

## WHS Issue Resolution

Doc Reference:	DoMN-WHSMS 3.30
Version Number:	2.2

### Purpose

To define how the Diocese of Maitland-Newcastle (DoMN) duty holders will manage Work, Health & Safety (WHS) issues within the Diocese including:

Identified Hazards

WHS Issue escalation & resolution

This process is not to be confused with the Grievance & Issue resolution process which outlines how issues such as unfair treatment, discrimination, harassment, victimization, vilification and/ or bullying will be managed. Please refer to the Human Resources department for more details on this procedure.

### Scope

This procedure applies to all workers of the Diocese of Maitland – Newcastle (DoMN) including all employees, contractors and volunteers.

### Definitions and Terms

Term	Definition
Workers	Those engaged in both paid and volunteer employment with the Diocese of Maitland- Newcastle as well as contractors on DoMN sites.
WHS Issue	Any type of problem, concern or complaint related to the work health, safety and welfare of employees, volunteers or contractors within the DoMN.
Provision Improvement Notice (PIN)	A PIN may be issued to management by a Government Authority if there is evidence to suggest the DoMN has contravened a section of the WHS Act or Regulations.
Improvement Notice	A legal document issued by a Government Authority, requiring the workplace to remedy a WHS breach or likely breach of the WHS Act or Regulation.
Prohibition Notice	A written direction, issued by the Government Authority, which prohibits the continuation of an activity or use of an item/equipment which the Inspector believes involves/will involve an immediate risk to the health and safety of any person. This activity and/or equipment cannot be used again until the WHS Government Authority certifies that the risk has been adequately controlled.
Regulatory Body	A external body to the DoMN who can mediate an appropriate outcome. This can include Catholic Church Insurance, WorkCover NSW or another similar body.

### Responsibilities

Position	Responsibilities
Senior Managers	<ul style="list-style-type: none"> <li>Ensure compliance with this procedure</li> <li>Take reasonable steps to ensure that WHS Issues do not occur</li> <li>Take all reasonable steps to try and resolve WHS issues, or escalate them where appropriate.</li> <li>Do not discriminate against those that raise WHS issues.</li> </ul>
Managers	<ul style="list-style-type: none"> <li>Use and follow the processes outlined here.</li> <li>Take reasonable steps to ensure that WHS Issues do not occur</li> </ul>

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	<ul style="list-style-type: none"> <li>Take all reasonable steps to try and resolve WHS issues, or escalate them where appropriate.</li> <li>Do not discriminate against those that raise WHS issues.</li> <li>Encourage staff to develop an awareness of WHS issues</li> <li>Ensure that all employees receive training on how to identify and raise WHS issues</li> <li>Take timely action to resolve or escalate WHS issues raised.</li> </ul>
Workers	<ul style="list-style-type: none"> <li>Use and follow the processes outlined here.</li> <li>Refer other employees seeking to raise WHS issues to this procedure.</li> <li>Actively participate in WHS activities including identifying workplace hazards.</li> </ul>
Human Resources, Property Department & WHS Department	<ul style="list-style-type: none"> <li>Provide advice and support to Employees, Managers and Senior Managers on WHS issues.</li> <li>Encourage timely and effective issue resolution.</li> </ul>

## Procedure

### 1. WHS Issue Resolution Processes

The organisation recognises that every work, health and safety issue raise will need to be dealt with in a formal and structured approach to sustain an effective and efficient outcome for all parties.

The below approach is aimed at providing all agencies with this structured approach to managed WHS issues internally with the supportive escalation process.

As Parish's and CatholicCare/Catholic Schools Office/Cathedral House agencies operate in quite different ways the resolution process has been developed to reflect these differences.

#### Reporting WHS Issues:

For a hazard or WHS issue to be raised by an employee, volunteer or contractor a Hazard Report (3.4a) form should be completed and submitted to their direct Manager for review. If a Hazard report form is not completed for some reason the issue should still be submitted in writing.

#### Management Review:

It is the responsibility of the direct manager/Parish Priest to firstly try and resolve the issue with the person who raised it. This can be done in consultation with the Human Resources department, Property department or the WHS department but any actions should be carried out by the Manager or reporting person themselves where possible.

#### Escalation to WHS Committee or Regional/Deanery Meeting:

If the manager/Parish Priest is unable to resolve the matter for whatever reason they are to then raise the issue with the WHS Committee/Deanery Meeting to have the matter discussed for possible resolution possibilities.

If the matter is urgent or confidential this step may be missed. However wherever possible WHS Committee members should be consulted on WHS matters.

#### Further Escalation:

If the Committee or Deanery is unable to provide an outcome to the WHS issue it should then be continued to be escalated until a resolution is reached.

At any point in time the Human Resources department, Property department or the WHS department can be consulted for further advice or resources.

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### Regulatory Body Involvement:

If for some reason the Bishop and Executive Management Team are unable to resolve the WHS issue, a regulatory body such as WorkCover NSW or Catholic Church Insurance may be asked to get involved to try and work out a suitable resolution.

### Issue Resolution

Once an WHS issue has been resolved it is required that all parties involved in the escalation process is advised of the final outcome and decision.

### Documentation of Issue Resolution

At every stage of the resolution process it is important that written documentation is kept as to the decision making process and the escalation process also.

All documents should be stored with the original Hazard report form for auditing purposes.

### Implement Temporary Measures If Issue Is Not Resolved

Where the issue is considered to pose an immediate safety risk to employees, at a minimum interim measures should be put in place to prevent any adverse consequences until the issue can be satisfactorily resolved.

Where the issue concerns work which involves an immediate threat to the health and safety of any person, the manager may direct that work will cease until the issue is resolved or a sufficient measure is put in place to eliminate any immediate risk.

Where an issue or an immediate threat remains unresolved, the assistance of the Government Authority may be requested by Senior Management or WHS Manager. The Authority may issue an Improvement Notice or a Prohibition Notice. It should be noted that in deciding the extent of concern, a specialist may need to be engaged for advice.

### Free of Unfair Repercussions or Victimisation

Management should take all necessary steps to ensure that people involved in WHS issue process are not victimised by anyone for coming forward with the grievance or for helping to resolve it. Any victimisation will be managed in accordance with the organisations counselling & Disciplinary Policy.

### Honesty

The WHS Issue procedure is intended to help workers resolve legitimate issues. If a worker uses the procedure to lie about someone/something or provide false allegations they will be disciplined.

### Timely

Issues should be raised as soon as possible as delays often make resolution more difficult. It is the responsibility of the people resolving the issue, to ensure that it is dealt with as quickly as possible.

As stated in the NSW WHS Act 2011, the DoMN needs to ensure that all reasonably practicable steps are taken to ensure WHS issues are resolved in timely manner. Unless it is not reasonable practicable, the costs associated with the resolution of a WHS issue should not be a reason for delay or inaction on a matter.

### Record Keeping

Records and documents created in the course of this process should be stored appropriately and confidentially where applicable, and in relation to the WHS Records Management Procedure.

## References

- [NSW Work, Health and Safety Act 2011](#)

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