve OSH issues.

### ***OSH Department***

- Appropriately trained elected OSH Representatives have a responsibility to ensure they:
  - undertake their role in accordance with the OSH Act<sup>1</sup>, associated legislative documents and CAHS policies when raising OSH issues and work together with their manager to resolve OSH issues
  - consult with key stakeholders before issuing a PIN.

### **Provisional Improvement Notices (PIN)**

- An appropriately trained elected OSH Representative may only issue a PIN following suitable consultation with the person who is to be issued with the notice (Manager/Supervisor), another appropriately trained elected OSH Representative in the workplace, and the CAHS OSH Department as per the [Guidance Note: Formal Consultative Processes in the Workplace](#).
- A PIN must give at least 7 days in which to remedy the OSH issue.

- Non-compliance with a PIN is considered an offence and the matter will be investigated by Worksafe.
- If a PIN is to be issued, the CAHS OSH Department, and relevant HOD/Director/Executive must be notified.

## OSH Issue Raised and Resolution

- When an OSH issue arises in the workplace, an attempt must be made to resolve the matter as quickly and elected OSH Representative, and / or the relevant OSH Committee.
- Follow the CAHS OSH Issue Resolution Flow Chart in [Appendix 1](#).
- It is expected that most issues can be resolved at a local level. Factors such as resource considerations may require the referral of an issue to relevant HOD/Executive Director or OSH Committee(s).
- An unresolved OSH issue may arise when there is a difference of opinion as to whether:
  - A hazard has been adequately addressed; or
  - The process to address the hazard/risk is clear and reasonable.
- An OSH issue is resolved when the action plan to address the safety and health risk is agreed by all relevant parties and all actions are undertaken as per the plan.
- Where an OSH issue remains unresolved it may be as a result of differing opinion as to whether:
  - A hazard has been adequately addressed; or
  - The process to address the hazard/risk is clear and reasonable.
- In this case it should be escalated by the manager/OSH representative to the next level of resolution that being
  - the OSH Department and HOD/Executive
  - if still unresolved then escalate to The relevant OSH Committee
  - if still unresolved then consult with Worksafe for a resolution or PIN issued (if appropriate- i.e. all of the above in the definition has occurred).

## Risk of Imminent and Serious Injury or Harm to Health

- CAHS recognises the right of employees to refuse to work in circumstances which they believe would expose them to a risk of imminent and serious injury or harm to health.
- The manager/supervisor and employees are responsible for securing the area (including implementing relevant site/service emergency procedures) to prevent injury to staff and others in the vicinity.
- If emergency procedures are not warranted, but there is a serious risk of injury or harm to health, employees are to be given reasonable alternative work until it is safe to resume their usual work.

- The CAHS OSH Department and relevant HOD/ Executive Director are to be consulted regarding risk control processes.
- The employee will be offered reasonable alternative work and must perform this work.
- Worksafe WA may be notified by the employer, an OSH Representative; or in the absence of an OSH Representative, an employee when there is failure to resolve the issue and where there is a risk of imminent and serious injury or harm to the health of any person.
- A Worksafe Inspector may:
  - intervene to assist in the resolution of the OSH problem
  - take action considered appropriate under the OSH Act<sup>1</sup>
  - issue a Prohibition or Improvement Notice or
  - take no action.

### Compliance Monitoring

- Each CAHS Executive will be responsible for ensuring compliance with this policy.
- Breach of this policy may result in disciplinary action under the [Department of Health Reporting of Criminal Conduct and Professional Misconduct Policy](#)<sup>4</sup>

### Reporting or Record Keeping



- Compliance monitoring methods may include:
  - Number of incidents and hazards reported across CAHS.

Related internal policies, procedures and guidelines
<a href="#">Workplace Hazard Inspection</a> (CAHS Policy)
<a href="#">Incident/Hazard Reporting</a> (CAHS Policy)

References
1. <a href="#">WA Occupational Safety and Health Act 1984</a>
2. <a href="#">WA Occupational Safety and Health Regulations 1996</a>
3. <a href="#">Guidance Note: Formal Consultative Processes at the Workplace (Worksafe 2006)</a>

Useful resources (including related forms)
<a href="#">CAHS Incident Hazard Form</a>

This document can be made available in alternative formats on request

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**Appendix 1: Issue Resolution Flowchart**

