

WHS Issue Resolution Procedure

# About this document

### Document purpose

To provide clear and concise guidelines for the resolution of work health and safety (WHS) issues.

### Document authority

This WHS issue resolution procedure has been authorised by the manager and is available to all staff. It has been developed in line with all relevant legislation, in consultation and agreement with the WHS committee and the WHS officer.

### Document application

All employees are advised to apply this procedure to resolve specific WHS issues.

### Expected update frequency

Yearly

### Document location

<https://sites.google.com/classroom.nctafe.edu.au/datatrust/intranet>

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# Issue resolution

An ‘issue’ is any concern about health and safety in the workplace that remains unresolved after consultation with the affected workers and the organisation.

For example, an issue could include a difference in opinion on whether something is a potential risk to health and safety or whether a particular control measure is adequate.

The following steps are recommended for resolving a work health and safety issue.

## Procedure

1. When a health and safety issue arises either as a result of a risk assessment or a workplace assessment, or a problem is identified by an employee of DataTrust, it is the employee’s responsibility to take immediate action to resolve or rectify the problem if qualified or competent to do so including ceasing the task if an immediate risk of injury is perceived. It is also the employee’s responsibility to advise their employees leader/ manager.
2. If the issue cannot be resolved immediately, the matter is to be referred to the WHS Officer who is to take immediate steps to consult, investigate and resolve, or rectify the matter. Results of any resolution at this stage are to be notified to the employee(s) concerned and documented appropriately.
3. If the worker is dissatisfied with the WHS Officer’s response, then the issue should be raised with the DataTrust managers and/or health and safety representative/committee. The WHS officer should at this stage notify the relevant employees leader of the issue and inability to resolve.
4. Where the issue has not been resolved satisfactorily by the WHS officer, the employee’s manager, or the health and safety committee meeting, the issue must be raised with the DataTrust CIO (or delegate) for consideration and authorisation (e.g. expenditure of funds to modify machines to cut noise levels).
5. A WorkCover inspector may be requested to provide advice.
6. Employee/s to be advised of outcome in writing.

## What if the issue is not resolved?

If reasonable efforts have been made to resolve an issue and it remains unresolved, any party to the issue can ask the regulator to appoint an inspector to assist at the workplace. There does not have to be agreement about whether reasonable efforts have been made to resolve the issue in order for an inspector to be requested. As long as one party considers that reasonable efforts have been made, an inspector can be requested.

The inspector’s role is to assist in resolving the issue. An inspector could exercise any of their compliance powers under the *WHS Act*, including providing advice, investigating contraventions or issuing an improvement notice.

At any time during the process or if a request to the regulator is made, a worker is still entitled to exercise their right to cease work, or a HSR can issue a provisional improvement notice (PIN) or a direction to cease work.

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