WORK HEALTH & SAFETY
Year in Review 2020

Effective national regulator

CEO Overview

I am pleased to present Comcare's second Work Health and Safety Year in Review report, highlighting compliance and enforcement activities to promote and enable safe and healthy work across our jurisdiction.

There were many challenges in 2020 for employers, workers and regulators during a year of unprecedented disruption and restrictions. Comcare had to adapt its regulatory approach to meet the changed needs of employers and maintain focus on compliance and regulation. Along with most state and territory work health and safety (WHS) regulators, Comcare was signatory to the National Statement of Regulatory Intent, developed by the Heads of Workplaces Safety Authorities. This committed Comcare to taking a common sense and practical approach to regulation.

In line with the Statement – and guided by State or Territory Government restrictions and public health orders – Comcare developed a COVID-19 Response Plan which aimed to ensure the safety of workers, workplaces and our own regulatory activity.

Despite the pandemic, we have been able to maintain our strong approach to serious incidents and fatalities. We have also taken a supportive and educative approach, working with PCBUs and others to determine if appropriate safety systems were in place to eliminate or minimise the risk of contracting COVID-19 in the workplace. Our Regulatory Operations Group's programs included:

- a national triage service for COVID-19 notifications and WHS concerns.
- a COVID-19 Assurance Program to seek assurance of COVID-19 controls in the workplace at the enterprise level.
- use of COVID-19 quick checklists in workplaces to verify controls at local sites.

Comcare undertook remote inspections and WHS audits while public health orders restricted normal operations. This work was completed using technology such as MS Teams to virtually 'walk through' a worksite and observe whether WHS controls were in place.

In addition, Comcare worked closely with Australian Public Service Commission, Safe Work Australia, the Heads of Workers Safety Authorities and the broader WHS jurisdiction to produce more than 20 pieces of practical COVID-19 related guidance material. This included checklists, factsheets, e-Guidance and support through our WHS Helpdesk. The resources published on our coronavirus webpage received unprecedented traffic with nearly 80,000 visits throughout the course of the year.

In 2020, for the first time Comcare delivered four webinars focusing on topics related to workplace health and safety and responding to COVID-19 in place of our annual face to face WHS Forum series.

Assessing Comcare's effectiveness as a WHS regulator is integral to ensuring a culture of continuous improvement and excellence in service provision. Our annual employer survey found that 85 per cent of workplaces have indicated improved work health and safety outcomes as a result of a visit from a Comcare inspector. In addition, 82 per cent of respondents agree that Comcare is an effective regulator. The highest level of satisfaction related to our responses to workplace incidents and providing WHS guidance and information.

We look forward to continuing to support our jurisdiction in maintaining high levels of compliance as we transition into COVID normal, with a renewed focus on our regulatory priorities and resumption of our program of site visits and proactive engagements.
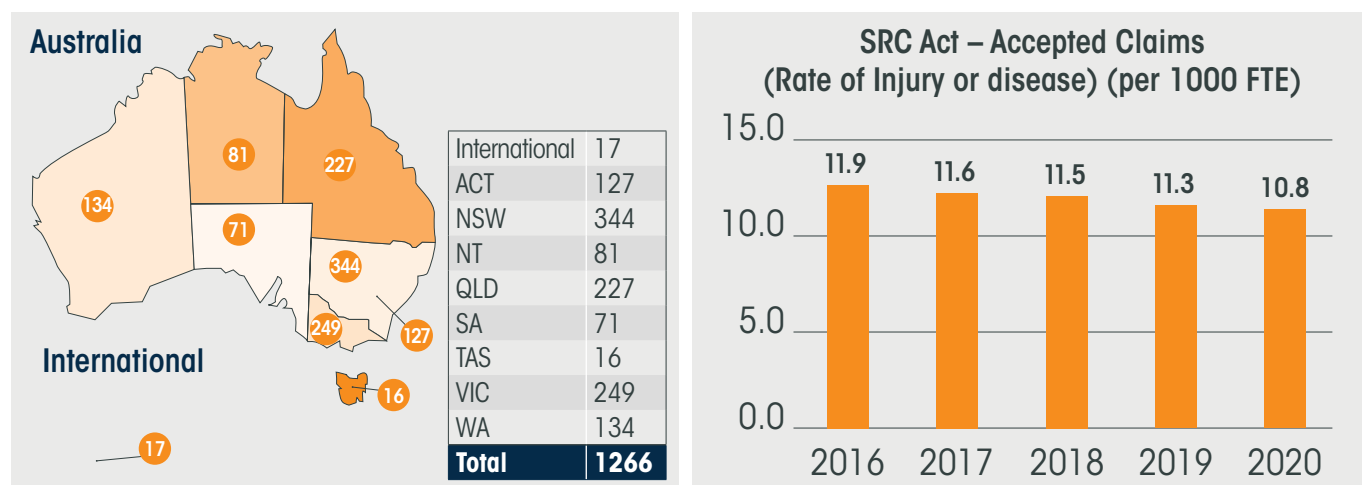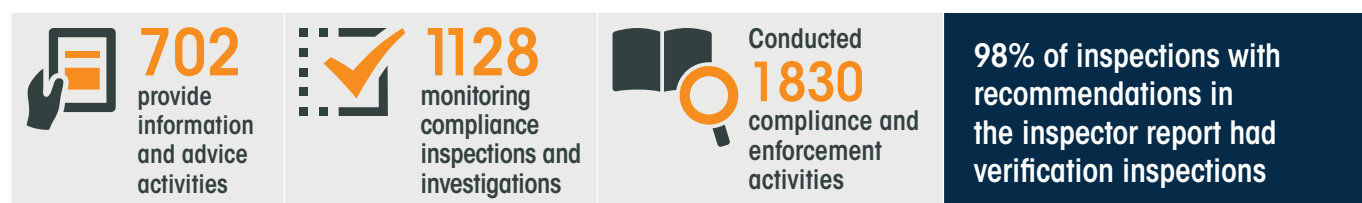
Sue Weston PSM – **Comcare CEO**

WHS Incidents

| Total notifications assessed notifiable: **1266** | **555** Serious injury or illness | **673** Dangerous incident |
| Total WHS helpdesk enquiries received: **2640** | **1749** Worker | **513** PCBU | **378** Other |

COVID-19 WHS, Notifications, Concerns and Enquiries

| COVID-19 | Total COVID-19 helpdesk enquiries received: **291** | Total COVID-19 WHS notifications: **90** | Total COVID-19 WHS concerns: **95** |

Notifiable Incidents

Australia

International

International	17
ACT	127
NSW	344
NT	81
QLD	227
SA	71
TAS	16
VIC	249
WA	134
Total	**1266**

Map values: 81 (NT), 227 (QLD), 134 (WA), 71 (SA), 344 (NSW), 249 (VIC), 127 (ACT), 16 (TAS), 17 (International)

SRC Act – Accepted Claims (Rate of Injury or disease) (per 1000 FTE)

Year	Rate
2016	11.9
2017	11.6
2018	11.5
2019	11.3
2020	10.8

Inspectorate Activities

702 provide information and advice activities

1128 monitoring compliance inspections and investigations

Conducted **1830** compliance and enforcement activities

98% of inspections with recommendations in the inspector report had verification inspections

Monitoring and Compliance Activities

Activities	ACT	NSW	QLD	SA/NT	VIC/TAS	WA	National
Inspections*	148	260	163	85	211	81	17
Verifications	39	39	38	11	23	9	0
Investigations commenced	1	1	1	0	1	0	0

*Excl. TASC activities.

Other Activities

Notices

	15 Improvement notices *under s191*	**3** Prohibition notices *under s195*	**6** Non-disturbance notices *under s198*	**283** Notices to provide information and/or documents *under s155*	**6** Power to require production of documents *under s171*

Proactive WHS Audits		Approvals and authorisations	Prosecutions under the WHS Act	
6 In person	**4** Virtual	**3692** total		**2** Commenced
		500 High-Risk Notifications		**9** Continued
		1661 High-Risk Work Licences **1531** Plant Authorisations		**1** Concluded criminal proceedings

Telecommunications Asbestos Safety Compliance (TASC) 2020 Activity

Comcare has a dedicated program regulating the rollout of the NBN network. During 2020, the TASC program achieved:

- **1459** site visits and assessments
- **369** contractors assessed
- **33%** of contractors assessed were new contractors.

Major Infrastructure Projects team

In November 2020 a construction-focused regulatory team was established in response to the significant increase in major infrastructure project activity across Australia. Regulated projects include:

- Sydney Metro Tunnel project
- Sydney Football Stadium
- Melbourne Metro Tunnel
- Western Sydney Airport
- Inland Rail Project
- Snowy Hydro 2.0

The team provides effective regulation targeted at the highest risk construction activities including silica, electrical, scaffolding, working from heights and excavations.

The team works collaboratively with state and territory regulators and engages with employers, health and safety representatives and unions. The scalable program allows Comcare to have greater assurance on safe systems of work being implemented to control and manage risks throughout the lifecycle of each project.

The team includes inspectors with specialist knowledge of the construction industry, safety systems, hazards and risks.

Education and Engagement

Comcare recognised the importance of providing education to support businesses and undertakings to maintain COVID-safe workplaces throughout the pandemic. Comcare worked collaboratively with the Australian Public Service Commission, Safe Work Australia and Heads of Workplace Safety Authorities and other regulators to deliver consistent, easily accessible national guidance in relation to COVID-19 risks. Comcare's efforts included a strong focus on mental health.

Activities	Outcomes	
Webinars and digital forums	**Attendance**	**Satisfaction rate**
COVID-19: Navigating a new normal: Comcare presented this webinar on our work health and safety regulatory approach to risk management during times of uncertainty and rapid change.	**482** Individuals attended	**89%** Satisfaction rate
Heads of Workplace Safety Authorities' 2020 WHS Inspector Forum: Comcare hosted the annual two-day forum as a digital event in December 2020, under the theme of 'Safety Differently'.	**332** Individuals attended	**93%** Satisfaction rate
Commonwealth Safety Management Forum: Comcare hosted two events during 2020 which considered WHS and COVID-19 and WHS management systems.	**70** Participants	
Mental Health Community of Practice: Comcare hosted this community of practice focussing on what mental health stigma is and what steps can be taken to reduce workplace stigma.	**370** Individuals attended	**91%** Satisfaction rate
national safe work month Comcare's National Safe Work Month webinars supported the 2020 theme of Work Health and Safety through COVID-19.	**Attendance**	**Satisfaction rate**
Accelerated workplace change in the face of COVID-19: Comcare and Safe Work Australia explored the rapid and large-scale changes that workplaces of different sizes and across various industries have undertaken in the face of COVID-19.	**1,051** Individuals attended	**83%** Satisfaction rate
COVID-19, our work, mental health and wellbeing: Comcare, Beyond Blue and Future Work Institute explored the impacts of COVID-19 on the nature of work, mental health and wellbeing.	**444** Individuals attended	**90%** Satisfaction rate
COVID-19, safety systems and safety culture: Comcare presented how adaptive safety systems and safety culture can mitigate emerging risk.	**273** Individuals attended	**91%** Satisfaction rate
NewAccess Developed by **Beyond Blue** workplaces	**Participating Agencies**	**Recovery rate***
Comcare has partnered with Beyond Blue to provide a mental health coaching service to Australian Public Service (APS) agency partners over two-years.	**15**	**77%** (15 Jun – 31 Dec 2020)

COVID-19 resources

Comcare provided a range of COVID-19 resources and guidance materials, covering information on:

- Working from home
- Maintaining COVID-safe work and workplaces
- Looking after mental health and wellbeing
- Managing and preventing WHS risks
- Transitioning to the usual workplace as restrictions eased
- Correct use of face coverings.

Most frequently downloaded resources

1. Working from home checklist: **6215**
2. Responding to uncertainty factsheet: **1955**
3. Working from home guide for employers: **1840**.

Website visits

78,613 visits were made to the coronavirus webpage.

WHS digital learning

During COVID, Comcare was able to continue offering its range of WHS learning course through our learning management system, called Comcare LMS, and as restriction eased, we were able to deliver our facilitated workshops in a COVID-safe way.

Our training participants were provided with the WHS guidance to achieve and maintain a safe and healthy workplace, including working from home or remotely.

Training delivered

- Self-paced courses completed: **2611**
- Facilitated workshop attendees: **1053**.

Top three WHS self-paced courses

1. Work health and safety for workers
2. Managing work health safety (WHS) risks related to COVID-19
3. Work health and safety for managers.

*Recovery rate describes the percentage of people who enter the program above the clinical threshold for anxiety and/or depression and exited the program below the clinical threshold.

COVID-19 Regulatory Response Activities

Comcare's emphasis was initially on providing support and guidance to assist PCBUs manage COVID-19 related risks and focussed our response on highest risk notifications and ongoing investigations.

Since the pandemic commenced, Comcare recognised the need for oversight of work-related COVID-19 cases and asked the WHS jurisdiction to notify confirmed cases. We established a centralised point of contact and triage process to review and respond quickly to all COVID-19 notifications and to ensure a consistent national approach.

In addition to this process, Comcare implemented several proactive and reactive regulatory activities to address the risk of COVID-19 in Comcare's jurisdiction.

Deliverables	Outcomes and recommendations
National triage: COVID-19 notifications and WHS Concerns All COVID-19 notifications and WHS concerns were triaged through a centralised process. An assessment was made of controls in COVID-19 in the workplace. Where an inspector had concerns about the response immediate regulatory action was initiated.	As a result of this process, we were able to seek assurance from the PCBU that notified that they had effective COVID-19 management strategies within their workplace. This information was used for any subsequent notifications to minimise regulatory burden.
COVID-19 Assurance Activity Comcare inspectors proactively contacted those PCBUs not previously engaged through other regulatory activities to ensure that they had controls in place to manage COVID-19 risks in the workplace.	Through these activities, we were able to engage with all of Comcare's work health and safety jurisdiction to ensure they had effective COVID-19 management systems. Where necessary, we provided support and education for COVID-19 related issues.
COVID-19 Quick Checklist – National Comcare developed a COVID-19 checklist to verify if PCBUs were implementing their enterprise level controls and complying with local public health orders. Comcare inspectors utilised the checklist at more than 50 workplaces to verify if the appropriate COVID-19 controls were in operation in the workplace and were effective in controlling the risks (for example, physical distancing, hand-sanitiser, visitor checks, etc).	The program identified several areas of improvement including ensuring that: • PCBUs engage with building managers to ensure appropriate controls are in place for common areas such as; cafes, gyms and lifts. • PCBUs continue to review and improve processes for monitoring compliance with controls within the workplace including having adequate signage available.

Through our COVID-19 regulatory activities, we engaged with all PCBUs in our jurisdiction to assure ourselves that they had controls in place to manage the risk of COVID-19.

Regulatory Priorities and Work Activity Programs 2020-21

Comcare has identified four regulatory priorities through an extensive process of engagement, consultation and analysis of our regulatory intelligence, injury and work health and safety (WHS) data:

WHS	**WHS management systems**
(icon)	**Transport industry body stressing**
(icon)	**Psychosocial injury associated with organisational change**
(icon)	**WHS contractor management**

Comcare has designed a multi-year work activity program to benchmark compliance and provide education and engagement to improve performance.

Due to COVID-19 restrictions, initial benchmarking activities have been deferred to the first half of 2021 and will be undertaken through a desktop review exercise using a tailored workbook.

Comcare has contacted organisations who have been identified through risk-based intelligence to participate in the program.

Regulatory Work Activity Program 2021-22

2021 ———————————————————————————————— **2022**

March to May 2021
Desktop reviews will be undertaken by Comcare inspectorate to benchmark compliance in the priority areas.

June 2021
Analysis of desktop reviews.

2021-22
Evaluation findings and compliance benchmarking will inform the next phase of the program involving targeted education and engagement.

Risk Priority Resources for PCBUs

- Contractor Management guidance for PCBUs
- Reducing the Psychosocial Risk of Workplace Change Self-assessment tool
- Body Stressing Sources of Risk checklist
- Workplace Health and Safety Management System.