



Australian Government

Comcare

COMCARE

REGULATOR STATEMENT OF INTENT – MARCH 2025

As the Accountable Authority and acting 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 12 December 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**. Our purpose brings together our business and engages our clients and stakeholders around physical and psychological injury prevention, early intervention, injury recovery, return to work and work health and safety regulation. Comcare is the Commonwealth work health and safety (WHS) regulator, workers' compensation scheme administrator, an insurer and claims manager. Comcare also has essential enabling roles, focused on supporting education, engagement and better practice approaches to health and safety across the jurisdiction and the capability and capacity of our own workforce.

Commitment to Comcare's core functions and purpose

I acknowledge my responsibility as the acting 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 its policy priorities and objectives.

I am committed to working towards Comcare's purpose – to promote and enable safe and healthy work. Comcare focuses its efforts and investments to deliver against, and make an impact towards, two key strategic priorities to achieve our purpose; 'prevent work-related injuries' and 'deliver better return to work outcomes'. The strategic priorities have a focus on psychological injury to respond to the rise in notifications and claims, and to recognise that the nature of work and workplaces is evolving.

Comcare's enabling priorities will be drivers to build capability and ensure we can effectively deliver our strategic priorities: 'making data driven decisions', 'uplifting leadership, effectiveness, and efficiency' and 'delivering client centric services'. Comcare's foundational value that underpins how we deliver our strategy is 'earning and strengthening trust internally and with our stakeholders'.

Comcare's annual Corporate Plan provides further information about the Agency's purpose, strategic direction, operating context (environment, cooperation, capability, and risk) and performance

measures, including linkages to the three regulator principles of best practice. Comcare will report on its performance through its Annual Report.

Regulator principles of best practice

I acknowledge the principles of regulator 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 Comcare's organisational strategies and regulatory operations, where our approach may cross over more than one of the regulator principles of best practice.

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 consideration of Comcare's prevention initiatives and the priorities within the [Australian Work Health and Safety Strategy 2023–2033](#).
- Deliver on regulatory priorities through proactive programs of work.
- Use regulatory programs and specialist teams to target high-risk, complex WHS matters across the jurisdiction to ensure greater compliance, consistency in approach and sharing of best practice. This includes the established Psychosocial Regulation team.

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

- Is a member and the current Chair of the Heads of Workplace Safety Authorities (HWSA), which is comprised of representatives from work health and safety regulators across Australia and New Zealand. Comcare is also a member of the Heads of Workers Compensation Authorities (HWCA). This body is made up of representatives of workers' compensation authorities from 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 operational policy and legislative matters.
- Collaborates with the Department of Employment and Workplace Relations (the department) and Safe Work Australia on significant issues relating to strengthening WHS and workers'

compensation arrangements, including through the independent review of the SRC Act and changes to the model WHS laws.

- 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.

The government's policy priorities and objectives

Comcare will support and contribute to the government's policy priorities and objectives by:

- Seeking opportunities to remove duplication and streamline processes to improve efficiency and lift productivity.
- Acting in accordance with regulator best practice in its decision making, policies, processes, and communication practices 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.
- Incorporating observations on performance in our reporting processes to support greater transparency and accountability of regulatory performance.

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 and will take proactive steps to ensure regulated entities are compliant with relevant regulations and operate within the law.

I acknowledge the role of the department as having responsibility for administering and providing policy advice on the WHS Act and SRC Act and advises on the performance of the portfolio's regulatory systems. Comcare will continue to share its expertise and work collaboratively with the department on policy and legislative changes that could affect, or strengthen, Commonwealth WHS and workers' compensation arrangements. Comcare appreciates the enabling environment provided by the Minister to consistently implement best practice and keep informed of the government's policy direction, initiatives and strategies being considered.

Innovation and regulatory change

Comcare will continue to monitor the environment in which it operates to ensure that regulatory approaches keep pace with changes in technology, emerging risks, industry practices and community expectations. Comcare will regularly review and, where necessary, adjust policies, protocols, and procedures, to ensure it can respond to the changing social, technological and commercial context in which Comcare and regulated entities operate in.



Michael Duke
Acting Chief Executive Officer and Accountable Authority
20 March 2025

