



Australian Government

Comcare

Report a work health and safety concern

Anyone can use this form to alert Comcare about a work health and safety (WHS) concern. Comcare will assess the matter and determine the appropriate regulatory response.

In its role as the Commonwealth WHS regulator, Comcare seeks to ensure that duty holders meet their obligations under the Commonwealth *Work Health and Safety Act 2011* (WHS Act). Comcare does not advocate on behalf of individuals, provide legal advice, mediate between parties, or remove alleged bullies from a workplace. The management of workers' compensation claims is also not part of Comcare's role as the WHS regulator. For more information on how Comcare may assist please visit our [website](#).

Before completing the form

Check that your concern relates to a WHS matter (e.g. it is not a concern about the processing of a worker's compensation claim) and that:

- > **The matter is in Comcare's jurisdiction** – we can only consider the matter if the WHS concern arises from work performed, or caused to be performed (e.g. through a contract), by a 'Person Conducting a Business of Undertaking', or PCBU (an organisation), which is subject to the WHS Act.
- > **Your concern is not more appropriately raised with a different form** – Comcare has separate processes for submitting notifications (e.g. WHS incident notifications). Please visit our [Notifications to Comcare webpage](#) for more information.
- > **You have tried to raise your concern with management** – if you work at the workplace, and you are reasonably able to do so, we encourage you to raise the issue with your employer in the first instance, potentially through a Health and Safety Representative, so that management have the opportunity to address it.
- > **You meet any obligations you may have to manage sensitive or classified information.**

Help with the form

If you have questions or need help completing this form, call the Comcare Help Desk on 1300 366 979.

Submitting the form

Email the completed form to WHS.help@comcare.gov.au.

Please do not attach supporting documents – they will not be considered. If necessary, we will contact you for supporting information.

Confidentiality of information and documents

Section 271 of the WHS Act imposes a strict confidentiality requirement over information or documents obtained in the exercise of any power or function under the WHS Act. This includes where a report is made to Comcare of a WHS concern. Comcare will only disclose, give access to, or use information or documents obtained from this report in accordance with its confidentiality of information obligations under section 271 of the WHS Act.

Your privacy

Comcare will only collect, use or disclose personal information in accordance with the *Privacy Act 1988* (Cth) and if it is reasonably necessary for, or directly related to, one or more of its functions, powers and/or activities. Comcare is authorised by the WHS Act to collect personal information relevant to the exercise of functions and powers under the WHS Act, the WHS regulations and the administration and evaluation of Comcare's WHS programs. Any personal information collected in this form will be used for those purposes. In exercising its 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 more information on how Comcare handles personal information, see Comcare's [Privacy Policy](#), or email privacy@comcare.gov.au.

1. Your details

Please note that without your contact information, we cannot contact you for clarification or more information, and we may not be able to effectively action your concerns.

Title (if any)

First name Surname

Telephone number (mobile preferred)

Email

Postal address (if no email provided)

What is your relationship to the workplace? Choose all that apply.

- I am a **worker** (includes employees, contractors and sub-contractors, volunteers, work experience students, labour hire workers, apprentices and trainees)
- I am a **union representative**
- I am a **Health and Safety Representative**
- I am a **visitor or member of the public** (such as a client or customer)

Are you raising this WHS Concern on behalf of someone else? If so, we encourage you to assist the person to contact Comcare.

- Yes, I am submitting the WHS Concern on behalf of another person. Please provide the following information:

The person on whose behalf you are raising the WHS concern:

Title (if any)

First name Surname

Telephone number (mobile preferred)

Email

The reason/s for submitting the WHS Concern on the person's behalf:

Whether the person authorised you to submit the WHS concern on their behalf and, if so, how:

- No, I am not submitting the WHS Concern on behalf of another person.

2. Description of the WHS concern

Describe the WHS concern. Include information about:

- > the health or safety issue you are concerned about
- > the work being performed when the risk to people occurs
- > a sequence of events (if relevant)
- > the outcome (injury/illness) you believe does or could reasonably occur, and why
- > the cause or factors contributing to the issue (if known)
- > the number and type of people (e.g. workers, members of the public) affected (do **not** name individuals)
- > the solution you are seeking (what you want Comcare to do).

Timing

For approximately how long has the WHS concern been occurring? If known, provide dates. If you are unsure, please estimate:

Is the issue or risk still occurring?

- Yes
- No
- Unsure

Other instances where people were exposed to the reported health and safety risk

If relevant, list any other instances where people incurred an injury/illness, or were put at risk of injury/illness as a result of the WHS concern. Do **not** name any individuals.

Date	Brief description	Number of people exposed	Number of people injured/made ill	Most serious injury/illness	Was Comcare notified at the time? (Y/N/Unsure)

Is information available to support your observations such as witnesses, photographs, incident data, or relevant documents?

If so, describe the information and where Comcare might obtain it. Do **not** name individuals (identify organisations or use position titles) and do **not** attach supporting information. If necessary, we will ask you to provide it in future.

Was the matter previously notified to Comcare?

Yes (please describe when and how. Provide the reference number, if known)

No

Unsure

3. Details of the PCBU (organisation) and workplace

Name the PCBU (organisation) performing the work that is exposing people to the WHS risk you are concerned about.

Legal name of business	<input type="text"/>
Business address	<input type="text"/>
Australian Business Number/Australian Company Number (if known)	<input type="text"/>
Telephone (if known)	<input type="text"/>
Email (if known)	<input type="text"/>

Workplaces at which the WHS concern occurs

Describe the physical workplace where the health and safety of most people is put at risk:

Workplace known as	<input type="text"/>
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Describe the location within the workplace where the incident occurred (e.g. building description):

Street address	<input type="text"/>
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Town/suburb	<input type="text"/>	State	<input type="text"/>	Postcode	<input type="text"/>
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If there are more workplaces affected, please list or describe them:

Identify a Health and Safety Representative at the primary workplace

If known, please identify a Health and Safety Representative (HSR) representing affected workers in the primary workplace identified above.

Name	<input type="text"/>
Telephone number	<input type="text"/> (mobile or landline)
Email	<input type="text"/>

Other PCBUs (organisations) that contribute to the WHS concern

If relevant, please identify any other PCBUs (e.g. a contractor or building owner) that you believe contribute to, or share responsibility for managing, the WHS concern. Please name them and briefly describe their involvement:

4. What has been done to resolve the concern

Have you raised your WHS concern with management?

Yes (please answer the following questions)

When did you first raise the concern?

How did you raise the concern? Choose all that apply.

Followed the organisation's (PCBU's) WHS hazard or incident reporting procedure

Followed the organisation's (PCBU's) complaint procedure

Reported to management

Reported to a Health and Safety Representative

Other, please describe

If you are aware that someone else (for example, a worker, HSR or manager) raised the same or similar WHS concern, please briefly describe who raised the matter, how, and when. Do **not** name individuals – instead, use position titles:

If you are aware, describe the actions taken by the PCBU or other responsible organisation identified above to resolve the WHS concern:

No – please explain why you have not raised the concern with management:

*** The WHS Act encourages consultation and making reasonable efforts to resolve WHS matters with the management of the workplace. This ensures the management is aware of the matter and has an opportunity to resolve it. You can do this by contacting a Health and Safety Representative, or by using the local work health and safety reporting process. Comcare may not initiate a regulatory response where management was not afforded the opportunity to respond to the concern.*

If known, please describe the involvement of any other regulators, unions or authorities attempting to resolve the concern (e.g. police, Fair Work Commission, Australian Human Rights Commission).

Organisation name	Contact details (if known)	Brief description of involvement

5. Declaration, consent and submission

I declare that the information in this form is true and correct to the best of my knowledge.

Yes

No

I consent to Comcare contacting me using the details I have provided in this form.

Yes

No

I would like Comcare to keep my identity confidential when raising my concern with the PCBU (organisation) performing the work that gives rise to the WHS concern and other involved parties.

While we will try to maintain your anonymity, we cannot guarantee that you will not be identified by the nature of your concern. Keeping your identity confidential may also make it harder for us to respond effectively to your concern.

Yes

No

Please email this completed form to WHS.help@comcare.gov.au.

What happens next

Once lodged, Comcare will review the information provided and decide what to do next. For example, we might:

- > make formal enquiries with the PCBU
- > ask the PCBU to take action to address the issue
- > determine that no further regulatory action is warranted.

If you provided your contact details, we will contact you within **5 working days** to:

- > ask for any extra information we need
- > tell you how we plan to respond to your concern.

Emotional support

Raising a work health and safety concern can be difficult. If you need support, consider reaching out to:

- > your supervisor, manager, or Health and Safety Representative
- > your employer's support services (for example, the Employee Assistance Program or Human Resources team)
- > any of the [mental health service providers listed on the Mental Health Commission's website](#).

Information and advice

For information and advice on how to resolve a WHS concern, contact the Comcare Help Desk on **1300 366 979** or by email to WHS.help@comcare.gov.au.

Related information:

- > Safe Work Australia | [Worker Representation and Participation Guide](#)
- > Comcare | [Health and Safety Representatives Handbook: A guide for HSRs in the Commonwealth jurisdiction](#)
- > Comcare | [Compliance and Enforcement Policy](#)
- > [Work Health and Safety Consultation, Cooperation and Coordination Code of Practice](#)

Role of other regulators

Disputes about termination, pay and conditions should be referred to the [Fair Work Ombudsman](#).

Complaints about discrimination and harassment in the workplace may require referral to the [Australian Human Rights Commission](#).

[The Merit Protection Commissioner](#) (MPC) is an independent statutory office holder providing services to the Australian Public Service and the Parliamentary Service. The MPC reviews employees' concerns about matters affecting their employment, such as recruitment, discipline (misconduct) and performance management.

Some forms of workplace violence and aggression, including harassment, are also criminal offences and should be reported to the police.