PROVISIONAL IMPROVEMENT NOTICE (PIN) FLOWCHART— OFFICER IN CHARGE

A PIN can only be issued by an elected WHSR who has completed PINs training and when the WHSR reasonably believes that a person is breaching a provision of the WHS Act or Regulation; or has breached a provision and this is likely to be repeated. It is a legal requirement to comply with a Provisional Improvement Notice (PIN).

ISSUE RESOLVED

NO PIN ISSUED

CONSULTATION

- WHSR must consult with the officer in charge (OIC) of the workplace about remedying the breach or likely breach. The purpose of consultation is to provide the OIC with the opportunity to rectify the problem
- WHSR is to provide information to the PIC about remedying the breach. Information can be orally or in writing
- WHSR is to allow the PIC opportunity to express opinion about breach

CONSULTATION

- OIC may seek advice from WHSO, committee, regional senior health and safety consultants or TAFE H&S Coordinators to determine appropriate action. WHSR will also use these consultative mechanisms
- Final consultation between WHSR and OIC is to occur prior to issuing PIN to determine if issue can be resolved

WHSR ISSUES PIN

- If the issue remains unresolved, the WHSR can then issue a PIN to the OIC
- WHSR will also provide officer in charge with a copy of Request for a PIN Enquiry Form
- To acknowledge receipt of the PIN it is recommended, but not mandatory for the PIC to sign the PIN
- OIC to provide a copy of the PIN to the relevant supervisor (e.g. ADG, RD)

PIN IS DISPLAYED

The officer in charge of a workplace must:

- Bring to the attention of everyone whose work may be affected by the PIN e.g. email, noticeboard
- Display, if possible, a copy of the PIN (whilst it is in force) in an obvious location e.g. staff room, front office where people whose work is affected by the PIN will see it in the normal course of their day

ISSUE RESOLVED

The PIN can be withdrawn at any stage if the issue is resolved.

ACTIONING THE PIN—OFFICER IN CHARGE

It is a legal requirement to comply with a PIN— actions to resolve the issue are:

- Comply with the PIN or
- OIC to immediately discuss with the WHSR any dispute with the PIN. If resolution is not achieved, the OIC can contact WHSQ within **7 days** of receiving the PIN for a review - using the Request for a PIN Enquiry Form or
- If the requirements of the PIN require engagement from outside the workplace the OIC and WHSR negotiate escalation of the PIN through department (refer to Escalation of Unresolved PIN Flowchart)
- If compliance is a workplace issue the WHSR can contact Workplace Health and Safety Queensland (WHSQ) after the due date if compliance is not achieved.

INVESTIGATION BY WHSQ INSPECTOR

- WHSQ Inspector visits the workplace and investigates the issue for which the PIN was issued
- WHSQ Inspector will issue a PIN Enquiry Outcome (PEO) Notice which summarises their decision whether the PIN is: AFFIRMED, MODIFIED & AFFIRMED or CANCELLED
- OIC to keep a copy of the PEO Notice with the PIN as it provides the most up to date information.

PIN COMPLIANCE ACHIEVED

Application for Review of Decision implemented by Officer in Charge

Uncontrolled copy. Refer to the Department of Education, Training and Employment Policy and Procedure Register at http://ppr.det.qld.gov.au to ensure you have the most current version of this document.