



Australian Government

Comcare

Comcare update 2010

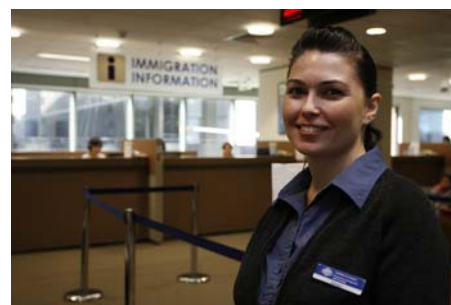
Challenges and opportunities – we're here to help

AUSTRALIA'S
SAFEST
WORKPLACES

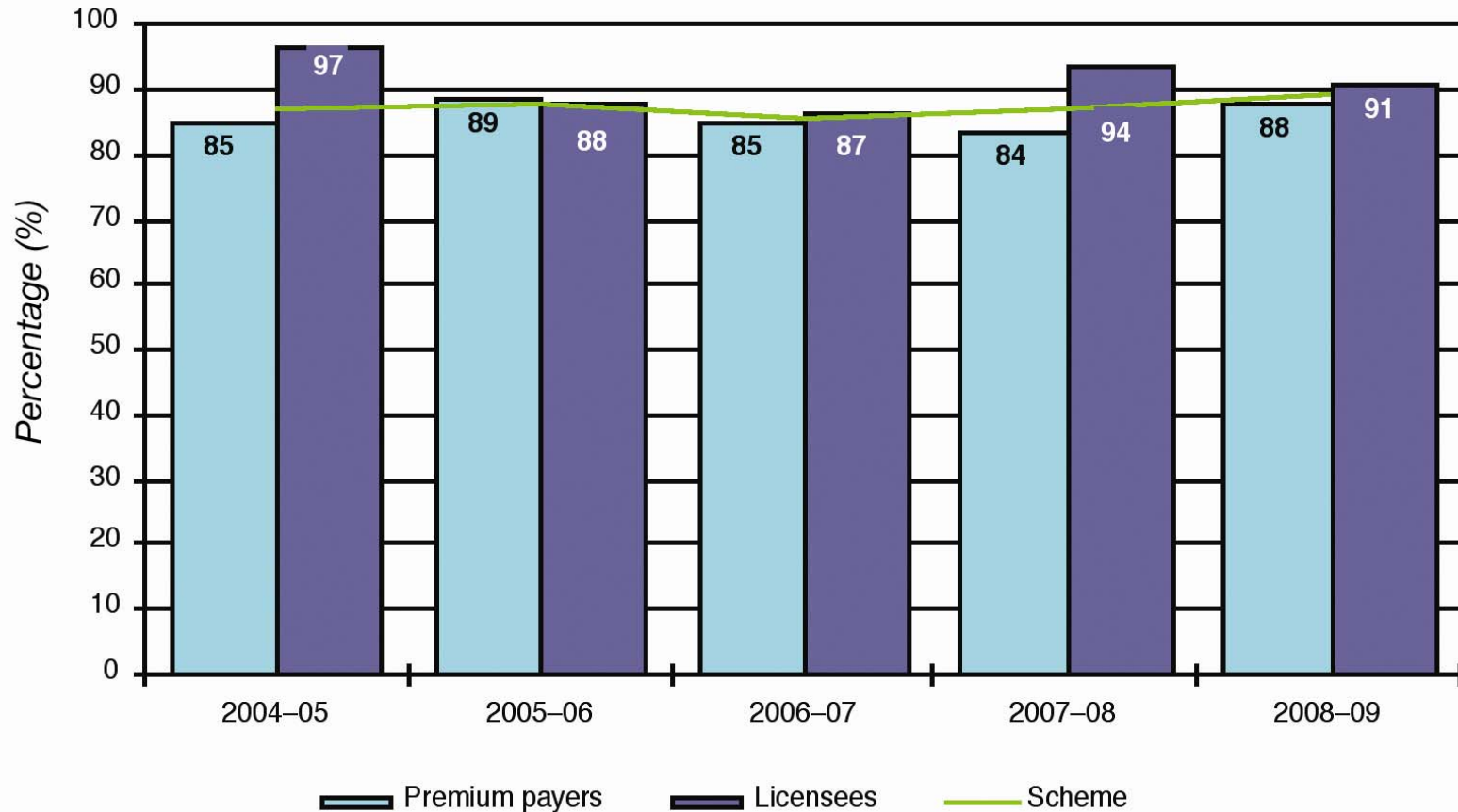
The scheme



Over 200 employers
Covering over 410 000 employees
29 licensees

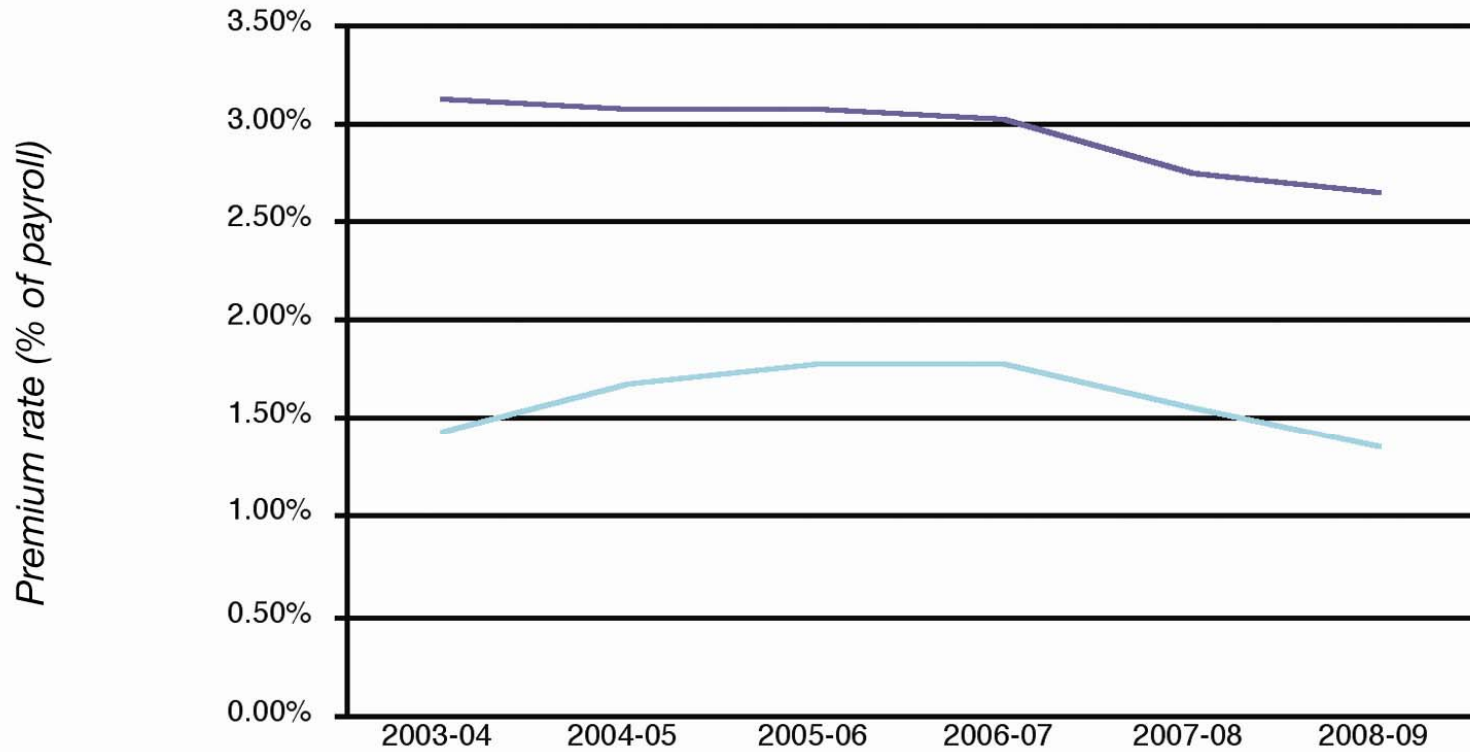


Our performance - Durable return-to-work rate



Source: Compendium of OHS Workers' Compensation Statistic 2009

The Australian Government and ACT Government premium rates



— Australian Government	1.43%	1.67%	1.77%	1.77%	1.55%	1.36%
— ACT Government	3.13%	3.07%	3.08%	3.03%	2.74%	2.66%

Source: Compendium of OHS Workers' Compensation Statistic 2009

News

- Comcare's strategic plan
- 11th CPM release - Available at www.deewr.gov.au
- Statistical Compendium of OHS and Workers' Compensation
 - View it at www.srcc.gov.au
- Certificate IV in Government - Injury Rehabilitation Management
- Policy review of Comcare's *Permanent Impairment Guide*
- Exploring online claimant portal
- New national approval framework for rehabilitation providers
- CIS redevelopment – expect changes to system and content

Upcoming events



2010
Comcare
National
Conference

September 2010 | National Convention Centre, Canberra

This graphic features a red background with white text. On the left, there is a photograph of a modern interior space with a prominent white staircase and blue lighting. The text '2010 Comcare National Conference' is displayed in a large, white, sans-serif font. Below the main text, smaller white text indicates the date and location: 'September 2010 | National Convention Centre, Canberra'.



2010
SRCC
Safety
Awards

This graphic has a grey background with white text. On the right side, there is a photograph of a tall, conical award trophy with a red-to-white gradient. The text '2010 SRCC Safety Awards' is written in a white, sans-serif font. The background also features faint red and white geometric lines.



Compliance & Enforcement

- HSMAAs – focusing on ‘consultation’
- Forklift Safety – national cross-jurisdictional campaign
- Under-reporting - claims data vs notification data
- Maintain a reactive capability and enforcement approach
- Geospatial – areas of interest
- Thematic – issues of interest in the caseload
- Drivers
 - Cooperative compliance and increasing local knowledge sharing
 - Shift to model laws
 - Maintaining a ‘systems’ view
 - Responding to the outcomes of the Comcare Review



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Harmonisation of Occupational Health and Safety (OHS) Laws

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The intent

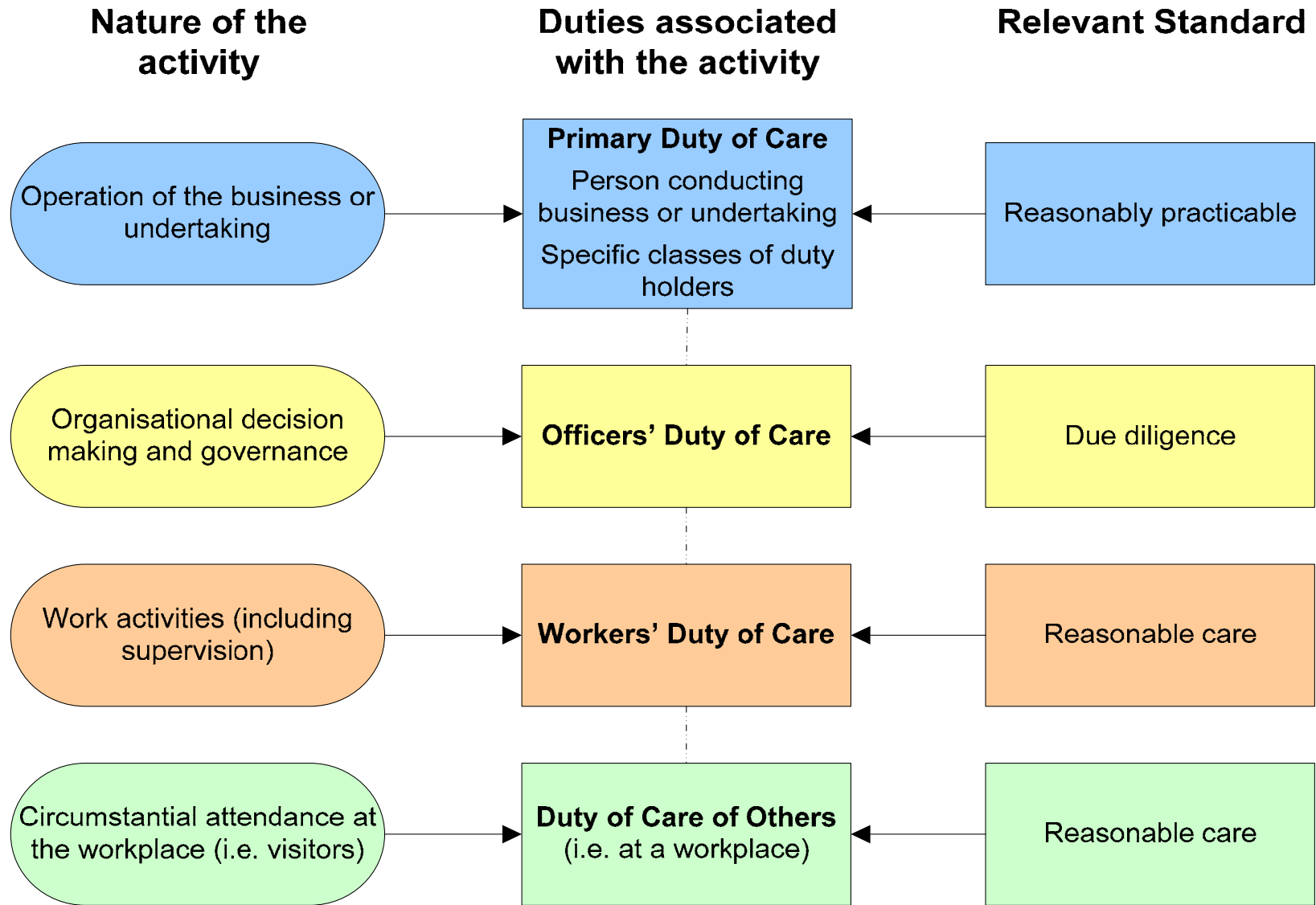
- To provide consistency across Australia regarding workplace health and safety
-
- To provide clarity to duty holders on roles and responsibilities
-
- To ensure Australian workplaces are safe for Australians

Harmonisation process - key developments

- WRMC made decisions on content of model WHS Act
- Safe Work Australia developed model WHS Act in accordance with WRMC decisions, providing drafting instructions to Parliamentary Counsel's Committee
- WRMC endorsed exposure draft of model WHS Act and key administrative regulations for public comment
- Public comment on exposure draft of model WHS Act – Nov 09

December 2009 – WRMC agreed to model WHS Act

Duties of care



Workplace consultation, participation and representation

- Obligation to consult with workers
- Health and Safety Representatives (HSRs) for work groups
 - Number of HSRs per work group not capped
 - Must be established on request from a worker
 - Powers include direction of work cessation and issuing of PINs
- Health and Safety Committees
 - Must be established on request from a HSR or 5 or more workers
- Must have an issues resolution procedures
- Provisions against discrimination, victimisation or coercion
- Right to cease unsafe work (by HSR direction or decision of individual worker)

The regulator and inspectors

- Inspectors to have all current powers, protections and accountability
 - broad powers of entry to workplace
 - can issue improvement, prohibition and non-disturbance notices
- WHS Act provides for cross-jurisdictional appointment and admissibility of evidence
- Inspectors can provide advice and assist in issue resolution
- Power to require a person to answer questions, inspectors must give warning about self-incrimination
- Review of decisions of regulator and inspectors

Where to from here?

2010

- Final refinement of WHS Act provisions (by March)
- Develop model OHS regulations and associated codes
- Develop transitional arrangements
- Release regulations and codes for public comment

2011

- Submit model regulations and codes to WRMC for consideration
- Agreement on common compliance and enforcement policy



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1 January 2012

WHS Act and regulations to commence in all jurisdictions

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