



Australian Government

Comcare

COMCARE

REGULATOR STATEMENT OF INTENT – JULY 2024

As the Accountable Authority and Chief Executive Officer (CEO) for Comcare, I am issuing this statement to set my intentions of how Comcare will meet the expectations outlined by the Minister for Employment and Workplace Relations in the Ministerial Statement of Expectations dated 27 March 2024.

Overview

Comcare is a statutory authority that has work health and safety regulatory functions and responsibilities under the *Safety, Rehabilitation and Compensation Act 1988* (SRC Act) and *Work Health and Safety Act 2011* (WHS Act). Comcare also has non-regulatory responsibilities under the *Asbestos related Claims of Commonwealth Liabilities) Act 2005*, *Parliamentary Injury Compensation Scheme Instrument 2016* and the *Seafarers Rehabilitation and Compensation Act 1992*.

Comcare's purpose is to promote and enable safe and healthy work. Comcare is a Commonwealth work health and safety (WHS) regulator, workers' compensation scheme administrator, an insurer and claims manager. Comcare works with employees and employers to minimise the incidence and impact of harm in the workplace, improve recovery and return to work outcomes, and support engagement and better practice approaches to health and safety across the Comcare scheme.

Commitment to Comcare's core functions and purpose

I acknowledge my responsibility as the CEO of Comcare to regulate WHS and workers' compensation arrangements and will continue to do so independently and transparently, using the range of functions and powers Comcare has under the WHS Act and the SRC Act.

In exercising these powers, I am assisted by the Comcare Executive, staff and other experts engaged from time to time. Comcare will conduct and exercise its regulatory and administrative functions in good faith, to the best of its ability in ways that are consistent with the Government's approach to regulation and the deregulation agenda.

I am committed to working towards Comcare's purpose **Promote and enable safe and healthy work**. To achieve this purpose, Comcare will align our approach and focus our efforts and investments towards two strategic priorities 'prevent work-related injuries' and 'deliver better return to work outcomes'. The strategic priorities are enabled by Comcare 'making data driven decisions', 'uplifting leadership, effectiveness and efficiency' and 'delivering client centric services'.

Comcare's foundational value to delivering against its priorities is 'earning and strengthening trust internally and with our stakeholders'.

Comcare's annual Corporate Plan provides further information about the Agency's purpose, key activities, operating context (environment, cooperation, capability and risk) and performance measures. Comcare will report on its performance, including linkages to the three regulator principles of best practice, in its Annual Report.

Regulator principles of best practice

I acknowledge the principles of regulatory best practice and performance requirements set out in the Regulator Performance Resource Management Guide 128, and the expectations set by the Minister to embed these and strive for continuous improvement. I am committed to upholding and embedding the principles through our organisational strategies and regulatory operations.

Principle 1: Continuous improvement and building trust – Comcare is committed to ensuring a whole-of-system perspective through its regulatory operations and decision making, continuously improving its performance, capability, and culture to build and maintain trust and confidence with all stakeholders in its regulatory settings. For example, Comcare:

- Takes a prevention-led regulatory approach to WHS and aims to make workplaces safer and healthier by preventing harm, supporting early intervention, encouraging adoption with better practice guidance and ensuring effective compliance with the WHS legislative framework.
- Publishes a Compliance and Enforcement Policy that sets out its approach to its regulatory functions and powers associated with regulating work health and safety and rehabilitation providers under the WHS Act and SRC Act, and a Cost-Recovery Implementation Statement annually providing transparency to how it cost recovers activities and functions for self-insured licensees.
- Has an organisational value of ‘earning and strengthening trust internally and with stakeholders’ that is foundational to the way the Agency operates and delivers towards its purpose and priorities.

Principle 2: Risk based and data driven – Comcare will manage risks proportionately and maintain essential safeguards while minimising regulatory burden, and leverage data and digital technology to support those they regulate to comply and grow. For example, Comcare:

- Identifies regulatory priorities using a risk-based and evidence-led approach, including the review and analysis of regulatory data, and a focus on the priorities within its *Prevention Strategy* and *Safe Work Australia’s Australian Work Health and Safety Strategy 2023–2033*. Comcare deliver on regulatory priorities through proactive programs of work.
- Use regulatory programs and dedicated teams to target high-risk, complex work health and safety matters across the jurisdiction to ensure greater compliance, consistency in approach and sharing of best practice.

Principle 3: Collaboration and engagement – Comcare will be transparent and responsive in its communications, implementing regulation in a modern and collaborative way. For example, Comcare:

- Is a member of the Heads of Workplace Safety Authorities (HWSA) and the Heads of Workers Compensation Authorities (HWCA), made up of representatives from work health and safety regulators and workers’ compensation across Australia and New Zealand. HWSA and HWCA are separate bodies that work together to promote and implement best practice in WHS and workers compensation in the areas of policy and legislative matters.
- Participates in a range of WHS Special Interest Groups with various stakeholders.
- Hosts a range of training courses, forums, webinars and other events providing opportunities for collaboration, engagement and sharing of knowledge and best practice.
- Publishes contemporary guidance material to support organisations understand and meet their regulatory requirements.

To deliver against the best practice principles, Comcare will:

- Engage and genuinely consult with our clients and stakeholders, including government agencies, employers and their representatives, employees and their representatives, rehabilitation providers, the Safety, Rehabilitation and Compensation Commission, and the Seafarers Safety, Rehabilitation and Compensation Authority with critical information shared promptly.
- Be receptive to feedback and diverse stakeholder views.
- Clearly communicate regulatory processes and seek to increase transparency in decision making.
- Provide up to date, clear and accessible guidance and information to our clients and stakeholders to continuously improve their WHS, prevention, rehabilitation and claims management performance outcomes, with the ultimate aim of supporting employers and workers to create and maintain physically and mentally healthy workplace.
- Work collaboratively with government agencies and self-insured licensees to secure compliance with the SRC Act and WHS Act.

In exercising its functions and powers in accordance with these principles, Comcare will:

- Be a responsive, intelligence-led and risk-based regulator.
- Remain committed to continuous improvement in its processes and capabilities.
- Continue building public confidence in Australia's regulatory settings.
- Publish data and insights and encourage positive conduct by highlighting good behaviours and sharing proven practices with other stakeholders.
- Remain flexible and responsive to changed circumstances in exercising its powers and delivering legislated functions.
- Continue adopting a risk based and transparent approach to regulation and decision making.
- Leverage data and digital technology to inform its approach to compliance and enforcement.
- Improve efficiency by prioritising resources on areas of greatest risk.
- Have accountability processes encouraging procedural fairness, accessibility and responsiveness that builds public trust.
- Assess risks that may compromise its ability to administer its functions under the SRC Act and WHS Act and respond in a proportionate way.

Innovation and regulatory change

In support of the Government's objective of continual improvement and as a modern regulator, Comcare will continue to monitor the environment in which it operates to ensure that regulatory approaches keep pace with changes in technology, industry practices and community expectations. Comcare will continue to regularly review and, where necessary, adjust policies, protocols and operating procedures, to ensure it can respond to the changing social, technological and commercial context in which it operates.

Regulatory reform agenda

Comcare supports the Government's regulatory reform agenda as a key component of the Government's plan to support economic recovery by looking for opportunities to work with States and Territories to effect regulatory reform to reduce duplication and boost productivity, and to account for impacts of regulation on individuals (not just businesses). With a focus on regulatory reform and improving regulator performance, capability, and culture through stewardship, Comcare will:

- Seek opportunities to remove duplication and streamline processes in order to improve efficiency and lift productivity.
- Act in accordance with regulator best practice in its decision making, policies, processes and communication practices, in order to maximise transparency and minimise compliance costs.
- Apply the Regulator Performance Resource Management Guide 128 to its regulatory functions to assess its performance and engagement with stakeholders.
- Incorporate regulator performance reporting into its reporting processes to support greater transparency and accountability.

Relationship with Minister and portfolio

I acknowledge the role Comcare has in assisting you, as the responsible Minister, and the Government to respond promptly to issues that may arise in relation to WHS and workers' compensation matters. I aim to provide you with accurate and timely advice on emerging and significant issues that may arise.

I acknowledge the role of the Department of Employment and Workplace Relations as the primary source of advice on policy development and the performance of the portfolio's regulatory systems. Comcare will continue to operate based on best practice and will ensure it considers the Government's policy direction, initiatives and strategies.



Greg Vines

Comcare Chief Executive Officer and Accountable Authority

23 July 2024