

OBJECTIVE

To resolve problems related to Health Safety and Wellbeing (HSW) situations that may arise in the work and learning environment in a consultative and timely manner. This work instruction provides a clear process for the resolution of health safety and wellbeing issues at RMIT and sets out:

- The issue reporting process;
- The role of the Health and Safety Representatives (This requirement is only legislated in Victoria, Australia through the Victorian **Occupational Health and Safety Act 2004**. Other jurisdictions can choose to follow these requirements, if local legislation does not exist.) in issue resolution; and
- RMIT's responsibility to appoint Employer Representatives for the resolution of Health Safety and Wellbeing issues.

BACKGROUND

SCOPE

This process applies to all RMIT Staff, Students and Third Parties globally.

WHAT MUST GO RIGHT?

The expected outcomes – known as 'what must go right' – will be that:

- HSW Issues / Hazards are resolved through consultation with HSRs and staff

PROCEDURE

1. Implementation

This work instruction has been developed in line with the legislative requirements set out in the Victorian **Occupational Health and Safety Act 2004**. In locations other than Victoria, this work instruction should be adopted where practical; to ensure all HSW issues are managed accordingly.

HSW Issue Resolution Flow Chart

The HSW issue resolution process details the steps that must be taken in reporting and resolving health and safety issues and are set out in the following Flow Chart – **HSW-PR07-FC01 – HSW Issue Resolution Flow Chart**.

Reporting Health and Safety Issues

If an individual (Students should raise a health and safety issue with their lecturer / teacher, an employee in the school office or the students group. The issue will then be raised by that person in accordance with this work instruction.) has a health, safety or wellbeing issue / problem at RMIT, the following issue resolution steps must be adopted:

1. Where a staff member encounters what they believe to be a Health Safety and Wellbeing issue or is allocated work to perform in what they consider constitutes an unsafe situation, they must cease work and remove themselves from the area of the perceived hazard and, other staff members where applicable.

2. The staff member must then report the health, safety and wellbeing issue or concern to their Operational Leader, and/or the Health and Safety Representative (HSR) or Deputy HSR (in the absence of the HSR) of their Designated Work Group (DWG)¹.
 - a. Where there is no HSR or Deputy HSR, the issue is to be reported to the Operational Leader and/or it can be reported to the HSR or Deputy HSR of another DWG.
 - b. Where allegations of bullying are raised, staff should resolve this issue by following the RMIT **Staff Complaints Procedure** under the RMIT **Workplace Behaviour Policy**.
3. The staff member or HSR² shall complete a hazard report electronically through P.R.I.M.E. or with **HSW-PR10-FR01 – Incident Notification Form**.
4. The Operational Leader shall contact the HSR who, with the Operational Leader and the staff member, shall investigate, resolve the issue through P.R.I.M.E. following – **HSW-PR10 – Incident Management and Investigation**. To resolve the issue the parties must take into account:
 - a. Whether the issue can be isolated
 - b. The number and location of staff affected by the issue
 - c. Whether the appropriate temporary measures are possible or desirable
 - d. The time that may lapse before the issue is permanently resolved.
5. If at this point the issue is not resolved, the Operational Leader shall:
 - a. Organise for the affected staff member(s) to be relocated to another work area which is not affected by the issue.
 - b. Contact the relevant Senior Leader to notify them of the situation.

¹NOTE – DWG - Students should raise a health and safety issue with their lecturer / teacher, an employee in the school office or the student's group. The issue will then be raised by that person in accordance with this work instruction.

²NOTE – HSR - This requirement is only legislated in Victoria, Australia through the Victorian **Occupational Health and Safety Act 2004**. Other jurisdictions can choose to follow these requirements, if local legislation does not exist.

6. The Senior Leader, Operational Leader, HSR and the staff member reporting the situation, shall investigate and attempt to resolve the issue. If at this point the issue is resolved, all staff shall return to work, and the investigation team shall update the incident investigation in P.R.I.M.E..
7. If the issue remains unresolved, the Senior Leader shall contact the Senior Advisor, Health and Safety to discuss the issue. The Senior Advisor, Health and Safety, shall discuss the issue with the staff member, HSR, Operational Leader and Senior Leader to investigate and determine improvements to be made to rectify the issue.
8. If the issue remains unresolved, the Senior Leader is to table the issue at the next Health and Safety Committee (Only if Health and Safety Committees have been established) Meeting to discuss the issue. If required, the Senior Leader will convene an extra-ordinary Health and Safety Meeting if the possible time lapse is more than one month. The committee shall investigate and recommend:
 - a. Immediate return to work
 - b. Recommend improvements to be carried out, re-inspect when the improvements are complete and once satisfied, recommend an immediate return to work

Victoria, Australia Legislated requirements as per The Occupational Health and Safety Act 2004 (OHS Act):

1. If the issue remains unresolved, the HSR for the affected DWG can issue a Provisional Improvement Notice (PIN). The PIN will state that there is a contravention of the OHS Act or its Regulations. It must state:
 - a. The section of legislation not being met by RMIT;
 - b. The details and reasons of this contravention; and

- c. The date (at least eight days after the day when the PIN is issued) by which the employer is required to remedy the contravention
2. The person to whom the PIN is issued, must communicate the details of the PIN to all staff affected by the PIN. The PIN must be displayed in a prominent place at or near the workplace affected by the PIN.
 - a. The Director, Health Safety and Wellbeing, must be notified immediately of any PIN received.
3. Director, Health Safety and Wellbeing will determine whether the PIN issued by the HSR is valid. A PIN is valid only if the HSR has adhered to the process requirements as detailed by [WorkSafe](#).
4. Director, Health Safety and Wellbeing will determine whether the improvement or preventive actions requested by the HSR in the PIN are reasonably practicable to implement to rectify the issue.
 - a. If yes – the changes will be made and the PIN will be closed. All details to be updated within the P.R.I.M.E. report.
 - b. If no – the Director, Health Safety and Wellbeing can request a WorkSafe Inspector to attend the University to discuss the resolution of the issue.

An inspector will inquire into the circumstances relating to the PIN and may:

- Affirm the PIN
 - Affirm the PIN with modifications
 - Cancel the PIN
 - Issue an Improvement Notice (IN)
5. The Director, Health Safety and Wellbeing must comply with the requirements of the Improvement Notice or the Inspectors decision to cancel the PIN
 6. The issue is deemed to be resolved and is documented in the P.R.I.M.E. event.

2. Responsibilities

Senior Leaders

- Provide assistance and support to the Operational Leader in the resolution of a workplace issue
- Work with the Operational Leader, staff and HSRs to ensure staff are provided with safe systems of work and a safe working environment
- Develop Improvement or preventive actions in consultation with the HSR

Operational Leader

- Work with staff and HSRs to ensure staff are provided with safe systems of work and a safe working environment
- Develop Improvement or preventive actions in consultation with the HSR

Staff

- To report all incidents and hazards within P.R.I.M.E.
- Notify their HSR of any Health and Safety Issues

3. Definitions

Defines any key terms and acronyms relating to the process where they apply.

Term / acronym	Definition
IN - Improvement Notice	Issued by a WorkSafe Victoria Inspector to RMIT outlining actions to be taken to rectify an issue.
Operational Leaders	<p>Any staff member of RMIT who:</p> <ul style="list-style-type: none">• Plans, organises or supervises the activities of other staff, contractors, students or visitors on behalf of RMIT; or• Designs or organises the design, maintenance or refurbishment of facilities on behalf of RMIT <p>This includes all managers, senior accountants, senior administrators, course coordinators, team leaders, industry fellows, research fellows, teachers, senior educators and lecturers.</p>
PIN	Provisional Improvement Notice issued by a HSR when they believe RMIT is not meeting its requirements under the Occupational Health and Safety Act 2004 and / or its Regulations.
P.R.I.M.E.	Proactive Risk and Incident Management Excellence. Incident Notification and Management online software.
Senior Leaders	This includes leaders within schools and department, and includes senior school managers, heads, deans and their deputies, program director, assistant directors, discipline heads, senior managers, professors and associate professors.

4. Supporting Documents

Lists the supporting and related Processes and Guidance Material, Legislative references, Australian and International Standards etc. that may be useful references for process users

- HR – HSW-PR07-FC01 - HSW Issue Resolution Flow Chart
- HR - HSW-PR10 - Incident Management & Investigation
- RMIT Workplace Behaviour Policy
- RMIT Staff Complaints Procedure
- P.R.I.M.E. Incident Notification Form
- Victorian Occupational Health and Safety Act 2004