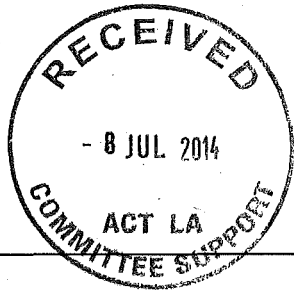


JACS 15 26-06-2014



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**SELECT COMMITTEE ON ESTIMATES 2014-2015**  
Brendan Smyth MLA (Chair), Mary Porter MLA (Deputy-Chair),  
Giulia Jones MLA, Yvette Berry MLA

**ANSWER TO QUESTION TAKEN ON NOTICE**  
**DURING PUBLIC HEARINGS**

Asked by Mr Brendan Smyth MLA on 26 June 2014: Mr Simon Corbell MLA took on notice the following question(s):

[Ref: Hansard Transcript [26 June 2014] [PAGE 85]]

In relation to: PIN  
(JACS #15)

**THE CHAIR:** All right. In one of the cases, the officer took the Ambulance Service to both Fair Work Australia and WorkSafe. Fair Work issued a provisional improvement notice. Now, that process requires the notice to be put up around the department. Was it put up around the department in accordance with the law?

**Mr Corbell:** My understanding was that it was displayed, but there was a question as to whether it needed to be displayed in every single ambulance station is my understanding of those circumstances.

**THE CHAIR:** So was it displayed in every ambulance station?

**Mr Lane:** No, I am not, Mr Chair, able to answer that question specifically except to say that the notice was put up with advice from WorkSafe ACT in relation to the display of such notices. So I am not sure of the specifics of what that meant, but I can certainly take that on notice.

**THE CHAIR:** Was it—

**Mr Corbell:** I will just ask Ms Playford to add to that answer, Mr Smyth.

**Ms Playford:** My understanding is that the notice was initially put up at the ESA headquarters. On further clarification from WorkSafe around a suggestion that it needed to be displayed in all ambulance stations, it was placed on an appropriate part of the intranet where all relevant staff could access that.

**THE CHAIR:** If you were advised that it was required to be placed in all ambulance stations, why was it not?

**Ms Playford:** There was a question about whether that was required. And when clarification was sought with WorkSafe and following further discussions with relevant unions, it was agreed the appropriate approach for display was through the intranet.

**THE CHAIR:** All right. Is there correspondence from WorkSafe that we could see?

**Ms Playford:** I would have to take that on notice.

RECEIVED  
MAY 2014

Mr Simon Corbell MLA: The answer to the Member's question is as follows:-

An improvement notice was issued to the Justice and Community Safety (JACS) Directorate by WorkSafe ACT with regard to the management of an allegation of bullying made by an ACTAS employee.

Section 210 (1) of the *Work Health and Safety Act 2011* requires the improvement notice to be displayed in a prominent place at or near the workplace where work is carried out. A hard copy of the notice is displayed in the Emergency Services Agency Headquarters near the ACT Ambulance Service Chief Officer's office and is available to all ACTAS staff on the Directorate's intranet site.

This Improvement Notice has not been displayed in all ambulance stations. The JACS Directorate sought advice from WorkSafe ACT as to whether this was required. WorkSafe ACT advised that it would be appropriate for a Directorate in complying with this requirement to display a Notice on the relevant Intranet site for the employees/workers affected by the notice and advise all those affected workers/employees by email of that fact and include in the email a link to the notice.

Copies of the WorkSafe ACT advice and the email notification from the ESA to ACTAS staff are at Attachments A & B respectively for your reference.

Approved for circulation to the Select Committee on Estimates 2014-2015

Signature:

Date:

7.7.14

By the Minister for Police and Emergency Services, Mr Simon Corbell MLA

**From:** Ellis, Stewart  
**Sent:** Wednesday, 7 May 2014 4:05 PM  
**To:** Beattie, Liz  
**Cc:** Colman, Matthew; Brookes, Clare  
**Subject:** Display of Notices - Section 210 of the Work Health and Safety Act 2011

Liz, I refer to your request for advice in relation to the above. I note that S210 of the Work Health and Safety Act 2011- Display of notice - provides that a person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice.

I have reviewed advice previously provided to other ACT Government Directorates on this issue and advise that our view is that it would be appropriate for a Directorate in complying with this requirement to display a Notice on the relevant Intranet site for the employees/workers affected by the notice and advise all those affected workers/employees by email of that fact and include in the email a link to the notice.

This would satisfy WorkSafe ACT in general and me as the Inspector in the ACTAS matter that the requirements of s210 had been met.

Stewart

## Stewart Ellis

Senior Manager Operations | WorkSafe ACT  
Phone: 02 62070048 | Mobile: 0401306489 (Calls only) | Email: [stewart.ellis@act.gov.au](mailto:stewart.ellis@act.gov.au)  
ACT Government | Office of Regulatory Services | Justice and Community Safety  
Directorate



**WORKSAFE ACT**

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Canberra City  
ACT 2601  
Phone: 02 6207 3000  
Fax: 02 6205 0336

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Connect with WorkSafe ACT on: [WorkSafe ACT](#) | [Twitter](#) | [Linkedin](#) | [You Tube](#) | [Pinterest](#)  
Subscribe to [eNEWS and Construction Newsletter](#) a free email subscription service keeping you informed on the latest health and safety issues that affect workplaces in ACT.

**From:** Everett, Kaylene **On Behalf Of** Lane, Dominic  
**Sent:** Thursday, 22 May 2014 10:30 AM  
**To:** #ESA, ACTAS, All Staff  
**Cc:** Foot, David  
**Subject:** Worksafe Improvement Notice SCE0001/2014

To all ACTAS staff

As you may be aware an improvement notice was issued to the Directorate by WorkSafe ACT with regard to the management of an allegation of bullying made by an ACTAS employee. WorkSafe ACT did not make a finding that bullying occurred, but found that in following the provisions in the enterprise bargaining agreement to manage the allegation the Directorate had inadvertently not met the standard outlined in the related code of practice (*Work Health and Safety (Preventing and Responding to Bullying) Code of Practice 2012*).

The Directorate has taken steps in line with the actions outlined in the improvement notice and to assist the Directorate in resolving the matter, WorkSafe ACT have granted an extension until close of business on 13 June 2014 to resolve the issues raised in the notice.

Section 210 (1) of the *Work Health and Safety ACT 2011* requires the improvement notice to be displayed in a prominent place at or near the workplace where work is carried out. The notice is displayed in ESA Headquarters near the Chief Officer's office and is available on the intranet.

For those who wish to view the notice please follow the link at – <http://injacs/portfolio/esa/Worksafe%20Improvement%20Notices/Forms/AllItems.aspx>. The notice is under the heading “Worksafe Improvement Notices” on the left hand side of the navigation panel.

Thank you.

Regards

**Dominic Lane AFSM**

Commissioner

ACT Emergency Services Agency

**Phone: 02 6207 8383** | Fax: 02 6207 8447

Justice and Community Safety Directorate

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