



The Hon Amanda Rishworth MP

Minister For Employment and Workplace Relations

Mr Michael Duke
Chief Executive Officer (A/g)
Comcare
GPO Box 9905
CANBERRA ACT 2601

Dear Mr Duke

On 12 May 2025, I was sworn in as the Commonwealth Minister for Employment and Workplace Relations. As the responsible Minister for the administration of the *Work Health and Safety Act 2011* and rehabilitation under the *Safety, Rehabilitation and Compensation Act 1988*, I am writing to provide you with strategic direction in the form of the attached Ministerial Statement of Expectations.

As outlined in the Department of Finance's *Regulator Performance (RMG128)* guidance, Ministerial Statements of Expectations should be issued or refreshed every 2 years for all Commonwealth entities with regulatory functions, or earlier if there is a change in Minister, change in regulator leadership, or significant change in Commonwealth policy. While noting your operational independence, clear expectations from government to regulators can help drive better regulator performance, providing an enabling environment that supports the implementation of best practice.

I would appreciate your response in the form of an updated Statement of Intent, outlining how you intend to meet the updated expectations. To ensure transparency and accountability, the Statements of Expectations and Intent should be published and made available on your website. These statements should also be incorporated into *Public Governance, Performance and Accountability Act 2013* processes for best practice, for example by including a link to the published documents in relevant corporate documents.

Thank you for your timely assistance with this matter. I look forward to your response.

Yours sincerely

Amanda Rishworth MP

13/8/2025
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STATEMENT OF EXPECTATIONS

Comcare

This Statement sets out the Australian Government's expectations for Comcare's regulation of work health and safety under the *Work Health and Safety Act 2011* (WHS Act) and rehabilitation under the *Safety, Rehabilitation and Compensation Act 1988* (SRC Act) and the regulations made under these Acts. Comcare is also a workers' compensation scheme administrator and an insurer and claims manager with a range of functions under the SRC Act. Comcare plays an important role in the continued improvement of prevention, rehabilitation and workers' compensation performance outcomes in the Commonwealth jurisdiction.

Comcare's role

Under the WHS Act, the functions of Comcare are to:

- advise and make recommendations to the Minister and report on the operation and effectiveness of the WHS Act
- monitor and enforce compliance with the WHS Act
- provide advice and information on work health and safety to duty holders under the WHS Act and to the community
- collect, analyse and publish statistics relating to work health and safety
- foster a co-operative, consultative relationship between duty holders and the persons to whom they owe duties and their representatives in relation to work health and safety matters
- promote and support education and training on matters relating to work health and safety
- engage in, promote and co-ordinate the sharing of information to achieve the object of the WHS Act, including the sharing of information with corresponding regulators
- conduct and defend proceedings under the WHS Act before a court or tribunal, and
- undertake any other functions conferred on the regulator by the WHS Act.

Under the SRC Act, the functions of Comcare are to:

- advise the Minister of matters relating to Comcare's functions and powers
- make timely and accurate determinations of workers' compensation claims
- co-operate with other bodies or persons with the aim of reducing the incidence of injury to employees
- conduct and promote research into the rehabilitation of employees and the incidence and prevention of injury to employees
- promote the adoption in Australia and elsewhere of effective strategies and procedures for the rehabilitation of injured workers
- prepare and issue guidelines to rehabilitation authorities in relation to the performance or exercise by those authorities of their functions and powers under Part III of the SRC Act and ensure compliance with such guidelines
- maintain contact with rehabilitation authorities to the extent necessary to ensure compliance with guidelines issued under the SRC Act

- determine the amounts of premiums and regulatory contributions payable by entities and Commonwealth authorities to meet the cost of workers' compensation liabilities and maintain the financial viability of the workers' compensation scheme
- determine and apply exit contributions paid under the Comcare scheme by body corporates and by Commonwealth authorities and collect such contributions, and
- apply the premiums received to meet the cost of compensation liabilities in respect of injuries suffered, damages or costs awarded, claims for non-economic loss and Comcare's management of such claims.

The government's policy priorities

The government is focussed on ensuring regulators are using their regulatory settings to best effect and identifying opportunities for improvement. The government is committed to safe workplaces, providing workers the highest level of protection so they return home safely, and supporting recovery and return to health and work after injury or illness. The government expects Comcare to identify and pursue opportunities to contribute to this objective. In doing so, the government also expects Comcare to:

- engage with the findings from the independent review of the SRC Act and provide information and advice on opportunities to improve outcomes for employees covered by the SRC Act and the operation of the SRC Act
- advise on operational matters relating to implementation of harmonised WHS legislation in the Commonwealth jurisdiction
- further strengthen relationships with employers and unions and embed tripartism within policy and practice
- take proactive steps to ensure regulated communities are compliant with relevant regulations and operate within the law
- use intelligence and data to inform a risk-based approach to regulatory engagement, including proportional targeting of industries or activities of concern
- draw on evidence and stakeholder experience to identify and address systemic non-compliance and to identify opportunities to improve Comcare operations and services
- work cooperatively with stakeholders including regulated communities to encourage voluntary compliance and promote prevention
- monitor the operating environment to ensure regulatory approaches keep pace with changes in technology, industry practices and community expectations
- act in accordance with, and strive for continuous improvement against, the principles of regulator best practice as set out in Resource Management Guide 128 *Regulator Performance*, and
- be transparent in their operations, policies and decision-making processes including by publishing formal regulatory decisions, performance results and updates on emerging issues.

Relationship with stakeholders

Regarding relationships with stakeholders, the government expects Comcare to:

- provide up-to-date, clear and accessible guidance and information to assist regulated bodies and self-insured licensees to continuously improve their work health and safety, prevention,

- rehabilitation and claims management performance outcomes, with the ultimate aim of supporting employers and workers to create and maintain healthy and safe workplaces
- engage and genuinely consult with stakeholders promoting tripartism – 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 – sharing critical information promptly and being receptive to feedback and diverse stakeholder views
- work collaboratively with government agencies and self-insured licensees to secure compliance with the SRC Act and WHS Act
- ensure that its actions are consistent with the policies of the government, in accordance with section 22 of the *Public Governance, Performance and Accountability Act 2013* (PGPA Act)
- coordinate regulatory activities with other regulatory agencies to avoid duplication, including through sharing information and undertaking joint education activities where possible, and
- work collaboratively with the Department of Employment and Workplace Relations on significant issues, including in relation to strengthening compliance with the WHS Act and SRC Act.

The government will provide an enabling environment for Comcare to consistently implement best practice by ensuring they are well informed of the government's policy direction, as specific initiatives and strategies are being considered.

Organisational matters

Regarding organisational matters, the government expects Comcare to:

- assess risks that may compromise its ability to administer its functions under the SRC Act and WHS Act and respond in a proportionate way
- implement appropriate controls to manage the risk of unauthorised disclosure of protected or sensitive information
- uphold and promote the Australian Public Service Values and Code of Conduct
- comply with the requirements under the PGPA Act and associated instruments and policies, and
- hold themselves to account through internal accountability processes that foster a culture of continuous improvement and reflection.