



PROCEDURE	
Worksafe Inspector Site Visits	
Scope (Staff):	All employees
Scope (Area):	Child and Adolescent Health Service (CAHS)

Aim

To support site visits by Worksafe Inspectors.

Risk

Failure to comply can result in breach of legislative requirements including Duty of Care under the [WA Occupational Safety and Health Act 1984](#) and WA [Occupational Safety and Health Regulations 1996](#).

Definitions

Verbal Direction: an instruction given by a Worksafe Inspector requiring a person to remedy (fix) an alleged breach of the Act or Regulations.

Improvement Notice (section 48): written direction from a Worksafe Inspector to remedy (fix) an identified breach of legislation within a specified period of time.

Prohibition Notice (section 49): written direction from a Worksafe Inspector to a person or employer prohibiting an activity which in their opinion involves an immediate and serious risk to the safety and health of a person or people.

Principles

- Worksafe Inspectors (Inspectors) have the legal right to enter, at any time, any workplace where employees work or are likely to be in the course of their work.
- Inspectors are to be provided with unrestricted access to workplaces, except where there is a statutory restriction.
 - Refer to the PCH procedure [Access to Ward 5A](#) for access to the Mental Health unit.
 - Refer to the PCH policy for [Perioperative Visitor Access Management](#) for access to the Operating Theatres.
- It is an offence to obstruct, threaten or interfere with an Inspector who is undertaking duties in accordance with the OSH Act.
- CAHS expects all employees to cooperate with the Inspector and listen to their advice.
- An inspection may occur as a result of a:
 - WorkSafe campaign
 - employee or employer request

- review of reportable incidents under the Act
- random visit
- Section 43 of the *Act* grants prescribed powers to Inspectors which includes the ability to:
 - enter, inspect and examine any workplace at any reasonable time of the day or night
 - enter any workplace at any other time that the performance of their functions under the Act requires such entry
 - enter the workplace with materials and equipment as they consider appropriate
 - conduct necessary examination and inquiry to ascertain whether there has been compliance with the Act
 - examine any plant, substance or other thing whatsoever at the workplace
 - provide information to any person for the purpose of facilitating compliance with the Act
 - take and remove samples of any substance or thing without paying for it
 - take photographs and measurements, and make sketches and recordings;
 - require the production of, examine, and make copies or extracts of any document
 - require that the workplace, or any part of it, be left undisturbed for as long as is specified in the requirement
 - interview any person who is or may have worked at the workplace in the preceding three (3) years
 - require any person interviewed to answer any questions put to them and, where appropriate, verify such answers by statutory declaration
 - require the employer or any person who works at a workplace to render such assistance to the inspector considered necessary by the Inspector; and / or
 - exercise such other powers as may be conferred on them by the Regulations
- Sections 48 to 50 of the Act enable a Worksafe Inspector to provide verbal direction, issue written improvement notices or prohibition notices as a result of a workplace visit.
- When leaving the site, the Inspector will inform the employer, person in control of the business or undertaking and safety and health representative(s) if there are any action the Inspector has taken or will be taking.
 - Refer to the [WA Occupational Safety and Health Act 1984](#).

Roles and Responsibilities

Manager / Supervisor

- Understand obligations under the Act and Regulations and ensure they understand the appropriate OSH policies and this procedure.

- Ensure patient, staff and visitor safety during inspections.
- Make inspector aware of any reasons for not entering particular areas of a ward at particular times or with particular materials and equipment.
- In relation to the authorised mental health inpatient ward 5A see CAMHS [Access to Ward 5A](#) at PCH which provides guidance around ensuring the safety of the ward environment for patients, staff and visitors.

Occupational Safety and Health (OSH) Department / Representative

- Attend the site during Worksafe Inspector visits if practicable.
- Work with Manager, Executive Director and other key stakeholders to assist resolution of Worksafe Notices (verbal or written).

Worksafe Inspector

- Responsible for the enforcement of the Act and the Regulations.

Site Visit Process

- On entering a workplace, Inspectors are required to notify the site Manager of their presence and sign the Visitor book.
 - The Manager is required to notify the Executive Director (Tier 2 Manager) and OSH Department immediately to assist in the liaison process.
 - Refer to Section 45 of the [WA Occupational Safety and Health Act 1984](#), which prescribes the actions to be taken by a Worksafe Inspector during a workplace visit.
- To ensure appropriate access, CAHS staff may request to see the Inspectors photo identification.
- Manager must notify any elected OSH representative(s) at the workplace, the Tier 2 Manager and the OSH Department.
- When carrying out an inspection, the Inspector will focus on WorkSafe's seven (7) priority areas in most instances where they are relevant.
 - They will also consider other hazards observed during the inspection.
- Upon completing an inspection of a workplace, the Inspector must notify the Manager, OSH representative(s) or the OSH Department of any action they have taken and any further action they require to be taken as a result of the inspection.
- Where the Inspector has taken any photograph or made any sketches or recording of a workplace, they shall inform the Manager, relevant OSH Representative of the fact.

Verbal Direction

- A verbal direction must be rectified immediately and will be inspected prior to the Inspector leaving the site.

- Any verbal direction issued by an Inspector will be conveyed to CAHS, Safety and Health Representatives or OSH Committee or any other relevant party while the Inspector is at the workplace.

Prohibition or Improvement Notice (PIN)

- If CAHS receives a written Worksafe Notice (Prohibition or Improvement), it is a legally binding document that needs to be addressed as a priority.
- Failure to comply with a Notice is an offence under the Act and can result in prosecution for CAHS and the individual named on the Notice.
- The notice must be displayed and shall not be removed until the requirements have been satisfied.
- The Manager and Executive Director should have regular meetings to establish progress in meeting compliancy with Notice issued,
- CAHS may wish to appeal an Improvement Notice, which can be done within 14 days.
- Extensions may be applied for prior to the due date of the Notice.
 - The Executive member should contact the Inspector directly to discuss an extension.

Record keeping

- Records of a Worksafe Inspector visit must be kept for possible future OSH issues / Worksafe PINs issued.


Related internal policies, procedures and guidelines
Occupational Safety and Health (CAHS Policy Manual)
Access to Ward 5A (PCH CAMHS Policy Manual)
Issue Resolution (CAHS Policy Manual)
Perioperative Visitor Access Management (PCH Perioperative Practice Manual)

References
1. Priority areas (Areas of Focus) – Department of Mines, Industry Regulation and Safety https://www.commerce.wa.gov.au/worksafe/priority-areas-areas-focus
2. Occupational Safety and Health Regulations 1996 (Western Australian Legislation)
3. WA Occupational Safety and Health Act 1984 (Western Australian Legislation)

Useful resources (including related forms)
Workplace Inspections (Department of Mines, Industry Regulation and Safety)

[Guidance Note: Formal Consultative Processes at the Workplace](#) (Department of Mines, Industry Regulation and Safety)

This document can be made available in alternative formats on request.

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Appendix 1: Fact Sheet Worksafe Inspector Site Visits

Fact Sheet Worksafe Inspector Site Visits

WorkSafe Inspectors have wide ranging powers such as the right to question staff, inspect facilities, and take photographs or other forms of evidence and access computer or paper-based records. It is in your interest to cooperate with Inspectors and build a positive relationship with them.

During a visit, Inspectors have the power to investigate other matters that may come to their attention, issue Worksafe Improvement or Prohibition Notices. All employees are expected to understand and follow the Worksafe Inspector Site Visits (CAHS) Procedure.

Notification Requirements

Section 45 of the Occupational Safety and Health (OSH) Act 1984 prescribes the actions to be taken by a Worksafe Inspector during a workplace visit which is:

- On entering a workplace a Worksafe Inspector is required to notify their presence to any relevant CAHS area manager / supervisor.
- On entering a workplace a Worksafe Inspector is required to notify their presence to any trained OSH Representative.
- Upon completing an inspection of a workplace, a Worksafe Inspector shall notify any relevant employer, OSH Representative or the OSH Department of any action they have taken and any further action they require to be taken as a result of the inspection.
- Where the Worksafe Inspector takes a photograph or makes any sketches or recording of a workplace, they shall inform the employer and the OSH Representative of the fact and where the items may be inspected.

Appendix 2: FAQ's for Managers

Frequently Asked Questions for Managers

1. What should I do if Worksafe contact me or someone in my Department or Service?

Contact your senior manager and CAHS OSH Department **immediately** to assist in the liaison process. You should cooperate with the Worksafe Inspector and listen to their advice. You cannot refuse a Worksafe Inspector access to a workplace or ask them to come back at a more convenient time. However, you are entitled to ask to see their photo ID.

Maintain a record (email) of details timeline of visit.

2. What do I do if the Inspector issues an Improvement or Prohibition Notice?

A Notice is a legally binding requirement issued by a WorkSafe Inspector. If you receive a WorkSafe Notice, it is a serious issue that needs to be addressed as a priority. Failure to comply with a Notice is an offence and can result in prosecution and fines for the employer and the individual named on the Notice.

The person who received the Notice is to sign the Notice where indicated. For examples of PINs please visit: [Provisional Improvement Notice – Form](#)

3. What happens once a Notice is issued?

- **Immediately** advise and send a copy of any Notice to your senior manager and CAHS OSH Department within 24 hours of receipt.
- Advise staff and display the Notice in the workplace issued
- The Manager and Executive should have regular meetings to establish progress in meeting compliancy with Notice issued.

4. Can I appeal an Improvement Notice?

If you wish to appeal the Improvement Notice you are generally required to do this within 14 days. The Worksafe Inspector who issued an Improvement Notice can also provide you with advice on how to address the situation.

If you need any assistance, please immediately contact the CAHS OSH Department

5. What if I need an extension to a Notice?

The Executive needs to contact the Inspector directly to discuss need for extension PRIOR TO THE DUE DATE OF THE NOTICE.

Form 4 - Review of Improvement Notice needs to be completed, documenting actions required, and the form faxed to the Inspector (CAHS OSH Department can assist).

The Manager needs to continue actions towards improvement and compliance with the conditions of the Notice.

Once the requirements for a Notice have been achieved and the Notice complied with, the original document is to be signed and dated by Executive Director and/or HOD and forwarded to Worksafe either via fax, email or postal mail, copy to CAHS OSH Department.

6. What do I do with a Safety Alert?

When a Worksafe Notice has been received by any CAHS site, the OSH Department will forward a **Safety Alert** to all relevant departments and OSH Committees via email advising the issue and actions required.

The Manager in consultation with staff should review the Safety Alert to ensure understanding of the requirements of the Notice and ensure suitable controls and corrective actions are applied.

Do not ignore a Safety Alert; it needs to be acted on promptly to avoid further infringements being issued by Worksafe for non-compliance.