

**QUESTION:**

**The Hon. MARK LATHAM:** Minister, back in December you answered one of my questions on notice with a suggestion about improving public sector productivity by stating at the end of your brief answer, "The productivity reform branch will play a role in monitoring the proposals that parties to bargaining may bring." That was nine months ago. What are the proposals the Government is taking to the bargaining process to improve public sector productivity?

**Ms SOPHIE COTSIS:** Yes, that's right. I answered that at that time. There's a lot of work that's currently being undertaken. Yes, Treasury does have the productivity reform branch. They're considering, as we're going through our negotiations with the agencies and the unions—each party is putting forward various items in terms of what are productivity items that go through a process. There have been a number in terms of our firefighters, for example, that we looked at for the award that we negotiated—not this one but the one last year. I'm happy to relay that, but I'm also happy to defer to Ms Campbell or Ms Dobbins.

**SONYA CAMPBELL:** Mr Latham, it's not my part of the portfolio in Treasury, so I would have to take that on notice in terms of Treasury's role. But perhaps I could answer that for you this afternoon.

**ANSWER:**

I am advised:

Under the Fair Pay and Bargaining Policy 2023, agencies may propose bargaining parameters which include additional enhancements to wages and conditions in exchange for productivity enhancing reforms.

Treasury provides advice to Cabinet's Expenditure Review Committee on bargaining parameters put forward by agencies. These parameters and Treasury advice are cabinet in confidence.

**QUESTION:**

**The Hon. MARK LATHAM:** What are the measurement projections of what level of productivity you can improve through the reform process with the bargaining groups?

**Ms SOPHIE COTSIS:** At the moment there are a number of negotiations that are currently being undertaken.

**The Hon. MARK LATHAM:** But does the Government go to the bargaining table at say, "Look, if we do all these things, productivity will increase by X percent"? Have you got those projections or are they just general ideas that you think might be useful?

**Ms SOPHIE COTSIS:** This is part of the mutual gains bargaining process.

**The Hon. MARK LATHAM:** But have you got projections for what your proposals will achieve in terms of public sector productivity? Do you want to take that on notice?

**Ms SOPHIE COTSIS:** I can give you some information on that after the break, Mr Latham.

**ANSWER:**

I am advised:

There is no single measure of productivity across the public sector. The appropriate measure or suite of measures will differ depending on the service or policy context.

**QUESTION:**

**The Hon. MARK LATHAM:** Has the productivity reform branch presented a list of recommended productivity improvements to you as Minister? You said there is a lot of ideas. I assume they are being generated by the productivity reform branch. Have they presented to you a list of the productivity improvements they would like to make and reforms they would like to make in New South Wales?

**Ms SOPHIE COTSIS:** That branch is working across agencies. What's happening is that agencies are talking to the unions and they are going through a bargaining process. Ideas are being put forward. They go through a particular process.

**The Hon. MARK LATHAM:** Are the ideas coming from the productivity reform branch? That's what I asked. Is there a list of their proposals that have been presented to you as Minister?

**Ms SOPHIE COTSIS:** I can get back to you. There is not a list, per se, but there are some guidelines.

**ANSWER:**

I am advised:

Under the Fair Pay and Bargaining Policy 2023, agencies may propose bargaining parameters which include additional enhancements to wages and conditions in exchange for productivity enhancing reforms.

Treasury provides advice to Cabinet's Expenditure Review Committee on bargaining parameters put forward by agencies. These parameters and Treasury advice are cabinet in confidence.

The Productivity Reform Branch is one of the teams that contributes to Treasury advice as appropriate.

**QUESTION:**

**The Hon. MARK LATHAM:** You mentioned productivity in allied health. What are the proposals there?

**Ms SOPHIE COTSIS:** My understanding—and this is obviously the Minister for Health's area, so I don't want to traipse into his area because he is doing a great job—is that currently there are over 30 awards in allied health. Most of these awards haven't been modernised for a very long time. My understanding—and any of the officials should correct me if I'm wrong—is that a committee has been set up to work through those awards. There is a number of outdated allowances, as well as the way people work and the practice of work. A lot of the ways our wonderful allied health workers—whether they are cleaners, security guards or professional social workers in our hospitals—practice and do work are very different to 20 or 30 years ago. It is about modernising those awards. There is a number of allowances—for example, an incinerator allowance and an

infectious diseases allowance—that may not be appropriate. It is about looking at all of those things line by line. That is currently being undertaken. I don't know where they are up to in terms of that process but I'm happy to get back to you. If I don't get the information for you during the break in terms of where they're up to, I'll take that one on notice. But I'll try to get back to you.

**ANSWER:**

I am advised:

The Health Services awards are currently the subject of negotiations between NSW Health and the Health Services Union (HSU). It would be inappropriate to offer any further comments while those negotiations are ongoing.

**QUESTION:**

**The Hon. DAMIEN TUDEHOPE:** So how many meetings have they had with you?

**Ms SOPHIE COTSIS:** It's all in my diary. They're meeting with their agency, which is the appropriate—

**The Hon. DAMIEN TUDEHOPE:** How many negotiated meetings have they had?

**Ms SOPHIE COTSIS:** I'll have to get back to you on that.

**ANSWER:**

I am advised:

In accordance with Premier's Memorandum M2015-05 Publication of Ministerial Diaries and Release of Overseas Travel Information, all Ministers publish extracts from their diaries summarising details of scheduled meetings held with stakeholders, external organisations, third-party lobbyists and individuals. Ministers are not required to disclose details of the following meetings:

- meetings involving Ministers, ministerial staff, parliamentarians or government officials (whether from NSW or other jurisdictions)
- meetings that are strictly personal, electorate or party political
- social or public functions or events
- meetings held overseas (which must be disclosed in accordance with regulation 6(1)(b) of the Government Information (Public Access) Regulation 2018 and Attachment B to the Memorandum), and
- matters for which there is an overriding public interest against disclosure.

Ministers' diary disclosures are published quarterly on The Cabinet Office's website (<https://www.nsw.gov.au/departments-and-agencies/the-cabinet-office/access-to-information/ministers-diary-disclosures>).

#### QUESTION:

**The Hon. MARK LATHAM:** Minister, you said earlier that the pay rise for the teachers was in large part designed to get teachers back in front of the classroom. Why didn't the Government also address at the same time some of the incredibly generous leave and job-share arrangements that actually take teachers away from the classroom?

**Ms SOPHIE COTSIS:** What do you mean?

**The Hon. MARK LATHAM:** For instance, teachers can take their long service leave and they come back in a job-share, part-time arrangement that causes confusion within the school and discontinuity in the classroom. Why didn't the Government look at that pay increase and say to the teachers that there are some other things that can be done in terms of the award that would put more teachers permanently in front of students?

**Ms SOPHIE COTSIS:** Mr Latham, as you know, you don't just stop talking. You are going to continue talking to look at better ways of doing things. We need more teachers in our schools. We need more specialist teachers. But in terms of the specifics, I can take it on notice. I can refer you to Mr Draper and Ms Dobbins. The specifics are a matter for the Department of Education.

**The Hon. MARK LATHAM:** What about the productivity reform branch? Are they having a look at the teachers' award for these further discussions and negotiations?

**Ms SOPHIE COTSIS:** I will have to take that on notice.

**The Hon. MARK LATHAM:** What about the productivity reform branch? Are they having a look at the teachers' award for these further discussions and negotiations?

**Ms SOPHIE COTSIS:** I will have to take that on notice.

**ANSWER:**

I am advised:

The Teacher's award is currently the subject of negotiations between NSW Teacher's Federation and the NSW Department of Education. It would be inappropriate to offer any comments while those negotiations are ongoing.

**QUESTION:**

**Ms ABIGAIL BOYD:** A reo cage. I do have some pictures of reo cages, should you be interested. My understanding is that this is currently being investigated by SafeWork. However, in the middle of last month, another steel reo cage at that site collapsed and in this case, when Multiplex called SafeWork, SafeWork actually released the site over the phone. They didn't inspect it. Four weeks later the cage had been dismantled and there is now no possibility. I am informed—and I have pictures, should you be interested, that show clearly—that this cage has snapped and it's really lucky that no-one died. Do you find this concerning and what will you be doing about it?

**Ms SOPHIE COTSIS:** Safety, absolutely. I'm concerned about it. In terms of the details, I'll refer those to Mr Curtin, our regulator, to provide information. Without sort of traipsing into the operational, of course, once a request is made of this kind, the inspectors should be out, but I'll leave that to Mr Curtin.

**TRENT CURTIN:** Yes, thanks. In relation to the first matter, it is under investigation so I can't provide any more comment in relation to that investigation. But in relation to the second matter, I

would have to come back to you on notice in terms of the details of exactly what's happened there and what actions were taken.

**Ms ABIGAIL BOYD:** Is that standard practice? I mean you would think that SafeWork would be on high alert if there has already been one death at a site from a cage falling and then we have another cage falling. Does that strike you as being a bit extraordinary, that they would just release it over the phone rather than issuing a non-disturbance order and going and having a look at the site?

**TRENT CURTIN:** All matters that come through to the SafeWork contact centre are triaged according to the national framework for triaging those types of matters. In relation to releasing the site, I would have to look at the specific details of this particular matter and come back to you.

**ANSWER:**

Please refer to transcript at page 38.

**QUESTION:**

**The CHAIR:** ... Processing means using a power tool or other mechanical plant to crush, cut, grind, trim, sand, abrasive polish or drill the stone. This is done through an online notification form that can be found on SafeWork NSW's website. Minister, how many notifications have SafeWork received of processing engineered stone? You might want to take that on notice. I don't expect you to know that off the top of your head. More importantly, how are workers who are removing engineered stone being advised of the harmful nature of silica dust?

**Ms SOPHIE COTSIS:** Chair, I thank you for your very strong advocacy with respect to banning engineered stone. It's been a very long process and we got here. Yes, in New South Wales we do have a transition period. More importantly, a ban did come in on 1 July. We also have \$2.5 million for additional inspectors who will be supporting our compliance work. I hear what you're saying with respect to the operational matters. I will ask Mr Curtin if we know of that figure and that process.

**TRENT CURTIN:** I will come back with that figure in the afternoon session.

**ANSWER:**

I am advised:

Following the introduction of the notification framework for working with legacy engineered stone products on 1 July 2024, SafeWork NSW has received the following notifications:

<b>Legacy Engineered Stone Notifications</b>			
Type of Notification	September 2024*	August 2024	July 2024
Initial notifications of work (not late - notified prior to work starting)	<b>1</b>	<b>8</b>	<b>25</b>
Initial notifications of work (late – notified following work starting)	<b>0</b>	<b>0</b>	<b>3</b>
Change of information	<b>1</b>	<b>3</b>	<b>6</b>
Renewal notifications (notifying again after 12 months)	<b>0</b>	<b>0</b>	<b>0</b>
<i>*As at 11 September 2024</i>			

SafeWork NSW has undertaken a range of activities to spread awareness about the harms of silica dust and the necessary control measures to manage the risks of working with crystalline silica substances and materials. This includes:

- a comprehensive and dedicated webpage for crystalline silica on the SafeWork NSW website
- a series of public webinars
- information sessions and presentations
- proactive compliance visits, inspections and audits



- direct email communication to industry-specific licence holders
- dissemination of information via SafeWork NSW newsletters
- media releases
- guidance materials translated in multiple languages, including the Working with Engineered Stone Checklist and the Silica Dust Control Plan Template
- *Silica Awareness and Safety Course* developed in collaboration with TAFE NSW and the Building Commission NSW.

The NSW Government is supporting this important work through a funding boost of \$2.5 million under the 2024/25 Budget.

**QUESTION:**

**The Hon. MARK LATHAM:** Could I go to a SafeWork issue. Whatever came of the serious problem of asbestos at Castle Hill High School? What has been the outcome there?

**Ms SOPHIE COTSIS:** Mr Curtin, can I ask you to respond to that? I'm very aware, Mr Latham, about that matter. I'll get a note for you, but if Mr Curtin has additional information that would be really good.

**TRENT CURTIN:** Mr Latham, SafeWork NSW has filed charges against the Department of Education in relation to that incident. The matter is currently before the court, so I wouldn't want to provide too many details of that case.

**The Hon. MARK LATHAM:** When was it first listed in the court?

**TRENT CURTIN:** On 15 February SafeWork filed charges in the District Court.

**The Hon. MARK LATHAM:** Is it just against the department or certain individuals as well?

**TRENT CURTIN:** I would need to check. I can come back to you, but I'd be pretty sure it's just against the department.

**ANSWER:**

I am advised:

On 15 February 2024, SafeWork NSW filed charges in the District Court of NSW against the Department of Education. No individuals are named in these proceedings.

**QUESTION:**

**TRENT CURTIN:** I'm not aware of any particular details that you're referring to in that matter, but SafeWork inspectors will take an impartial approach to the application of the WHS laws that is independent of any industrial negotiations that might be underway in any workplace.

**Ms ABIGAIL BOYD:** Safety is safety, and you would assume that there should be no extra levels of suspicion or not taking a complaint seriously because there might—

**Ms SOPHIE COTSIS:** Sorry, can I interrupt? If it's a CFMEU organiser that currently has identified safety concerns, please let SafeWork know. If it's any other union official, if it's any other HSR, or if it's a worker that has safety concerns, please let the safety regulator know. If there are concerns by CFMEU organisers on building sites who have concerns about safety, we want to know about them.

**Ms ABIGAIL BOYD:** Will you give a clear direction right now—just to avoid doubt—to SafeWork that the presence or absence of EBA negotiations is not relevant in determining their response?

**Ms SOPHIE COTSIS:** I need to see the exact memo or direction—what has actually been put. We need to investigate this. I'm not going to make a policy—

**Ms ABIGAIL BOYD:** But as a matter of principle.

**Ms SOPHIE COTSIS:** I'm not going to make a policy decision on the run. I need to see what this is, and we need to follow it up.

**TRENT CURTIN:** From my perspective, it's not necessary to provide any further advice to our inspectors, other than their training and the application of our policies and procedures, which is that they'll take an impartial approach to the application of the WHS laws. If there is a particular incident that you're talking about, I'm happy to receive those details and look into that, certainly.

**Ms SOPHIE COTSIS:** We'll take that on notice.

**ANSWER:**

I am advised:

Work health and safety laws are enforced independently of any industrial negotiations that might be underway in any workplace.

**QUESTION:**

**Ms ABIGAIL BOYD:** There was an incident recently where a load was being landed on a scaffold while workers were inside the scaffold trying to ensure it was stable. This was notified to SafeWork but SafeWork, I am told, refused to do any investigation because the workers took too long to hand in their statements. Does that sound like the inspectors have followed proper process?

**TRENT CURTIN:** I am not aware of that particular matter. I will have to look at that one and come back to you this afternoon.

**Ms ABIGAIL BOYD:** Does it strike you as odd that there have been 50 improvement notices and never any kind of prohibition notice? There is just improvement notice after improvement notice but no actual infringement notice or prohibition notice on a site.

**TRENT CURTIN:** Where we identify that there are systemic issues on those types of sites, then we will initiate our high-risk workplace protocols.

**Ms SOPHIE COTSIS:** To that point, what we will do is, after today, I will make sure that I get a formal briefing and come back to you on that and also that the relevant officials go out onsite and talk to the entity involved.

**ANSWER:**

Please refer to transcript at page 38.

**QUESTION:**

**Ms ABIGAIL BOYD:** I am very glad to hear you say all of that. We will follow up with you afterwards about the inspectors who aren't requiring it. Do you know that icare currently doesn't have a policy on how to manage claims involving sexual assault or harassment?

**Ms SOPHIE COTSIS:** I am not aware. I can take that on notice. I can speak to Mr Wessling or Mr Farquharson.

**TONY WESSLING:** We are in the process of developing a specific policy on the matter. We do have processes and policies in regards to high-risk disclosure claims, but we are responding to that feedback and putting in place a policy.

**Ms ABIGAIL BOYD:** It's pretty extraordinary. I know that you have only just taken the role so I appreciate it's not your fault. But I have seen a letter from 29 August saying that icare currently doesn't have guidelines on how to manage claims involving sexual misconduct or how you can support sexual assault injuries. It strikes me as extraordinary for an organisation like icare not to have had that already. How quickly can you now put that in place?

**TONY WESSLING:** I believe we will have one in place shortly—in a matter of months. We will have to work through the considerations for specifically handling those sorts of claims. But I'll have to take it on notice to give you a precise date.

**ANSWER:**

I am advised:

icare has commenced developing a guideline for managing and supporting claims involving sexual misconduct and related injuries. It is expected to be completed by the end of 2024 and implemented in 2025.

**QUESTION:**

**The Hon. CHRIS RATH:** Have there been any changes to the industrial relations guidelines for construction since you came into government?

**Ms SOPHIE COTSIS:** The construction guidelines? I'll take that on notice. **T**

**The Hon. CHRIS RATH:** Ms Dobbins or Mr Draper?

**SIMON DRAPER:** I'm not aware of any changes, but we can confirm that.

**SAMARA DOBBINS:** Yes, this afternoon.

**The Hon. DAMIEN TUDEHOPE:** What about in August?

**The Hon. CHRIS RATH:** On 8 August?

**SIMON DRAPER:** We'll come back to you after lunch, if that's okay, and confirm.

**ANSWER:**

Please refer to pages 46-47 of the transcript.

**QUESTION:**

**The Hon. DAMIEN TUDEHOPE:** In circumstances where the Federal Government had abolished the ABCC, you would have thought, Minister, that you would take steps to beef up the Construction Compliance Unit, would you not?

**Ms SOPHIE COTSIS:** Mr Tudehope, the Construction Compliance Unit is operational. It's doing its job. It's out there. It's checking the work plans.

**The Hon. DAMIEN TUDEHOPE:** But have you given it any more resources?

**Ms SOPHIE COTSIS:** I'll have to take that on notice.

**ANSWER:**

I am advised:

In light of the allegations against the CFMEU, the CCU has been tasked with a number of critical elements of ongoing compliance activities in addition to specific action undertaken by the Government in response, including:

- reaching out to contractors and client agencies to remind them about their obligations under the Guidelines
- liaising with the federal Fair Work Ombudsman on a review of enterprise agreements that the CFMEU is a party to and actively in place on government infrastructure projects throughout NSW
- investigating complaints as received, and
- conducting a historical review of compliance with the Guidelines.

**QUESTION:**

**Ms ABIGAIL BOYD:** The other recommendation was that—basically there's a lack of clarity over the responsibilities between icare and SIRA and I think that's been noted a few times in different reports as well.

**STUART FARQUHARSON:** Yes. That's right.

**Ms ABIGAIL BOYD:** What is the structure of that process then that you're going through to work out better delineation of responsibilities?

**STUART FARQUHARSON:** We've got, as I said, a tripartite arrangement where the three CEOs meet on a regular basis and we have a number of working groups that feed into that to address those specific issues. That's the approach that we are taking to work with that.

**Ms ABIGAIL BOYD:** In terms of there being something new to respond to this, has that tripartite arrangement with these working groups been looking at that particular issue?

**STUART FARQUHARSON:** The research issue?

**Ms ABIGAIL BOYD:** Yes, or any of the others?

**STUART FARQUHARSON:** That is absolutely one of the areas that we are focusing on, yes.

**Ms ABIGAIL BOYD:** Does anyone from the department want to add to that, if there's work being done to delineate those responsibilities?

**GRAEME HEAD:** Mr Curtin could talk about the SafeWork bit. SIRA, of course, is within Minister Dib's administration. I'm ex-officio on the board of SIRA but not part of the organisational structure. But what Mr Farquharson said is, as I understand it, to be from my regular meetings with Ms Young, who's the new CEO of SIRA. But I'm sure on notice we could provide you with a bit more information about that.

**Ms ABIGAIL BOYD:** I'm particularly interested in a timeline as well as to when these issues are going to be resolved.

**ANSWER:**

The Government is actively considering options to improve collaboration between the three agencies in regards to research and other areas.

**QUESTION:**

**The Hon. DAMIEN TUDEHOPE:** You have provided me with a series of answers to various questions I have asked you this afternoon. One of them was how many matters are currently subject to arbitration before the IRC or the Fair Work Commission. You gave me an answer to that, did you not? I asked you the question how many are currently the subject of conciliation before the IRC and the Fair Work Commission. You gave me an answer to that. I asked how many are currently the subject of active mutual gains bargaining, and you've given me an answer to that. When I asked that question and sent it to the Minister, the answer I received was "The Government continues to have productive negotiations with the public sector unions." Did you provide that answer? Did you approve that answer?

**SAMARA DOBBINS:** I'll have to take that on notice because I don't recall. But I would say that may have been true at the time and now we're at a different point in the process.

**ANSWER:**

Please refer to pages 44-45 of the transcript.

**QUESTION:**

**The Hon. DAMIEN TUDEHOPE:** In relation to that, the Independent Contractors Act 2006, "Exclusion of certain State and Territory laws"—does it not provide that "subsection (1) does not apply in relation to a law of a State or Territory, to the extent"—and perhaps you might like to take this on notice. It does specifically say, "Chapter 6 of the Industrial Relations Act 1996 of New South Wales to the extent that it relates to,"—and I think you've given this evidence—"or has effect for the purposes of, a provision of Chapter 6." It does specifically say that it would need Commonwealth approval.

**SAMARA DOBBINS:** I'll need to take that on notice.

**The Hon. DAMIEN TUDEHOPE:** I'll draft a supplementary question rather than you having to take that on notice.

**The Hon. CHRIS RATH:** Did icare want to add anything on this?

**TONY WESSLING:** Mr Rath, it's probably a question for either SIRA or the Minister. We obviously honour claims where there's a policy in place or where an injured worker is deemed a worker. The matter of the full coverage of gig workers is probably a question for SIRA.

**SONYA CAMPBELL:** Mr Rath, I might be able to help you in that regard. Under the New South Wales Workers Compensation Act 1987, both Minister Cotsis and also the customer service Minister have responsibilities. The Government has made commitments around providing workers compensation benefits to gig workers in New South Wales. SIRA is leading that work, as my icare colleagues have pointed out. That work is to ensure that the gig economy workers have the same workers compensation protection currently provided to employees injured in New South Wales workplaces. That advice is being prepared for government consideration. As to how it works with the Commonwealth level, we'd have to take that on notice and come back to you specifically around that.

**ANSWER:**

I am advised:



Following recent amendments to the *Fair Work Act 2009* in February 2024, the *Fair Work Act* now makes a distinction between two types of 'regulated workers': firstly, 'employee-like workers' (broadly, gig workers), and 'regulated transport workers' (broadly, non-gig transport workers)), which are covered by the *Fair Work Act* up to the high income threshold. The *Independent Contractors Act 2006* no longer applies to this group.

The *Fair Work Act* continues to recognise the operation of Chapter 6 provisions of the *Industrial Relations Act 1996*, however it recognises these provisions without the need for a Commonwealth Regulation to be made.

**QUESTION:**

**The Hon. CHRIS RATH:** So there might be further appropriation requests to upgrade the system. I assume it is a big piece of work. In my previous employment, I know how hard it is to change some of these systems and how expensive it can sometimes be. What about standardised incident reporting forms? Does SafeWork NSW require employers to submit written notices in standardised forms, as allowed under sections 38 (4) and (5) of the WHS Act, to obtain meaningful information about specific harms, incident categories and worker categories?

**TRENT CURTIN:** That is not an area I am so familiar with. I would have to take on notice that question.

**The Hon. CHRIS RATH:** That is fine. If it hasn't been adopted as an approach, if maybe you could provide some information about why not and what might be the impediment to that, that would be quite helpful. Another question—I don't have much more to go and some of these will probably be supplementaries. Why does SafeWork NSW not mandate the recording of contractor or supervisor Home Building Act licence numbers during incident notifications involving apprentices in Home Building Act specialist trades?

**TRENT CURTIN:** SafeWork NSW inspectors obtain a whole range of information necessary to make determinations around compliance with WHS legislation. I can take on notice whether it is part of our practice to collect those licences. But as you recall just a moment ago, the systems that

we have got in place to record those things are not sufficient to do that in a meaningful way that we can recall all of those post-event. We need to do some system upgrade to enable our inspectors to be able to do that if we chose to do that. I will need to take on notice whether that is standard practice for our inspectors to collect those licences.

**ANSWER:**

I am advised:

SafeWork NSW does not require a person conducting a business or undertaking to submit a written notice of the incident and therefore does not have a standardised form. Notifiable incidents must be reported to SafeWork NSW by the fastest possible means. SafeWork NSW's preferred notification method is by phone, as this is the most immediate means for SafeWork NSW to clarify and ask further questions in relation to the incident and obtain all relevant information to triage and respond to the notification.

SafeWork NSW does not currently mandate the collection or recording of the details of licences or supervisor certificates issued under the *Home Building Act 1989* (HB Act) during incident notification. SafeWork NSW does not have any jurisdiction under the HB Act, and this information may not be readily available at the time of incident notification. Further, the triage process does not rely on this information to determine or inform the triage outcome. Should a matter be triaged for an inspector response, and where there are indications that work health and safety risks have arisen from alleged poor supervision, instruction or training, this type of information may be sought by the allocated SafeWork NSW Inspector.