

2023

**THE LEGISLATIVE ASSEMBLY FOR THE
AUSTRALIAN CAPITAL TERRITORY**

**STANDING COMMITTEE ON ECONOMY AND GENDER AND ECONOMIC
EQUALITY**

REPORT 7 - INQUIRY INTO ANNUAL AND FINANCIAL REPORTS 2021-22

GOVERNMENT RESPONSE

**Presented by
Mr Andrew Barr MLA
Chief Minister**

July 2023

Introduction

On 11 February 2021, the Legislative Assembly passed an amendment to the 2 December 2020 Resolution of Establishment (clause 3) referring the Annual and Financial Reports to the relevant Standing Committee for inquiry and report by 9 April of the year after the presentation of the report to the Assembly pursuant to the *Annual Reports (Government Agencies) Act 2004*.

The 2021-22 Annual and Financial Reports were reviewed by the relevant Standing Committees, and each Committee held hearings and reported separately.

The below Government Response addresses the recommendations which relate to the 2021-22 Annual and Financial Reports.

The following Annual and Financial Reports or sections of annual reports, were referred to the Standing Committee on Economy and Gender and Economic Equality (the Committee):

- Chief Minister, Treasury and Economic Development Directorate;
- Office of the Work Health and Safety Commissioner;
- ACT Long Service Leave Authority;
- ACT Insurance Authority;
- Cultural Facilities Corporation;
- Access Canberra; and
- Gambling and Racing Commission.

Standing Committee on Economy and Gender and Economic Equality – Report 7 - Inquiry into Annual and Financial Reports 2021-22

RECOMMENDATION	GOVERNMENT RESPONSE (AGREED/AGREED IN-PRINCIPLE/EXISTING GOVERNMENT POLICY/NOTED/NOT AGREED)
<p>Recommendation 1 The Committee recommends that the ACT Government continue to improve reporting of the gender pay gap in the ACT Public Service with a particular focus on the gender pay gap within individual directorates and job classifications.</p>	<p>AGREED This item has been completed. The Office of Industrial Relations and Workforce Strategy (OIRWS) has introduced the requirement for all Public Sector Bodies with workforces of over 100 people to report their workforce gender pay gap in the Annual Report Directions from 2022-23.</p>
<p>Recommendation 2 The Committee recommends that the ACT Government update its Disability Employment strategy.</p>	<p>AGREED IN-PRINCIPLE The Office of Industrial Relations and Workforce Strategy (OIRWS) will review current ACTPS employment initiatives for people with disability as part of the development of the ACTPS Diversity and Inclusion Strategy. This work will commence in 2023-24.</p>
<p>Recommendation 3 The Committee recommends that the ACT Government update the Assembly on its implementation of the reforms in relation to silica dust controls by June 2023.</p>	<p>AGREED The ACT Government agrees this recommendation with an update on implementation of the ACT’s silica safety reforms expected to be provided in the ACT Legislative Assembly by the end of June 2023.</p>
<p>Recommendation 4 The Committee recommends WorksafeACT continue their focus on safety in the residential construction sector.</p>	<p>AGREED WorkSafe ACT are committed to supporting the construction industry and providing opportunities for education and improvement in safety practices. On 29 June 2022, WorkSafe ACT launched the updated Residential Construction Strategy 2022–24. The updated strategy defines the WorkSafe ACT approach to improving safety behaviours and compliance in the residential construction sector. Saturation workplace visit campaigns, such as Operation Safe Prospect, are a vital part of the strategy.</p> <p>The compliance aspects of Operation Safe Prospect involve WorkSafe ACT Inspectors making programmed visits to greenfield and brownfield sites across the ACT. During 2021–22, Operation Safe Prospect included 922 dedicated inspections as part of 15 saturation campaigns.</p>

	<p>In March 2023, WorkSafe ACT published a guidance note for Safe Work Method Statements (SWMS). The guidance note provides practical guidance for developing and adhering to a SWMS for high-risk construction work.</p> <p>WorkSafe ACT will maintain its strong and ongoing focus to improve compliance and safety standards across both residential and commercial sectors through specific strategies for each segment of this industry, along with continued engagement with stakeholders and social partners to provide appropriate information and guidance materials.</p>
<p>Recommendation 5 The Committee recommends WorksafeACT continue to prioritise psychosocial health awareness in the workplace with further commitments to education campaigns and regulatory enforcement.</p>	<p>AGREED Managing Psychosocial hazards are a key focus of WorkSafe ACT, as identified in our Statement of Operational Intent 2022.</p> <p>In October 2021, WorkSafe ACT launched its inaugural Strategy for Managing Work-Related Psychosocial Hazards 2021–23. Under the Strategy two plans were also published, the Managing Work-Related Violence and Aggression Plan 2021-23 and Managing Work-Related Sexual Harassment Plan 2021-23</p> <p>They guide WorkSafe ACT’s approach to the identification of hazards and management of risks posed by psychosocial hazards, including work-related violence and aggression and Sexual Harassment.</p> <p>WorkSafe ACT has also developed and implemented a Psychosocial Maturity Indication Tool that is used by Inspectors on I-Auditor. The tool allows Inspectors to gain an indication of psychosocial management in workplaces. The tool provides a workplace rating and indicates resources for the workplace to improve.</p> <p>WorkSafe ACT will continue to increase its capability and tools to address psychosocial hazards, including specialised training of Inspectors along with the deployment of additional resources. Engagement with industry and social partners to understand barriers, enablers and opportunities will inform the WorkSafe ACT regulatory response to psychosocial hazards in the workplace, combined with a high-level review of ACT psychosocial hazards at work incidents.</p>

	<p>The ACT government is also currently developing a psychosocial code of practice, which is undergoing thorough consultation with relevant stakeholders, including WorkSafe ACT.</p> <p>The psychosocial code will provide practical guidance to PCBUs on how they can meet their legislative duties using the hierarchy controls to manage psychosocial health and safety risks in their workplaces.</p> <p>WorkSafe ACT will promote the Code once notified. The Code will establish what is known about psychosocial hazards, risks and controls and can be relied on in court when determining what is reasonably practicable in managing psychosocial risks.</p>
<p>Recommendation 6 The Committee recommends WorksafeACT continue to report on the implementation of the Labour Hire Licencing Scheme.</p>	<p>AGREED</p> <p>On 27 May 2021, the ACT introduced the Labour Hire Licencing (LHL) scheme in accordance with the LHL Act for the regulation of labour hire operators in the ACT. The scheme was launched after WorkSafe ACT had ensured that support systems, a dedicated team of Inspectors, and a comprehensive communications strategy were in place once the scheme commenced. There was a six-month transition period, as provided in the legislation, to enable providers to obtain a licence. All labour hire providers had to hold a licence by 27 November 2021. All licensed providers are published on the public register on the WorkSafe ACT website.</p> <p>The Labour Hire Licence Advisory Committee is established under the LHL Act to advise the Minister for Industrial Relations and Workplace Safety on matters relating to the LHL Act and the ACT labour hire industry. Jacqueline Agius, the LHL Commissioner, has been appointed by the Minister for Industrial Relations and Workplace Safety as the Chair of the Advisory Committee. The committee meets quarterly and includes representatives from government, industry and unions. In 2021–22, the LHLAC met twice, in March and May 2022.</p> <p>WorkSafe ACT will continue to develop and implement supporting infrastructure to underpin the operation of the scheme. This includes a strong focus on compliance through the published Compliance and Enforcement Policy and the Minister for Industrial Relations and Workplace Safety’s Complaints Handling Guidelines.</p>

<p>Recommendation 7</p> <p>The Committee recommends that the ACT Government:</p> <ul style="list-style-type: none"> • increase funding to artsACT to deliver public art commissions by female artists that recognise significant women; and • establish an ongoing program to increase the number of public statues of women and by women. 	<p>EXISTING GOVERNMENT POLICY</p> <p>The ACT Government’s Canberra: <i>Australia’s Arts Capital – Arts, Culture and Creative Policy 2022-26</i> and <i>Action Plan</i> commits to foster and grow the ACT Government’s public art collection to reflect the diversity of human identity and experience, with women and Traditional Custodians holding pride of place in future works, both as subjects and creators. The 2023-24 Budget includes \$300,000 to commission another major public artwork by a woman or gender diverse artist celebrating a significant woman or gender diverse individual. Future commissions of ACT Government-funded artwork are subject to budget processes.</p>
<p>Recommendation 8</p> <p>The Committee recommends that the ACT Government provide an update to the ACT Legislative Assembly on the knowledge gained from the Legal Aid cyber-attack by June 2023.</p>	<p>AGREED</p> <p>An update on the knowledge gained from the Legal Aid ACT cyber-attack will be provided to the ACT Legislative Assembly by June 2023.</p>
<p>Recommendation 9</p> <p>The Committee recommends that the ACT Government continue work to renew the community facilities held by ACT Property Group.</p>	<p>AGREED</p> <p>ACT Property Group continues to progress ongoing work across Government to identify opportunities for renewal across our community facilities portfolio.</p>