

Question on Notice

No. 975

Asked on 28 August 2025

HON G GRACE asked the Deputy Premier, Minister for State Development, Infrastructure and Planning and Minister for Industrial Relations (HON J BLEIJIE) –

QUESTION:

Will the Deputy Premier advise (a) the number of complaints or referrals to Workplace Health and Safety Queensland (WHSQ) concerning non-compliance with the issuing of Provisional Improvement Notices for the period 1 November 2024 to 30 June 2025 and (b) what action was taken by Workplace Health and Safety Queensland on each of these occasions?

ANSWER:

- (a) HSRs are required to adhere to legislative obligations when issuing Provisional Improvement Notices (PINs). Under the *Work Health and Safety Act 2011* (WHS Act), a PIN notice must state, for example, that the HSR believes the person is contravening a provision of the WHS Act, the provision that is being breached and how the provision is being contravened. HSRs are also required to consult with the duty holder before issuing a PIN.

Upon receiving a PIN, a person conducting a business or undertaking (PCBU) can ask the Regulator to appoint an inspector to review the notice. This involves raising concerns about whether the HSR complied with their obligations when issuing a PIN.

I am advised that from 1 November 2024 to 30 June 2025, 8 complaints were lodged to WHSQ in relation to reviewing of PINs.

- (b) Of the 8 complaints, I can confirm:

8 complaints were lodged by PCBUs requesting the regulator appoint an inspector to review the PIN. Of these 8 complaints, I can confirm:

- 1 was confirmed with no changes
- 0 were confirmed with amendments
- 7 were cancelled

It is important to note that the majority of PINs issued by HSRs, generally do not withstand an inspector review. This can be due to errors in the drafting of the PIN or misunderstanding of the legislation by the HSR.

A case from February 2024 highlights a WHSQ Inspector responding to a request from the business to review 47 PINs issued by four different HSRs, in which the review resulted in only one PIN being confirmed with amendments. The remaining 46 were cancelled by the Inspector as not being valid.