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INSPECTOR REPORT

COMCARE REFERENCE NUMBER	MC00026583
PCBU DETAILS	Name: Australian Postal Corporation ABN: 28864970579 ACN: 137 977 756
REPORT ISSUED TO	Name: APWHS@auspost.com.au Position: National Point of Contact Cc: s47F
BACKGROUND	
<ol style="list-style-type: none"> On 12 April 2022 Comcare received information from the Communication Workers Union (CWU) regarding a work health and safety concern. The information alleged that the Electric Delivery Vehicles (EDVs) are unstable and unfit and that EDV rollovers are not being reported to Comcare as required. Question on Notice from Senate Estimates (Departmental Question Number: SQ22-000106) was provided as evidence of the number of EDV rollovers reported to Comcare compared to the actual number of rollovers. Comcare commenced an inspection in relation to this matter on 21 April 2022 to monitor and enforce compliance with the Work Health and Safety Act 2011 (Cth) (WHS Act) and the Work Health and Safety Regulations 2011 (Cth) (WHS Regulations). The scope of the inspection was to inspect an alleged WHS issue relating to the use of EDVs. 	
OUTCOMES	
<ol style="list-style-type: none"> Based on the information reviewed during the inspection, I did not identify any non-compliance with the WHS Act/WHS Regulations with respect to the scope of the inspection. <p>Information and advice</p> <ol style="list-style-type: none"> The PCBU must ensure risks to health and safety are eliminated so far as is reasonably practicable, or if not reasonably practicable to do so, are minimised so far as reasonably practicable: s 17 of the WHS Act. PCBUs should have regard to Part 3.1 of the WHS Regulations and the <i>Code of Practice: How to Manage Work Health and Safety Risks</i> when managing risks to health and safety. The PCBU must monitor and maintain control 	



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measures, particularly any interim controls, to ensure that they remain in use and effective.

6. Learnings regarding control measures as a result of the inspection should be applied across the organisation where applicable.
7. The inspection is now closed however should an incident of a similar nature occur anywhere within the organisation in the future, Comcare will seek to confirm that Australian Postal Corporation (APC) has ensured the control measures are, and are maintained so that they remain effective.

COMPLIANCE ASSESSMENT

8. I attended APC Level 18, 111 Bourke Street, Melbourne in the conduct of this inspection.
9. APC advised they have introduced nationally the use of EDVs (3 wheels) by Postal Delivery Officers (PDOs) to deliver mail. APC intention to replace, over time, the current fleet of motorcycles (2 wheels) to EDVs to deliver mail.
10. Inspectors viewed footage of multiple APC motorcycle road incidents and an EDV road incident which showed the difference in severity of injury between a motorcycle and EDV rider, with the injury to the motorcycle riders more severe than the injury to the EDV driver.
11. Vic Joint Consultative Forum Last Mile Minutes from 22 March 2022, 27 April 2022 and 25 May 2022 were provided which detailed discussions with the CWU around EDV rollovers, notifications made to Comcare versus numbers of roll overs and improvements being made to EDVs.
12. Minutes from the 27 April 2022 Vic Joint Consultative Forum Last Mile meeting provide various statistics on incident data for motorcycle and EDV incidents and highlight that motorcycle incidents are reported at a higher rate than EDV incidents.
13. Based on the information reviewed, control measures implemented by APC in relation to the risk were:
 - a. Modifications continue to be made to models since their introduction, with APC keen to improve on features – eg, started at Phase 1 and have got to Phase 4
 - b. Different suppliers were investigated, including an Australian supplier however concerns with ongoing support and supply chain issues ultimately saw a Swiss supplier chosen.



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14. Based on the information provided I formed the reasonable belief that APC notified EDV rollovers to Comcare in line with the requirements of the WHS Act 2011. This inspection is now closed.		
REPORT ISSUED BY	Inspector	s22
	Inspector ID number	164
	Email	s22
	Phone	s22
	Date	15/11/2022
	Signature	s22



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DISCLAIMER

This report contains information that may assist you to take steps regarding your obligations under the WHS Act. You must refer to the Commonwealth *Work Health and Safety Act 2011* (WHS Act) and the *Work Health and Safety Regulations 2011* (WHS Regulations) to understand your duties and obligations. Comcare's external website contains links to WHS legislation. Comcare does not accept liability for any errors or omissions or for any loss or damage suffered by you or any person which arises from your reliance on this report or for any breach by you of your obligations under the WHS Act. Where a Comcare inspector has inspected a particular workplace, it is not a representation by Comcare that the particular workplace is in any way free of hazards.

IF YOU DO NOT AGREE WITH A DECISION

If you disagree with the outcome of this inspection, you may seek an internal reconsideration of the inspector's decision. A request for a review should be sent to statutory.oversight@comcare.gov.au including any additional information or evidence you have to support your request. Comcare will review your request and advise of the outcome in writing within 20 business days.

If you would like to clarify any aspect of this report, you can contact the inspector directly.

Comcare has a range of publications and fact sheets to help explain your responsibilities and provide guidance to make your workplace safer. The Compliance and Enforcement Policy provides guidance as to how Comcare approaches regulation. To access these, visit our website.

PRIVACY STATEMENT

Your privacy is important to us. Comcare will only collect, use or disclose personal information in accordance with the Commonwealth *Privacy Act 1988* and if it is reasonably necessary for, or directly related to, one or more of our functions, powers and/or activities. These include functions and activities under the following Commonwealth legislation: *Safety, Rehabilitation and Compensation Act 1988*, the WHS Act, the *Seafarer's Rehabilitation and Compensation Act 1992*, and the *Asbestos-related Claims (Management of Commonwealth Liabilities) Act 2005*. If Comcare does not collect personal information from you, for the purposes of its legislated functions or related functions, we may not be able to respond appropriately.

Comcare is the Commonwealth agency authorised by the WHS Act to collect personal information relevant to the exercise of functions and powers under the WHS Act, WHS Regulations and the administration and evaluation of Comcare's WHS programmes. Any personal information collected in these forms will be used for those purposes.

In exercising our functions and powers, Comcare may disclose personal information, subject to confidentiality of information provisions under the WHS Act, to the following bodies and agencies, including but not limited to:

- Comcare's internal and external legal advisers
- the Safety, Rehabilitation and Compensation Commission
- a court or tribunal
- state or territory work health and safety regulatory agencies
- personnel engaged by Comcare to conduct research related activities
- enforcement agencies or bodies
- state and territory Coroners
- Commonwealth, state or territory industry regulators
- any other person assisting Comcare in the performance of its functions or exercise of its powers, including contractors and consultants
- any other person where there is an obligation under law to do so (for example but not limited to, responding to the direction of a court to produce documentation).

For further information on how Comcare handles personal information, please read the Privacy Policy on Comcare's website. To request a change to your personal information or to make a complaint, please phone or email privacy@comcare.gov.au.

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