

Questions from Hon Mark Latham MLC

Nine Entertainment Out In The Open Report

QUESTION #: 1

Now you have read the 2024 Nine Entertainment Out In The Open Report, what conclusions have you reached? What action are you taking?

ANSWER:

Psychological health and safety is a Government priority but also a Safe Work regulatory priority

I refer to evidence of Mr Trent Curtin at page 3 of the Transcript.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Industrial Relations

Industrial Relations Amendment (Transport Sector Gig Workers and Others) Bill 2025

QUESTION #: 2

In Feb 2024 you commissioned secret research into strategies for, and implications of 'modernising' Chapter 6 of the Industrial Relations Act 1996 (NSW). Who undertook this research at UTS?

- a) Was it Dr Michael Rawling?
- b) How were the views of industry and platforms captured into this research to better understand the cost burden on industry?
- c) Why haven't you released this research publicly?
- d) Is it correct the final report recommends extreme reform?
- e) Why won't you share this research with the gig economy platforms?
- f) How much did this research cost?

ANSWER:

I am advised that:

- a) The research was undertaken by Associate Professor Michael Rawling and Professor Joellen Riley Munton.
- b) The report was undertaken independent of Government.
- c) The report is Cabinet in Confidence.
- d) The report is Cabinet in Confidence.
- e) \$11,639.65.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Industrial Relations

QUESTION #: 3

The Commonwealth Government has legislated in this space and work is underway to create minimum standards. Has the Government modelled how many gig workers exist in NSW?

- a) Has the Government modelled how many gig workers will benefit from this reform?

ANSWER:

No.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Industrial Relations

QUESTION #: 4

The TWU has made applications for minimum standards for food delivery drivers and couriers and are currently running surveys to inform their rideshare application. If food delivery and rideshare is already captured under the federal regime, why is this reform needed?

- a) Isn't it true that the only beneficiary of this reform is the TWU?

ANSWER:

I am advised that the Federal regime recognises the ongoing application of Chapter 6 in NSW, as amended from time to time. Where there are gaps, the NSW reforms will apply.

- a) The reforms will provide application for gig workers in the transport sector access to Chapter 6. These workers will be the beneficiary of legislative amendments to Chapter 6 by giving them access to the Industrial Relations Commission where provisions of the *Fair Work Act* permit.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Industrial Relations

QUESTION #: 5

The *Industrial Relations Amendment (Transport Sector Gig Workers and Others) Bill 2025* seeks to expand the definition of an industrial dispute. What kind of disputes are included in this expanded definition?

- a) These changes mean the TWU will be able to lodge a dispute over any 'industrial matter'. Why is this needed?
- b) Is the Government concerned about an increase in industrial disputes by giving the IRC such broad powers?

ANSWER:

I am advised that there is no change to the definition of a dispute. The proposed amendment is to allow the Industrial Relations Commission to require the attendance of any person that the IRC considers may help in the settlement of the dispute.

The proposed changes to s 332 of the *Industrial Relations Act 1996* seek to extend the conciliation and arbitration powers of the IRC to resolve disputes.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Industrial Relations

QUESTION #: 6

What is the purpose of creating such duplicative legislation for the gig industry, given there is federal reform for the space?

- a) Can the Government articulate how gig workers will benefit from a confusing mix of state and federal regulation?
- b) Can the Government articulate why gig platforms will feel empowered to operate in NSW and create economic opportunities when facing a confusing mix of state and federal regulation?

ANSWER:

I am advised:

- a) The reform ensure gig workers in NSW have protections within the existing framework that has a long history and is well supported. The reform is complimentary and no different to where there has been interaction between state and commonwealth legislation previously.
- b) The reform ensures that gig workers are provided protections and fair and decent remuneration for the work undertaken, whether that be under Commonwealth laws or NSW laws.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Industrial Relations

QUESTION #: 7

We heard at the last Estimates that the Government was preparing a comprehensive stakeholder engagement strategy for the Chapter 6 reforms and that there would be extensive consultation with stakeholders to seek their views and feedback, and to incorporate feedback into a final form of amendment legislation. Can you walk us through what this consultation looks like and how you think it is going so far?

- a) Did you consult with the platforms who will be subject to these laws before releasing a draft Bill?
- b) Did you consult with the TWU before releasing a draft Bill?

ANSWER:

The Government consulted extensively with relevant stakeholders.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Work, Health & Safety

SIRA

QUESTION #: 8

Minister, are you aware allied health service providers in the WorkCover scheme are reimbursed by SIRA below the Health Professionals and Support Services Award MA000027 rates for mileage allowances?

- a) Currently SIRA uses a rate approximately \$0.11c/km below the MA000027 Health Award. Will the Minister support a fair policy to link the travel rate to the Health Professionals and Support Services Award MA000027?

ANSWER:

This question is better directed to the Minister for Customer Services and/or SIRA

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Work, Health & Safety

SIRA

QUESTION #: 9

Will the Minister direct a review of the current SIRA policy to pay a mileage allowance for allied health services as other states (Western Australia, Queensland and Victoria) allow travel to be paid as an approved service?

ANSWER:

This question is better directed to the Minister for Customer Services and/or SIRA

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Work, Health & Safety

iCare

QUESTION #: 10

When did you first become aware of recent further underpayment errors in the Dust Diseases Scheme, affecting around 6% of the 5,000 individuals enrolled in the scheme?

- a) Can you explain how these payment errors were made?
- b) Have all outstanding payments been made?

ANSWER:

I am advised:

icare became aware of underpayment errors between February and May 2024, which affected approximately 3% of 7,500 past and current workers and dependents in the dust diseases scheme.

- a) The issues identified were incorrect calculation of the current weekly wage rate (CWWR) and incorrect indexation.

These errors have all been rectified through enhanced business processes and appropriate controls have been put in place to mitigate against any future occurrence.

- b) As at 17 March 2025, 103 workers have been remediated with payments. The majority of the remaining workers are expected to have their payments completed within the next two months. icare has been working closely with Centrelink and executors of deceased workers to make the remediation payments as quickly as possible.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Work, Health & Safety

Claims Service Providers

QUESTION #: 11

What do you understand are the main drivers behind differences in Claims Service Providers' return to work rates?

ANSWER:

I am advised

Each claim service provider has a different portfolio of employers and/or claims. This is required to be considered when comparing the performance of CSPs.

Factors that impact CSP portfolios (and therefore RTW rates) differently include:

- employer size,
- psychological claims mix,
- industry mix.

Each of these impacts the overall portfolio performance of the CSPs.

Further to this, capability and capacity of case management staff impacts performance more broadly. icare is currently publishing caseloads of each CSP and will commence publishing resourcing against professional standards by the end of 2025.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Claims Service Providers

QUESTION #: 12

Given icare's publicly released performance data indicates that EML is the only CSP to be meeting, or exceeding, its contractual target across the three critically important Return-to-Work Measures (13, 26 and 52 week return to work rates), why are most CSP's below these targets?

ANSWER:

I am advised:

The new claims model is part way through a three-year transition program. A key underpinning of the success of the new claims model is competition. It should be noted that through the new claims model, the performance of EML has improved.

The other CSPs have been required to recruit new staff, develop new process, adapt to oversight from icare.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Work, Health & Safety
SafeWork NSW
QUESTION #: 13 Has SafeWork NSW updated safety training requirements for apprentices following any serious incidents in the past two years?
ANSWER: I am advised: A person conducting a business or undertaking is responsible for ensuring its workers are properly instructed and trained on how to carry out their work safely. SafeWork NSW provides free information, tools and resources to support young workers on their roles and responsibilities in the workplace.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Work, Health & Safety
SafeWork NSW
QUESTION #: 14 What role does SafeWork NSW play in ensuring workplace safety training for apprentices and trainees, particularly in high-risk industries?
ANSWER: I am advised: Under clause 39 of the Work Health and Safety Regulation 2017, a person conducting a business or undertaking (PCBU) is responsible for ensuring its workers are properly instructed and trained on how to do their work safely. SafeWork NSW conducts workplace site visits to ensure PCBUs are complying with these requirements, which may include review of an apprentice's completed units of competency. SafeWork NSW also provides free information, tools and resources for PCBUs on roles and responsibilities for managing the safety of young workers in the workplace.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Work, Health & Safety
SafeWork NSW
QUESTION #: 15 How many incidents involving apprentices have been reported to SafeWork NSW in the past two years, and what were the primary causes?
ANSWER: I am advised: The limitations of the current WSMS system left by the former Government have been identified in recent independent reviews of SafeWork NSW. SafeWork NSW is currently developing a business case to support a new digital solution that is fit for purpose for modern regulatory data needs. SafeWork NSW is working to ensure that the replacement system better captures the characteristics of cohorts of workers.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Work, Health & Safety
SafeWork NSW
QUESTION #: 16 What mandatory safety training programs does SafeWork NSW oversee for apprentices before they enter the workforce?
ANSWER: I am advised: SafeWork NSW approves, manages and monitors compliance of registered training organisations, approved training providers and accredited assessors that deliver high risk work licence training and assessment, general construction induction training, and traffic control work training. The PCBU is responsible for ensuring that all workers have current and relevant licences, certifications and training required for their roles.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Work, Health & Safety
SafeWork NSW
QUESTION #: 17 How does SafeWork NSW ensure that small businesses and sole traders employing apprentices understand and comply with work health and safety regulations?
ANSWER: I am advised: SafeWork NSW provides the <i>Easy to do work health and safety toolkit</i> which includes tools, templates and resources tailored to small businesses to meet work health safety (WHS) obligations in keeping all workers safe. SafeWork NSW conducts workplace site visits to ensure PCBUs, including small business owners or sole traders, are complying with their primary WHS duties. SafeWork NSW also collaborates with other NSW Government agencies to educate small business owners on their duty of care to apprentices and the supports available to small businesses.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Work, Health & Safety
SafeWork NSW
QUESTION #: 18 What steps has SafeWork NSW taken to work with TAFEs and registered training organisations (RTOs) to ensure apprentices receive adequate WHS training before starting on-site work?
ANSWER: I am advised: Work health and safety (WHS) is a component of most apprenticeships and traineeships in NSW including those delivered through TAFE NSW.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Work, Health & Safety
SafeWork NSW
QUESTION #: 19 Are there specific grants or funding available through SafeWork NSW to help businesses invest in better safety training for apprentices?
ANSWER: I am advised: A reformed SafeWork is examining how it can better support businesses to engage apprentices.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Work, Health & Safety
SafeWork NSW
QUESTION #: 20 What monitoring processes are in place to ensure businesses are properly training apprentices in work health and safety before allowing them to perform high-risk tasks?
ANSWER: Under clause 39 of the Work Health and Safety Regulation 2017, a person conducting a business or undertaking (PCBU) is responsible for ensuring its workers are properly instructed and trained on how to do their work safely. SafeWork NSW conducts workplace site visits to ensure PCBUs are complying with these requirements, which may include review of an apprentice's completed units of competency. SafeWork NSW also provides free information, tools and resources for PCBUs on roles and responsibilities for managing the safety of young workers in the workplace.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Work, Health & Safety
SafeWork NSW
QUESTION #: 21 What was the average response time for SafeWork NSW to attend a serious workplace incident once it has been reported in: a) 2023-2024 b) (b) 2024-2025, to date?
ANSWER: I am advised: The limitations of the current WSMS system left by the former Government have been identified in recent independent reviews of SafeWork NSW. SafeWork NSW is currently developing a business case to support a new digital solution that is fit for purpose for modern regulatory data needs and captures the data asked for in the question.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Work, Health & Safety
SafeWork NSW
QUESTION #: 22 Are you satisfied with current SafeWork NSW 'follow up' processes after a workplace incident occurs?
ANSWER: I am guided by the recommendations made by the Independent Review of Safe Work NSW and ensuring they are implemented.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Work, Health & Safety
SafeWork NSW
QUESTION #: 23 How many enforcement actions has SafeWork NSW taken in the past two years, and how does this compare to the previous two-year period?
ANSWER: I am advised: In the 2022/2023 and 2023/2024 financial years, SafeWork NSW undertook a total of 34,409 enforcement actions. By comparison, in the 2020/2021 and 2021/2022 financial years, SafeWork NSW undertook a total of 23,873 enforcement actions. This data includes improvement notices, penalty notices, prohibition notices, explosive notices, enforceable undertakings and commenced prosecutions.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Work, Health & Safety
SafeWork NSW
QUESTION #: 24 What proportion of workplace safety breaches investigated by SafeWork NSW result in formal warnings, improvement notices, or prosecutions?
ANSWER: I am advised: As no timeframe has been provided, SafeWork NSW is unable to provide this data.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Work, Health & Safety
SafeWork NSW
QUESTION #: 25
What industries have the highest rate of non-compliance, and what targeted enforcement strategies has SafeWork NSW adopted to address these sectors?
ANSWER:
<p>I am advised:</p> <p>SafeWork NSW's Annual Regulatory Statement 2024-2025 refers to regulatory priorities and actions with a focus on particular industries, which include:</p> <ul style="list-style-type: none">• Addressing falls from heights through targeted compliance activities in the building and construction sector to hold responsible those failing to apply the appropriate level of controls, with a particular focus on safety when installing rooftop solar and when erecting and working on scaffolding.• Addressing harms to workers in the health and social assistance sector with a focus on the disability sector through undertaking regulatory action to drive WHS compliance through targeted programs, with a focus on addressing psychosocial hazards, ensuring duty holders are compliant with their WHS obligations.• Managing psychosocial risks at work including the risk of sexual harassment through undertaking targeted compliance and enforcement activities in high risk workplaces including inspectors completing psychosocial WHS Checks when visiting workplaces with 200 or more workers. SafeWork NSW's Psychosocial Health and Safety Strategy 2024-2026 identifies Public Administration and Safety, Education and Training, and Healthcare and Social Assistance as high-risk industries.• Preventing sexual harassment at work through undertaking targeted compliance visit programs in high-risk industries including a proactive visit program within the public sector.• Addressing exposure to hazardous substances including silica, asbestos, hazardous chemicals and carcinogens through delivering targeted compliance and verification programs to prevent or minimise exposure to hazardous substances.• Addressing injuries by mobile plant, fixed machinery or vehicles in the workplace through targeted compliance visit programs to workplaces in high-risk sectors. Serious injuries and fatalities in NSW involving plant most commonly occur in industries such as transport, manufacturing, construction and agriculture.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Work, Health & Safety
SafeWork NSW
QUESTION #: 26 How does SafeWork NSW determine whether to prosecute a workplace for failing safety standards, and what criteria are used to ensure consistency in enforcement?
ANSWER: I am advised: SafeWork NSW adopts and applies the Prosecution Guidelines of the NSW Office of the Director of Public Prosecutions (ODPP) and the SafeWork NSW Prosecution Guidelines. SafeWork NSW applies the National Compliance and Enforcement Policy (NCEP) which sets out the approach SafeWork NSW and other work health and safety regulators take to compliance and enforcement, including prosecution decisions, under the Work Health and Safety Act 2011 and Work Health and Safety Regulation 2017. The NCEP is published on the Safe Work Australia website.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Work, Health & Safety
SafeWork NSW
QUESTION #: 27 What percentage of SafeWork NSW’s prosecutions and penalties involve businesses in the construction sector, and what has been done to reduce non-compliance in this high-risk industry?
ANSWER: I am advised: As no timeframe has been provided, SafeWork NSW is unable to provide the requested data. SafeWork NSW has a strategic, state-wide approach to supporting a safe, healthy and productive construction industry in NSW. SafeWork NSW’s approach is guided by data and industry insights and aligned to the Annual Regulatory Statement 2024–25 and the Building and Construction Work Health and Safety Blueprint to 2026 to reduce serious injuries and fatalities in the NSW building and construction industry. The Annual Regulatory Statement and Blueprint are published on the SafeWork NSW website. SafeWork NSW continues to work closely with industry associations, unions and businesses to raise safety standards.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Work, Health & Safety
SafeWork NSW
QUESTION #: 28 What specific measures has SafeWork NSW implemented to address psychosocial risks such as workplace stress, bullying, and mental health hazards?
ANSWER: I am advised: SafeWork NSW provides a range of advisory, educative and compliance activities to assist persons conducting a business or undertaking (PCBU) to manage psychological work health and safety risks. These are outlined in the SafeWork NSW Psychological Health and Safety Strategy 2024-26.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Work, Health & Safety
SafeWork NSW
QUESTION #: 29 How many workplace complaints related to psychosocial risks has SafeWork NSW received in the past two years, and how many resulted in enforcement action?
ANSWER: I am advised: From 1 January 2023 to 31 December 2024, SafeWork NSW received 4,024 requests for service related to psychosocial risks. Of these, 305 received an enforcement action related to a psychosocial risk. This data includes improvement, penalty and prohibition notices.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Work, Health & Safety
SafeWork NSW
QUESTION #: 30 What training and resources have been provided to SafeWork NSW inspectors to ensure they can effectively assess and enforce compliance in workplaces where mental health risks exist?
ANSWER: I am advised: All SafeWork NSW inspectors are required to complete 10 mandatory Psychosocial WHS-related training modules. In addition, resources are continuously developed and refined to provide ongoing training to inspectors.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Work, Health & Safety
SafeWork NSW
QUESTION #: 31
Has SafeWork NSW developed industry-specific guidelines for addressing mental health risks, and if so, how have they been communicated to businesses?
ANSWER:
<p>I am advised:</p> <p>SafeWork NSW has developed a range of industry-specific guidelines, as well as broader guidance material to address mental health risks in the workplace. These guidelines provide practical advice to persons conducting a business or undertaking on identifying and managing psychosocial hazards, such as stress, bullying, fatigue and sexual harassment. Industry-specific resources and guidance material include:</p> <ul style="list-style-type: none">• A to Z Farm Safety Guide, which identifies risks on farms, including psychosocial hazards such as bullying, violence, and working in isolation.• Preventing Psychological Harm: First Steps for Small Business, an online resource to support small businesses in managing mental health risks.• <i>Guide to Work Health and Safety in the Road Freight Transport Industry</i>, which addresses psychosocial hazards for operators, drivers, and the supply chain.• <i>Mentally Healthy Workplaces in Construction Toolbox Talk</i>, designed to raise awareness about psychological health and safety in construction, including how to recognise and respond to hazards and support colleagues.• <i>Guide for NSW Hospitality Businesses</i>, focused on preventing workplace sexual harassment.• <i>Designing Work to Manage Psychosocial Risks</i>, a guide on eliminating or minimising psychosocial hazards through effective work design.• <i>Code of Practice – Managing psychosocial hazards at work</i>, providing practical guidance for businesses to identify psychosocial hazards at work and implement control measures to manage the risks. <p>These materials are available on the SafeWork NSW website and are provided to business and industry through various channels including forums, field days, inspector visits, media releases and social media posts to ensure businesses understand their responsibilities and can implement effective strategies to support worker wellbeing.</p>

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Work, Health & Safety
SafeWork NSW
QUESTION #: 32 What percentage of workplace fatalities and injuries investigated by SafeWork NSW involve psychosocial factors as a contributing cause?
ANSWER: I am advised: Workplace fatalities and injuries may have more than one contributing factor. SafeWork NSW is unable to provide the requested data due to system limitations within the Workplace Services Management System (WSMS), as WSMS only provides a single field for recording the mechanism of injury. These limitations of the current WSMS system left by the former Government have been identified in recent independent reviews of SafeWork NSW. SafeWork NSW is currently developing a business case to support a new digital solution that is fit for purpose for modern regulatory data needs.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Flexible Work Arrangements

QUESTION #: 33

In your view is working from home generally better or worse for employee productivity?

ANSWER:

That depends entirely on the nature of the work and the individual circumstances of the employee.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Flexible Work Arrangements

QUESTION #: 34

Do you ever work from home?

ANSWER:

My work as a Minister of the Crown and Member of Parliament means I work across a wide variety of locations at any given time.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Flexible Work Arrangements

QUESTION #: 35

In response to a supplementary question from the last estimates hearing (Answer to Supplementary Question 18), it was indicated that “Government Sector agencies, in consultation with staff and unions, are developing their own policies to implement the NSW Government Sector workplace presence circular (C2024-03)”. Where are these policies up to?

- a) Have any of these policies been finalised and implemented?
 - i. i. If so, where can they be found? Are they publicly available?

ANSWER:

I am advised that agencies have now either implemented or are close to finalising the implementation of their own policies (following consultation with staff)], ensuring the needs of staff, the organisation and the community are met. Once finalised, the policies will be published on the relevant Agency’s intranet to maximise access for their employees.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Flexible Work Arrangements

QUESTION #: 36

Could you provide me with any data to substantiate whether the NSW Government Workplace Presence circular C2024-03 has had any effect on government sector working arrangements?

ANSWER:

I am advised that there is no data available.

The Circular is about consistency in workplace attendance patterns and, most importantly, it is about supporting the strength and unity of the public service as an institution, while making sure employees can still maintain flexible working arrangements.

The Circular does not change the availability of flexible working arrangements such as flexible hours and scheduling, flexible rostering, hybrid working, part-time work, job-share arrangements and more. These have become the norm in the government, private and not-for-profit sectors.

There is no mandated pattern of attendance or floor or a ceiling in the number of days employees must attend the approved workplace. Employees can still work from home some of the time if it meets the needs of the agency, teams, and community.

The Circular specifies that NSW Government Sector employees should work principally in an approved office, workplace or related work site. It also asks agencies to ensure that attendance in the workplace is spread across the whole working week.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

People Matter Employee Survey

QUESTION #: 37

Are you satisfied with the headline result for employee experience of work health and safety across the NSW Public Sector sitting at 65%, according to the People Matter Employee Survey?

- a) Could you outline, to your knowledge, some of the reasons why this percentage is not higher?

ANSWER:

The Minns Government is focussed on repairing and restoring Safe Work NSW as a modern fit for purpose regulator, this includes a commitment to overall performance improvement.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Incident Reporting and Response

QUESTION #: 38

How many investigations into workplace fatalities has SafeWork NSW completed in the past two years, and what proportion resulted in prosecution?

ANSWER:

I am advised:

From 1 July 2023 to 28 February 2025, there have been 32 SafeWork NSW investigations in relation to workplace fatalities. Of these investigations, three resulted in a successful prosecution, 15 prosecutions are ongoing, 13 matters remain under investigation and one investigation is closed.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Incident Reporting and Response

QUESTION #: 39

What is the breakdown of workplace deaths and serious injuries by industry for the past two years, and what new enforcement measures have been introduced to reduce these incidents?

ANSWER:

I am advised:

Workplace fatality data is published on the Safe Work Australia website for the 2022 and 2023 calendar years, including a breakdown by industry. This is the latest published data.

SafeWork NSW is unable to provide a breakdown of serious injuries by industry due to system limitations within the Workplace Services Management System.

The limitations of the current WSMS system left by the former Government have been identified in recent independent reviews of SafeWork NSW. SafeWork NSW is currently developing a business case to support a new digital solution that is fit for purpose for modern regulatory data needs.

New enforcement measures

On 16 September 2024, the *Work Health and Safety Amendment (Industrial Manslaughter) Act 2024* commenced. The Amendment Act introduces an industrial manslaughter offence in NSW, with the maximum penalties of \$20 million for a body corporate and 25 years imprisonment for an individual.

The Work Health and Safety Regulation 2017 was amended on 1 July 2024 to provide for 88 new penalty notices to be issued for existing offences in the Regulation and to further increase all existing penalty notice amounts by 24 per cent to support enforcement activities.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Incident Reporting and Response

QUESTION #: 40

What are the penalties for employers who fail to report a serious workplace incident to SafeWork NSW within the required timeframe?

ANSWER:

I am advised:

Failure to notify the regulator of a notifiable incident is a breach of section 38 of the *Work Health and Safety Act 2011*. The maximum penalty for a breach of section 38 for an individual is \$10,000 and \$50,000 for a body corporate.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Incident Reporting and Response

QUESTION #: 41

What legislative or regulatory changes has the Government considered to improve SafeWork NSW's ability to respond to workplace incidents more effectively?

ANSWER:

I am advised:

The NSW Government introduced the Work Health and Safety Amendment (Standalone Regulator) Bill 2025 into the NSW Parliament on 18 February 2025. The Bill will amend the *Work Health and Safety Act 2011* to establish a new governance model for SafeWork NSW, facilitating its transition to a standalone executive agency.

The NSW Government is also currently undertaking a review of the Work Health and Safety Regulation 2017 ahead of its scheduled remake by 1 September 2025, including public consultation.

In addition, the SafeWork NSW Strategic Plan and Annual Regulatory Statement 2024-2025 are published on the SafeWork NSW website. These documents drive targeted interventions and proactive strategies to mitigate risks and improve safety outcomes across the key areas and industries identified and enable more efficient, effective, prevention and response to workplace incidents.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Engineered Stone Ban

QUESTION #: 42

What financial support is the government providing to small businesses and workers impacted by the engineered stone ban?

ANSWER:

I am advised:

Please refer to the answer at [LA QoN 3475](#).

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Engineered Stone Ban

QUESTION #: 43

How is the government ensuring clear and accurate communication from SafeWork NSW about the ban and compliant materials?

ANSWER:

I am advised:

Please refer to the answer at [LA QoN 3475](#).

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Engineered Stone Ban

QUESTION #: 44

What assistance is available to help businesses transition to alternative materials, including training and equipment upgrades?

ANSWER:

I am advised:

Please refer to the answer at [LA QoN 3475](#).

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Engineered Stone Ban

QUESTION #: 45

How many businesses have been fined or penalised for non-compliance since the ban took effect?

ANSWER:

I am advised:

Since 1 July 2024, SafeWork NSW issued one penalty notice for non-compliance with the engineered stone ban.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Roof Anchor System Compliance

QUESTION #: 46

What steps is the government taking to ensure that all roof anchor systems sold in Australia meet proper safety and compliance standards?

ANSWER:

I am advised:

Designers, manufacturers, importers, and suppliers of height safety products have duties under NSW work health and safety legislation to ensure their products are without risk so far as is reasonably practicable and to undertake the testing, analysis, calculation and examination necessary to satisfy this duty. Some plant and safety item types, including roof anchor systems, require suppliers to undertake specific testing to ensure their products meet applicable Australian Standards. SafeWork NSW has representation on the relevant Australian Standards committee.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Roof Anchor System Compliance

QUESTION #: 47

Why has there been no clear regulatory oversight for roof anchor systems, and who is responsible for enforcing compliance in this industry?

ANSWER:

I am advised:

Designers, manufacturers, importers, and suppliers of height safety products have duties under NSW work health and safety legislation to ensure their products are without risk so far as is reasonably practicable and to undertake the testing, analysis, calculation and examination necessary to satisfy this duty. SafeWork NSW will take appropriate regulatory action where breaches of these duties are identified.

Additionally, NSW work health and safety legislation requires fall control measures to be selected by following the hierarchy of controls. For managing the risk of a fall, the reliance on fall-arrest systems should only be used when other higher order controls, such as working from the ground, solid construction or temporary platforms, are not reasonably practicable.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Roof Anchor System Compliance

QUESTION #: 48

How does the government justify allowing self-regulation in the manufacturing and testing of roof anchor points when these products are critical for worker safety?

ANSWER:

I am advised:

See the answer to question 47

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Roof Anchor System Compliance

QUESTION #: 49

Will the government introduce stricter enforcement mechanisms, including mandatory product testing and independent certification, to prevent unsafe roof anchor systems from being sold?

ANSWER:

I am advised:

The NSW Government is currently undertaking a review of the Work Health and Safety Regulation 2017 ahead of its scheduled remake by 1 September 2025, including public consultation.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Roof Anchor System Compliance

QUESTION #: 50

What actions will be taken to address the confusion caused by the existence of multiple standards for roof anchor systems, particularly AS/NZS 5532:2013 and AS/NZS 1891.4:2009?

ANSWER:

I am advised:

A *Fall arrest anchors* fact sheet is published on the SafeWork NSW website. This fact sheet clarifies SafeWork NSW's position regarding AS/NZS 1891.4 and AS/NZS 5532.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Roof Anchor System Compliance

QUESTION #: 51

Given the number of workplace falls from heights, is the government considering a review of existing regulations to ensure that only fully compliant and independently verified roof anchor systems are used?

ANSWER:

I am advised:

The NSW Government is currently undertaking a review of the Work Health and Safety Regulation 2017 ahead of its scheduled remake by 1 September 2025, including public consultation.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

General Questions

CFMEU meetings

QUESTION #: 52

Given ministerial diary disclosures do not include all meetings and provide exceptions to disclosures, since 28 March 2023, have you met with the CFMEU?

ANSWER:

I am advised;

In accordance with the 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 Premier's 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>)

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

ETU meetings

QUESTION #: 53

Given ministerial diary disclosures do not include all meetings and provide exceptions to disclosures, since 28 March 2023, have you met with the CFMEU?

ANSWER:

I am advised;

In accordance with the 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 Premier's 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>)

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Ministerial disclosures to The Cabinet Office

QUESTION #: 54

On what date did you last update/make a ministerial disclosure to The Cabinet Office?

ANSWER:

I am advised:

The Ministerial Code of Conduct (Ministerial Code) requires Ministers to make certain disclosures to the Premier and the Secretary of The Cabinet Office.

I comply with my obligations under the Ministerial Code.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Department(s)/Agency(s) Employees

QUESTION #: 55

How many redundancies were processed by each Department(s)/agency(s) within your portfolio responsibilities since 28 March 2023?

- a) Of these redundancies, how many were:
 - i. Voluntary?
 - ii. Forced?
- b) What was the total cost of all redundancies in each Department/agency within your portfolio responsibilities?
- c) On what page are redundancies published in the respective Department(s)/Agency(s) Annual Reports?

ANSWER:

I am advised:

Redundancies are published in the respective Department(s)/Agency(s) Annual Reports under employee related expenses.

Published Annual reports can be accessed on respective Departmental websites.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Department(s)/Agency(s) Annual Reports

QUESTION #: 56

On what date were the annual report(s) from 2023-24 for each department / agency in your portfolio published?

ANSWER:

I am advised:

The annual reports were tabled in accordance with the requirements of the *Government Sector Finance Act 2018*.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Department(s)/Agency(s) Annual Reports

QUESTION #: 57

Were the annual report(s) from 2023-24 for each department / agency in your portfolio printed?

ANSWER:

I am advised:

Annual reports should be prepared in accordance with the NSW Treasury Policy and Guidelines *TPG23-10 Annual Reporting Requirements*. TP23-10 also requires that an agency's annual report contain the total external costs incurred in the production of the report, including printing costs.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Department(s)/Agency(s) Annual Reports

QUESTION #: 58

Did the annual report(s) from 2023-24 for each department / agency in your portfolio use in part or full an external production / body / consultant to draft?

a) If yes, what was the cost(s) for each department / agency?

ANSWER:

I am advised:

Annual reports should be prepared in accordance with the NSW Treasury Policy and Guidelines *TPG23-10 Annual Reporting Requirements*. TP23-10 also requires that an agency's annual report contain the total external costs incurred in the production of the report, including printing costs.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Department(s)/Agency(s) Annual Reports

QUESTION #: 59

In what month will the 2024-25 annual report(s) for each department / agency in your portfolio be published?

ANSWER:

I am advised:

Annual reports should be prepared in accordance with the NSW Treasury Policy and Guidelines *TPG23-10 Annual Reporting Requirements*. TP23-10 also requires that an agency's annual report contain the total external costs incurred in the production of the report, including printing costs.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Department(s)/Agency(s) Annual Reports

QUESTION #: 60

Will the 2024-25 annual report(s) for the department / agency in your portfolio include a printed copy?

- a) If yes, how much is budgeted for printing in 2024-25 for each department / agency?

ANSWER:

I am advised:

Annual reports should be prepared in accordance with the NSW Treasury Policy and Guidelines TPG23-10 Annual Reporting Requirements. TP23-10 also requires that an agency's annual report contain the total external costs incurred in the production of the report, including printing costs.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

State Records Act

QUESTION #: 61

Have you and your ministerial office had training and/or a briefing about the State Records Act from State Records NSW and/or The Cabinet Office and/or Premier's Department?

a) If yes, when?

ANSWER:

I am advised:

The Ministers' Office Handbook provides guidance in relation to recordkeeping obligations under the *State Records Act 1998*.

The Cabinet Office also provide guidance, advice, training and support on these obligations for Ministers' offices.

Further information is available on State Records NSW's website

(www.nsw.gov.au/departments-and-agencies/dciths/state-records-nsw).

I expect my office to comply with their obligations under the *State Records Act 1998*.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Advertising

QUESTION #: 62

On what page is advertising published in the respective Department(s)/Agency(s) annual report(s)?

ANSWER:

I am advised:

Annual reports are published on the website of the relevant department or agency and are also held by the Parliamentary Library.

Department and agency expenditure is also published at data.nsw.gov.au

Agency expenditure must be reported in accordance with TD23-11 Annual reporting requirements and TPG23-10 Annual Reporting Requirements.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Department(s)/Agency(s) Gifts and Hospitality Register

QUESTION #: 63

Does your portfolio department(s)/agency(s) have a gifts and/or hospitality register?

- a) If yes, is it available online?
 - i. If yes, what is the website URL?

ANSWER:

I am advised:

The Premier's Department gifts and hospitality register is available at:

<https://www.nsw.gov.au/departments-and-agencies/premiers-department/access-to-information/gifts-and-hospitality-register>

All DCS staff (including SafeWork NSW staff) are required to comply with their obligations under the Gifts, Benefits and Bribes Policy, including declaring to a register.

(a) The Register is not publicly available online.

icare maintains a register of gifts and benefits.

(a) The Register is not publicly available online.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Ministerial staff disclosure of gifts and/or hospitality

QUESTION #: 64

Does your ministerial office keep a register of gifts and/or hospitality for staff to make disclosures?

a) If yes, what is the website URL?

ANSWER:

I am advised:

All Ministerial staff are required to comply with the Gifts, Hospitality and Benefits Policy for Office Holder Staff attached to the Ministers' Office Handbook and available on the NSW Government website.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Ministerial staff disclosure of gifts and/or hospitality

QUESTION #: 65

Have any staff members in your office been the recipient of any free hospitality?

- a) What was the total value of the hospitality received?
- b) Are these gifts of hospitality declared?

ANSWER:

I am advised:

All Ministerial staff are required to comply with their disclosure obligations under the Gifts, Hospitality and Benefits Policy for Office Holder Staff and I expect them to do so.

A breach of the Policy may be a breach of the Office Holder's Staff Code of Conduct. The Policy includes disclosure obligations for Ministerial staff in respect of gifts, hospitality and benefits over \$150.

If a Ministerial staff member is required by their role to accompany their Office Holder at an event that the Office Holder is attending as the State's representative, or where the Office Holder has asked the staff member to attend, then attendance at that event would not constitute a gift or benefit for the purposes of the Policy.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Ministerial Code of Conduct

QUESTION #: 66

Since 28 March 2023, have you breached the Ministerial Code of Conduct?

a) If yes, what was the breach?

ANSWER:

I am advised:

All Ministers are expected to comply with their obligations under the NSW Ministerial Code of Conduct (Ministerial Code) at all times.

The Ministerial Code sets the ethical standards of behaviour required of Ministers and establishes practices and procedures to assist with compliance.

Among other matters, the Ministerial Code requires Ministers to:

- disclose their pecuniary interests and those of their immediate family

members to the Premier

- seek rulings from the Premier if they wish to hold shares, directorships, other business interests or engage in secondary employment (known as 'prohibited interests')
- identify, avoid, disclose and manage conflicts of interest
- disclose gifts and hospitality with a market value over \$500.

A substantial breach of the Ministerial Code (including a knowing breach of any provision of the Schedule) may constitute corrupt conduct for the purposes of the

Independent Commission Against Corruption Act 1988.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Credit Cards

QUESTION #: 67

Have you ever been issued with a credit card by a NSW Government department(s) and/or agency(s) since 28 March 2023?

- a) If yes, under what circumstance?
- b) If yes, what items and expenditure was undertaken?

ANSWER:

I am advised:

Ministers and Ministerial Staff are not eligible to receive Departmental credit cards except in the case of overseas travel. In cases of overseas travel short-term cards will be issued and returned at the completion of official travel together with a travel diary for fringe benefit tax purposes.

Where a NSW Government-issued credit card is provided the credit card must only be used for official overseas business trips and official business purposes, this includes for transport to/from the airport when departing/returning from the trip. NSW Government-issued credit cards for official business trips overseas will be held with government contract bankers and used within credit limits imposed.

Credit cards are a useful means of expenditure control, but their use should never be for personal purposes.

Costs associated with overseas travel are published on the NSW Government website in line with M2015-05.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Credit Cards

QUESTION #: 68

Do public servants in your portfolio department(s)/agency(s) been issued with department/agency credit cards?

a) If yes, what is the website URL of the credit card policy?

ANSWER:

I am advised:

The use and management of purchasing (credit) cards for official purposes is in accordance with standard procurement arrangements of the NSW Government.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Department(s)/agency(s) desk or office

QUESTION #: 69

Do you have a desk or office in your portfolio department(s)/agency(s) building(s)?

ANSWER:

I am advised:

I make use of an office in 52 Martin Place, NSW Parliament and my Electorate office.

When travelling, Ministers may make ad hoc arrangements to work for periods in Departmental offices.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Senior Executive Drivers

QUESTION #: 70

As at 1 February 2025, how many senior executives in your portfolio department(s) / agency(s) have a driver?

ANSWER:

I am advised:

No Senior Executives employed by Premier's Department, SafeWork NSW or icare have a driver.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

GIPA Applications – Ministerial Office

QUESTION #: 71

Has your Ministerial Office received a GIPA Application(s) since 28 March 2023?

- a) If yes, how many?
- b) If yes, what is the website URL of the disclosure log?

ANSWER:

I am advised:

GIPA statistics for Ministers' offices are published in the annual reports of the Department of Communities and Justice.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

GIPA Applications – Department(s)/Agency(s)

QUESTION #: 72

Since 28 March 2023, have you and/or your ministerial office given instructions to your portfolio department(s)/agency(s) in relation to Government Information (Public Access) Act application(s)?

ANSWER:

I am advised:

Under the *Government Information (Public Access) Act 2009*:

An agency is not subject to the direction or control of any Minister in the exercise of the agency's functions in dealing with a particular access application.

The office of the Premier complies with the *Government Information (Public Access) Act 2009*.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

GIPA Act – Disclosure Log Website URL

QUESTION #: 73

What is the website URL for the GIPA Act disclosure log each of your portfolio department(s) / agency(s)?

ANSWER:

I am advised:

<https://www.nsw.gov.au/departments-and-agencies/premiers-department/access-to-information/premiers-department-disclosure-log>

<https://www.icare.nsw.gov.au/access-to-information>

For the Department of Customer Service and its related agencies under my portfolio, please refer to the 'Access DCS information' section of the Department of Customer Service website

<https://www.nsw.gov.au/departments-and-agencies/customer-service/access-to-information/department-of-customer-service-disclosure-log>

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

TikTok

QUESTION #: 74

Are you on TikTok?

a) If yes, do you access TikTok from a NSW Government device?

ANSWER:

I am advised:

The Circular DCS-2025-01 Cyber Security NSW Directive - Restricted Applications List advises how NSW Government agencies are required to appropriately manage risks to NSW Government information on government-issued devices, or personal devices that are used for government business.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Signal

QUESTION #: 75

Are you and/or your ministerial staff on Signal?

- a) If yes, do you and/or your ministerial staff access Signal from a NSW Government device?
- b) If yes, does Signal comply with the State Records Act?

ANSWER:

I am advised:

Like the former Coalition Government, a range of communications are used by the NSW Government.

I comply with the *State Records Act 1998* and I expect all staff members to comply with their obligations under the *State Records Act 1998*.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Training

QUESTION #: 76

Since 28 March 2023, have you had training from an external stakeholder that included an invoice and payment paid for using your ministerial budget?

- a) If yes, what is the description of training?
- b) If yes, how much?

ANSWER:

I am advised:

Ministers have undertaken a program of Ministerial induction training. Ministers have undertaken training on the Respectful Workplace Policy.

Members of Parliament are provided with a Skills Development Allowance that may be used in a manner consistent with the Parliamentary Remuneration Tribunal Annual Determination.

Ministerial Office Budgets are managed in accordance with the Ministers' Office Handbook.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Cabinet documents

QUESTION #: 77

Since 28 March 2023, have you shared Cabinet documents with your Parliamentary Secretary?

ANSWER:

I am advised:

The conventions and practice for access to Cabinet documents are outlined in Premier's Memorandum M2006-08 - *Maintaining Confidentiality of*

Cabinet Documents and Other Cabinet Conventions.

The Premier's Memorandum M2006-08 provides that the unauthorised and/or premature disclosure of Cabinet documents undermines collective ministerial responsibility and the convention of Cabinet confidentiality. It is essential that the confidentiality of Cabinet documents is maintained to enable full and frank

discussions to be had prior to Cabinet making decisions.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Parliamentary Secretary

QUESTION #: 78

Does your Parliamentary Secretary have pass access to your ministerial office?

ANSWER:

I am advised:

Security passes for the parliamentary precinct and 52 Martin Place are required to be issued in accordance with the Parliament House Security Pass Policy and 52 Martin Place security procedures and the associated Privacy and Surveillance Statement.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Parliamentary Secretary

QUESTION #: 79

Does your Parliamentary Secretary have a desk in your ministerial office?

ANSWER:

I am advised:

No

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Parliamentary Secretary

QUESTION #: 80

Has your Parliamentary Secretary ever used your Ministerial Vehicle?

ANSWER:

I am advised:

No

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Media releases and statements

QUESTION #: 81

Are all the ministerial media releases and statements issued by you publicly available at <https://www.nsw.gov.au/media-releases?>

a) If no, why?

ANSWER:

I am advised:

The Department of Customer Service (DCS) is responsible for managing www.nsw.gov.au/media-releases and the publication of media releases.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Overseas Travel

QUESTION #: 82

As Minister, do you approve overseas travel for public servants from your portfolio department(s)/agency(s)?

ANSWER:

I am advised:

The NSW Government Travel and Transport Policy provides a framework for NSW Government travelling employees and covers official air and land travel by public officials using public money. Section 2.1 of that Policy sets out approvals required in relation to overseas travel. Further information in relation to the Policy can be found here:

<https://www.info.buy.nsw.gov.au/policy-library/policies/travel-and-transport-policy>

NSW Treasury Policy and Guidelines – Annual Reporting Requirements (TPG-10) requires agencies to include information on overseas visits by officers and employees in agency annual reports.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Data Breaches

QUESTION #: 83

Does your portfolio department(s)/agency(s) keep a register of data breaches in accordance with the Privacy and Personal Information Protection (PPIP) Act?

a) If yes to 83, what is the website?

ANSWER:

I am advised:

That each keep an internal register of eligible data breaches as required by section 59ZE, Part 6A of the *Privacy and Personal Information Protection Act 1998* (PPIP Act).

Agencies are required by section 59ZD to prepare, publish and make publicly available a data breach policy. The PPIP Act does not provide for the internal register to be made public.

Under clause 17, of Schedule 1 to the *Government Information (Public Access) Act 2009*, it is conclusively presumed that there is an overriding public interest against disclosure of information contained in a document prepared for the assessment of an eligible data breach under the PPIP Act, Part 6A, if the information could worsen a public sector agency's cyber security or lead to further data breaches.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Discretionary Fund

QUESTION #: 84

As Minister, do you have a discretionary fund?

- a) If yes, what department(s) / agency(s) administer it?
- b) If yes, what is the website URL detailing expenditure?

ANSWER:

I am advised:

No

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Qantas Chairman's Lounge

QUESTION #: 85

Are you a member of the Qantas Chairmans Lounge?

ANSWER:

I am advised:

The *Constitution (Disclosures by Members) Regulation 1983* (Regulation) sets out Members' obligations to disclose relevant pecuniary and other interests in periodic returns to Parliament.

The Legislative Assembly Standing Committee on Parliamentary Privilege and Ethics Report on Review of the Code of Conduct, Aspects of Disclosure of Interests, and Related Issues (December 2010) notes that:

“Advice has been received from the Crown Solicitor that use of the Chairman's Lounge by invitation is not a "gift" for the purposes of clause 10 of the Regulation, as it does not involve disposition of property. However, when the membership leads to an upgrade valued at more than \$250, it becomes disclosable as a contribution to travel, and should be reported under clause 11 of the Regulation.”

Clause 16 of the Regulation allows a Member to, at their discretion, disclose any direct or indirect benefit, advantage or liability, whether pecuniary or not.

Relevant disclosures have been made to The Cabinet Office and to the NSW Parliament.

Questions from Hon Chris Rath MLC (on behalf of the Opposition)

Local Government Councillors

QUESTION #: 86

How many of your Ministerial staff is a local government councillor(s)?

ANSWER:

I am advised:

Ministerial staff are employed by Ministers, on behalf of the State, in their capacity as "political office holders" under Part 2 of the *Members of Parliament Staff Act 2013*. All Ministerial staff are required to comply with the NSW Office Holder's Staff Code of Conduct, including obligations to seek approval for secondary employment, and to take reasonable steps to avoid, and in all cases disclose, any actual or potential conflicts of interest (real or apparent).

Questions from Ms Abigail Boyd MLC

Second-generation Anticoagulant Rodenticides (SGARs) and work health and safety

QUESTION #: 87

Section 344 of the Work Health and Safety Regulation 2017 exempts retailers from providing Safety Data Sheets ('SDS') for hazardous chemicals sold as consumer products, even when councils purchase SGARs directly from supermarkets for rodent management in or around Council assets. This loophole allows toxic chemicals to bypass procurement risk assessments, contradicting Councils' sustainable procurement policies and undermining compliance with state legislation, including the Biodiversity Conservation Act 2016 and Protection of the Environment Operations Act 1997. What data does the NSW Government hold in regards to councils purchasing hazardous consumer products without SDS?

- (a) How many instances of non-compliance with WHS or environmental laws have been linked to this exemption?
- (b) Given this, will the NSW Government commit to amending the WHS Regulation to remove the Section 344 exemption for hazardous chemicals purchased by councils or businesses for non-household use, ensuring SDS requirements apply irrespective of retail origin?

ANSWER:

I am advised:

SafeWork NSW does not have jurisdiction with respect to the *Biodiversity Conservation Act 2016* and *Protection of the Environment Operations Act 1997*.

SafeWork NSW holds no specific data pertaining to councils purchasing hazardous consumer products without safety data sheets (SDS).

- a) Councils, as persons conducting a business or undertaking (PCBUs), have duties under clause 344 of the Work Health and Safety Regulation 2017 to provide SDS for all hazardous chemicals used by their workplaces and to ensure their workers have access to the SDS. Councils as PCBUs do not have an exemption for obtaining SDS for hazardous chemicals used by their workers for non-household use, regardless of retail origin.
- b) The NSW Government is currently undertaking a review of the Work Health and Safety Regulation 2017 ahead of its scheduled remake by 1 September 2025, including public consultation.

Questions from Ms Abigail Boyd MLC

Second-generation Anticoagulant Rodenticides (SGARs) and work health and safety

QUESTION #: 88

How does SafeWork NSW coordinate with the EPA to address systemic risks created by SDS exemptions, such as secondary poisoning of threatened species or improper chemical storage by councils?

ANSWER:

I am advised:

Councils, as persons conducting a business or undertaking (PCBUs), have duties under clause 344 of the Work Health and Safety Regulation 2017 to provide safety data sheets (SDS) for all hazardous chemicals used by their workplaces and to ensure their workers have access to the SDS.

The NSW Environment Protection Authority (EPA) is responsible for addressing secondary poisoning of threatened species.

SafeWork NSW and the EPA have conducted joint inspections of grain silos, pest control operators, and sites where fumigants are used. Additionally, SafeWork NSW is currently conducting verification of Council sites with a focus on compliance with Schedule 14 chemicals requiring health monitoring, such as organophosphate pesticides, including related to storage and use.

Questions from Ms Abigail Boyd MLC

Second-generation Anticoagulant Rodenticides (SGARs) and work health and safety

QUESTION #: 89

How many enforcement actions has SafeWork NSW taken against retailers or councils for non-compliance with APVMA guidelines on SGAR deployment (e.g., failure to use locked bait stations)?

ANSWER:

I am advised:

As at 5 March 2025, there have been no enforcement actions taken by SafeWork NSW against retailers or councils for non-compliance with Australian Pesticides and Veterinary Medicines Authority guidelines or Second Generation Anticoagulant Rodenticides deployment.

Questions from Ms Abigail Boyd MLC

Questions directed to icare regarding disability awareness training and disability assistance across departments

QUESTION #: 90

What training or support does icare provide to staff in relation to disability awareness and providing support and assistance to people with disability, including in relation to assisting people with cognitive and intellectual disabilities?

ANSWER:

I am advised:

icare provides the following:

- A range of in-person (5) and self-paced online (8) training, e.g. Neurodiversity in the Workplace, Let's Talk Disability & Unconscious Bias, support resources and post learning activity recommendations. They are available as opt-in learning for all icare team members and cover topics supporting the building of disability awareness and capability.
- Access to research, toolkits, best practice, and general advisory services, available through our corporate memberships with Australian Disability Network, Diversity Council Australia and Hidden Disability Sunflower. We leverage NSW Premiers Department resources, advising on how to shape a world class, diverse and inclusive NSW public sector workforce.
- icare's Inclusion and Diversity Lead and Head of Culture are available to provide advisory services and strategic planning supporting icare to deliver on our ongoing commitment to disability inclusion (e.g. icare's Inclusion and Diversity Plan and icare's Disability Inclusion Action Plan (DIAP)).
- We celebrate, raise awareness and educate through icare's key days of acknowledgement e.g. Neurodiversity Celebration Week, Global Accessibility Awareness Day and International Day of People with Disability.
- We work with Auticon (connecting icare with neurodivergent talent that specialises in IT solutions) and Spinal Cord Injuries Australia (through their EmployAbility program). Both organisations, provide knowledge and guidance how to best support each candidate and provide advice in their relevant areas of expertise on an as needs basis.

- JobAccess is available to provide free information about supporting and employing people with disability (including financial support for reasonable workplace adjustments).

Questions from Ms Abigail Boyd MLC

Questions directed to the Department of Customer Service regarding disability awareness training and disability assistance across departments

QUESTION #: 91

What training or support does the Department of Customer Service provide to staff in relation to disability awareness and providing support and assistance to people with disability, including in relation to assisting people with cognitive and intellectual disabilities?

ANSWER:

I am advised:

Formal training is available to all employees through the Disability Confidence and Disability Awareness training series provided via the Learning Management System. A mandatory learning module is in the process of being developed for all employees and is expected to be rolled out in late 2025.

The Department of Customer Service is also accredited as a Disability Confident Recruiter with the Australian Disability Network.

In addition to formal training, DCS provides supports to employees with disability in a variety of ways, ranging from workplace adjustments to visual aids, quiet hour and support programs such as the Hidden Disabilities Sunflower program.

Questions from Ms Abigail Boyd MLC

Questions directed to SafeWork NSW regarding disability awareness training and disability assistance across departments

QUESTION #: 92

What training or support does SafeWork NSW provide to staff in relation to disability awareness and providing support and assistance to people with disability, including in relation to assisting people with cognitive and intellectual disabilities?

ANSWER:

I am advised:

SafeWork NSW provides training and support for its staff related to disability awareness, support and assistance by delivering various training modules which are continuously developed and refined. Modules include:

- *PSPGEN115: Uphold and support inclusive workplace practices.*
- *CorpPSC - Disability Awareness - All Employees*
- *Disability Confident Workforce*
- *Playlist: Disability Awareness: Accessibility*

Questions from Ms Abigail Boyd MLC

Questions directed to iCare

QUESTION #: 93

What is the average performance premium paid to the Nominal Insurer in:

- a) 2017-18
- b) 2018-19
- c) 2019-20
- d) 2020-21
- e) 2021-22
- f) 2022-23
- g) 2023-24
- h) 2024-25

ANSWER:

I am advised:

PRY	APP
2017/18	\$ 3,156,000,000
2018/19	\$ 3,312,000,000
2019/20	\$ 3,360,000,000
2020/21	\$ 3,434,000,000
2021/22	\$ 3,745,000,000
2022/23	\$ 4,258,000,000
2023/24	\$ 4,784,000,000
2024/25	\$ 4,921,000,000

Questions from Ms Abigail Boyd MLC

Questions directed to iCare

QUESTION #: 94

For the Workers Compensation Industry Classification Rates, which industries had the 10 highest and 10 lowest WIC rates, and what was the rate of change, in:2017-18

- a) 2017-18
- b) 2018-19
- c) 2019-20
- d) 2020-21
- e) 2021-22
- f) 2022-23
- g) 2023-24
- h) 2024-25

ANSWER:

I am advised:

Below are the WIC that appear higher and lowest rated including their code, description and rate per year.

The amber colour indicates whether that WIC was a 'top 10' on that year. The green and red formatting indicate whether the year-on-year change was an increase or a decrease.

Top 10 Highest WIC Rates

WIC Code	Description	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24
21200	Shearing Services	8.740%	3.0%	9.000%	5.1%	9.460%	0.0%	9.460%
30220	Hardwood and Other Logging	7.911%	3.0%	8.150%	-4.8%	7.760%	0.0%	7.760%
41500	Line Fishing	7.956%	2.4%	8.150%	2.6%	8.360%	0.0%	8.360%
231100	Log Sawmilling	9.529%	4.3%	9.940%	-4.8%	9.460%	0.0%	9.460%
421010	Demolition	8.585%	4.8%	9.000%	2.6%	9.230%	0.0%	9.230%
422110	Concrete Construction Services	11.672%	-3.7%	11.240%	0.0%	11.240%	5.1%	11.810%
422200	Bricklaying Services	8.788%	-4.9%	8.360%	5.0%	8.780%	0.0%	8.780%
424110	Cement Rendering and Plastering	8.867%	4.1%	9.230%	-4.9%	8.780%	0.0%	8.780%
786620	Cleaning Services (NSW Gov)	10.421%	-4.6%	9.940%	-4.8%	9.460%	0.0%	9.460%
931920	Professional Footballers	11.672%	1.2%	11.810%	-4.8%	11.240%	5.1%	11.810%
12400	Sheep Farming	7.653%	3.9%	7.950%	0.0%	7.950%	0.0%	7.950%
12520	Beef Cattle Feedlots	7.348%	3.0%	7.570%	5.0%	7.950%	0.0%	8.360%
611040	Furniture Delivery and Removal	7.099%	4.0%	7.380%	5.1%	7.760%	0.0%	7.760%
21910	Services to Livestock Farming nec	6.993%	3.0%	7.200%	5.1%	7.570%	0.0%	7.570%
422300	Roofing Services	6.352%	2.6%	6.520%	5.2%	6.860%	0.0%	6.860%

Top 10 Lowest WIC Rates														
WIC Code	Description	2017-18	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24						
732100	Banks	0.215%	-3.3%	0.208%	-4.8%	0.198%	0.0%	0.198%	5.1%	0.208%	7.2%	0.223%	10.8%	0.247%
751100	Financial Asset Broking Services	0.215%	-3.3%	0.208%	-4.8%	0.198%	0.0%	0.198%	0.0%	0.198%	0.0%	0.198%	2.5%	0.203%
751900	Services to Finance and Investment nec	0.215%	-3.3%	0.208%	-4.8%	0.198%	0.0%	0.198%	0.0%	0.198%	0.0%	0.198%	5.1%	0.208%
783400	Computer Consultancy Services	0.215%	-3.3%	0.208%	-4.8%	0.198%	0.0%	0.198%	0.0%	0.198%	0.0%	0.198%	2.5%	0.203%
784200	Accounting Services	0.220%	4.1%	0.229%	-4.8%	0.218%	0.0%	0.218%	0.0%	0.218%	0.0%	0.218%	10.6%	0.241%
741200	Superannuation Funds	0.226%	-3.5%	0.218%	0.0%	0.218%	0.0%	0.218%	5.0%	0.229%	7.9%	0.247%	10.5%	0.273%
782100	Architectural Services	0.232%	1.3%	0.235%	5.1%	0.247%	0.0%	0.247%	4.9%	0.259%	8.1%	0.280%	12.9%	0.316%
712000	Telecommunication Services	0.255%	-3.1%	0.247%	-4.9%	0.235%	0.0%	0.235%	5.1%	0.247%	0.0%	0.247%	10.5%	0.273%
461300	Computer Wholesaling	0.256%	3.9%	0.266%	-4.9%	0.253%	0.0%	0.253%	0.0%	0.253%	0.0%	0.253%	10.7%	0.280%
732400	Money Market Dealers	0.265%	-4.5%	0.253%	-4.7%	0.241%	0.0%	0.241%	0.0%	0.241%	0.0%	0.241%	5.0%	0.253%
734000	Financial Asset Investors	0.266%	-4.9%	0.253%	-4.7%	0.241%	0.0%	0.241%	0.0%	0.241%	0.0%	0.241%	2.5%	0.247%
751900	Services to Finance and Invest	0.215%	-3.3%	0.208%	-4.8%	0.198%	0.0%	0.198%	0.0%	0.198%	0.0%	0.198%	5.1%	0.208%

Questions from Ms Abigail Boyd MLC

Questions directed to iCare

QUESTION #: 95

What is the average performance discount in:

- a) 2017-18
- b) 2018-19
- c) 2019-20
- d) 2020-21
- e) 2021-22
- f) 2022-23
- g) 2023-24
- h) 2024-25

ANSWER:

I am advised:

PRY	Average Performance Discount	Average ESI/SER
2017/18	7.50%	10.00%
2018/19	0.00%	10.00%
2019/20	0.00%	7.50%
2020/21	0.00%	7.50%
2021/22	0.00%	7.50%
2022/23	0.00%	7.50%
2023/24	0.00%	7.50%
2024/25	0.00%	7.50%

Questions from Ms Abigail Boyd MLC

Questions directed to iCare

QUESTION #: 96

How many small employers were eligible for a performance discount in:

- a) 2017-18
- b) 2018-19
- c) 2019-20
- d) 2020-21
- e) 2021-22
- f) 2022-23
- g) 2023-24
- h) 2024-25

ANSWER:

I am advised:

PRY	Eligible Small Employers
2017/18	289,000
2018/19	292,000
2019/20	301,000
2020/21	310,000
2021/22	315,000
2022/23	316,000
2023/24	245,000
2024/25	198,000

Questions from Ms Abigail Boyd MLC

Questions directed to iCare

QUESTION #: 97

What is the percentage of employers eligible for a performance discount in:

- a) 2017-18
- b) 2018-19
- c) 2019-20
- d) 2020-21
- e) 2021-22
- f) 2022-23
- g) 2023-24
- h) 2024-25

ANSWER:

I am advised:

PRY	% Eligible Performance Discount	% Eligible ESI/SER
2017/18	66%	100%
2018/19	0%	100%
2019/20	0%	100%
2020/21	0%	100%
2021/22	0%	100%
2022/23	0%	100%
2023/24	0%	70%
2024/25	0%	65%

Questions from Ms Abigail Boyd MLC

Questions directed to iCare

QUESTION #: 98

What types of claims are agencies covered for under TMF indemnity cover?

ANSWER:

I am advised:

The Treasury Managed Fund provides a comprehensive statutory self-insurance cover for all insurable liabilities of government. While coverage for individual agencies can vary based on business requirements, in general, government agencies are covered for Property, Motor, General Liability, Cyber Liability, Medical Negligence, Workers Compensation, and several miscellaneous covers, including Travel, Fidelity, Event Cancellation, and certain volunteer benefits.

Questions from Ms Abigail Boyd MLC

Questions directed to iCare

QUESTION #: 99

What are the associated claims costs in:

- a) 2017-18
- b) 2018-19
- c) 2019-20
- d) 2020-21
- e) 2021-22
- f) 2022-23
- g) 2023-24
- h) 2024-25

ANSWER:

I am advised:

Increases in claims costs over time reflect:

- Over \$3bn in natural disasters, including the 2019 bushfires and the 2022 floods
- Over \$1bn in costs associated with COVID-19 cover
- Over \$2bn in costs arising from the 2019 and 2021 changes to government historic liabilities, particularly those associated with abuse liabilities from prior decades

Net Payments (\$bn)

	Public Liability (incl PMF)	Medical Indemnity	Property	Motor Vehicle	Miscellaneous	TMF GL	TMF WC	TMF Total
2017-18	0.35		0.06	0.03	0.02	0.46	0.57	1.03
2018-19	0.37		0.10	0.04	0.04	0.55	0.64	1.19
2019-20	0.18	0.25	0.11	0.05	0.03	0.62	0.74	1.36
2020-21	0.21	0.31	0.22	0.04	0.14	0.91	0.84	1.75
2021-22	0.24	0.33	0.27	0.04	0.07	0.93	0.98	1.91
2022-23	0.32	0.36	0.35	0.05	0.03	1.10	1.14	2.24
2023-24	0.45	0.38	0.35	0.06	0.01	1.26	1.41	2.66
2024-25*	0.35	0.25	0.28	0.04	0.01	0.93	1.09	2.02

* Up to Feb25 only

Questions from Ms Abigail Boyd MLC

Questions directed to iCare

QUESTION #: 100

Are the associated claims costs publicly available?

ANSWER:

I am advised:

The split of claim payments by line of business is not publicly available for the TMF.

Questions from Ms Abigail Boyd MLC

Questions directed to iCare

QUESTION #: 101

What impact are these costs having on the overall health of the iCare budget?

ANSWER:

I am advised:

Incurring defence costs are a strategic and policy decision for each claim, made in accordance with icare's model litigant and social obligations. Within that framework, legal expenditure is strategic, with evaluation of whether the incurred cost is proportionate to the financial or operational importance of the claim being assessed.

Questions from Ms Abigail Boyd MLC

Questions directed to iCare

QUESTION #: 102

On 23.1.25 we passed the 5 year anniversary of the crash of RFS Large Air Tanker (LAT) EC-130Q in Cooma, one of only 2 LAT crashes in Australian history according to the recent Bushfire Coronial. The widow of one the US pilots is suing the RFS for negligence in Supreme Court. Documents received under GIPA details public money being spent on RFS legal defence.

- a) How much is the government expecting these legal claims will cost?
- b) What enables these costs to appear on the books of iCare?

ANSWER:

I am advised:

- a) As the litigation is ongoing, we cannot provide any further details except to note this is not a Workers Compensation claim
- b) All NSW Government agencies, as members of the Treasury Managed Fund, have their cost of covered liabilities transferred to the TMF because those losses/costs are covered by the scheme. The losses/costs appear under the balance sheet of the NSW Self Insurance Corporation because it operates the TMF scheme under section 8 of the *NSW Self Insurance Corporation Act 2004*, and that Act provides icare the responsibility to pay cost of claims. Such costs are, funded through the Self Insurance Fund established under section 12 of the Act. This is the normal accounting and cost allocation for a mutual, captive or self-insurance scheme.

Questions from Ms Abigail Boyd MLC

Questions directed to iCare

QUESTION #: 103

RFS GIPA documents detail that Coulson aviation, the contractor of the EC-130Q, was expected to have appropriate workers compensation policies, however there is suggestion from the widow that no money has been awarded to her nor has a certificate of currency for such a policy been produced.

- a) Are the widows eligible to claim a lump death benefit under NSW legislation in these circumstances?
- b) Are you aware of any assistance being provided to assist the family members of the three pilots in navigating these entitlements?

ANSWER:

I am advised:

- a) As the litigation is ongoing, we cannot provide any further details on liability. The advice we have received is subject to legal professional privilege.
- b) We understand there are separate insurance arrangements with their former US based employer, which is in line with respective obligations set out in the *Operating Plan for the Exchange of Wildfire Management Resources between United States of America and Australian Participants*. We are not privy to the details of that insurance and, in any event, would be prevented by privacy considerations from disclosing details.

Questions from Ms Abigail Boyd MLC

Questions directed to iCare

QUESTION #: 104

What is the impact of abuse claims on the TMF?

ANSWER:

I am advised:

To date, \$1.4bn has been paid across 9,027 claimants from various decades. The estimate of future claim payments (where abuse has already occurred) has increased over time with awareness and claims farming activities. The estimate is currently \$2.6bn, noting that this does not include claims that will occur in future years.

Questions from Ms Abigail Boyd MLC

Questions directed to Safework

QUESTION #: 105

How many requests for service has Safework received in relation to psychosocial hazards in

- a) 2017-18
- b) 2018-19
- c) 2019-20
- d) 2020-21
- e) 2021-22
- f) 2022-23
- g) 2023-24
- h) 2024-25

ANSWER:

I am advised:

Request for Service (RFS) - Psychosocial hazards	
Year	Number of RFS
(a) 2017-18	1,258
(b) 2018-19	1,450
(c) 2019-20	1,526
(d) 2020-21	1,814
(e) 2021-22	1,640
(f) 2022-23	1,956
(g) 2023-24	2,355
(h) 2024-25*	2,331
*As at 5 March 2025	

Questions from Ms Abigail Boyd MLC

Questions directed to Safework

QUESTION #: 106

In the foreword to the SafeWork NSW Annual Regulatory Statement 2024-2025 it says, “some larger and well-resourced organisations including government departments are not sufficiently prioritising efforts towards the health, safety and welfare of workers.” Specifically which organisations are being referred to in this statement?

ANSWER:

I am advised:

No specific organisations are being referred to in this statement. It is a general statement based on observations over time.

Questions from Ms Abigail Boyd MLC

Questions directed to Safework

QUESTION #: 107

Which government agencies are the worst performing agencies as far as the regulator is concerned?

ANSWER:

I am advised:

A specified performance metric is required to meaningfully respond to the question.

Questions from Ms Abigail Boyd MLC

Questions directed to Safework

QUESTION #: 108

Please provide summary data detailing the number of requests for service receive by the regulator for the 10 worst performing government agencies, in:

- a) 2017-18
- b) 2018-19
- c) 2019-20
- d) 2020-21
- e) 2021-22
- f) 2022-23
- g) 2023-24
- h) 2024-25

ANSWER:

I am advised:

A specified performance metric is required to collate any relevant data.

Questions from Ms Abigail Boyd MLC

Questions directed to Safework

QUESTION #: 109

How many workplaces that have been revisited after six months sustain compliance improvements?

ANSWER:

I am advised:

The limitations of the current WSMS system left by the former Government have been identified in recent independent reviews of SafeWork NSW. SafeWork NSW is currently developing a business case to support a new digital solution that is fit for purpose for modern regulatory data needs

Questions from Ms Abigail Boyd MLC

Questions directed to Safework

QUESTION #: 110

How many businesses have received workplace mental health training delivered by Safework in:

- a) 2017-18
- b) 2018-19
- c) 2019-20
- d) 2020-21
- e) 2021-22
- f) 2022-23
- g) 2023-24
- h) (h) 2024-25

ANSWER:

I am advised:

SafeWork NSW funds the Workplace Mental Health Training Program which provides free training to businesses with less than 200 employees and not for profit organisations of any size. The training commenced in January 2019 however business demographic data was only captured from June 2021. As such, the requested data is not available prior to June 2021:

Mental Health Training – Businesses	
Year	Number of Businesses
(a) 2017-18	Not applicable
(b) 2018-19	Not available
(c) 2019-20	Not available
(d) 2020-21 (from June 2021)	112
(e) 2021-22	1,361
(f) 2022-23	1,399
(g) 2023-24	1,503

(h) 2024-25*	1,704	
* As at 28 February 2025		

Questions from Ms Abigail Boyd MLC

Questions directed to Safework

QUESTION #: 111

How many individuals have received workplace mental health training delivered by Safework in:

- a) 2017-18
- b) 2018-19
- c) 2019-20
- d) 2020-21
- e) 2021-22
- f) 2022-23
- g) 2023-24
- h) 2024-25

ANSWER:

I am advised:

Mental Health Training – Individuals	
Year	Number of individuals
(a) 2017-18	Not applicable*
(b) 2018-19	Not applicable*
(c) 2019-20	2,320
(d) 2020-21	2,198
(e) 2021-22	10,198
(f) 2022-23	10,468
(g) 2023-24	10,825
(h) 2024-25**	9,458
* Training commenced in January 2019	
** As at 28 February 2025	

Questions from Ms Abigail Boyd MLC

Questions directed to Safework

QUESTION #: 112

How many organisations have had an Inspector complete a Psychosocial WHS Check?

- a) 2017-18
- b) 2018-19
- c) 2019-20
- d) 2020-21
- e) 2021-22
- f) 2022-23
- g) 2023-24
- h) 2024-25

ANSWER:

I am advised:

SafeWork NSW began conducting Psychosocial WHS Checks during inspector visits to organisations with 200 or more workers from July 2024. As such, data does not exist for any prior financial years.

From 1 July 2024 to 28 February 2025, 54 organisations have had an inspector complete a Psychosocial WHS Check.

Questions from Ms Abigail Boyd MLC

Questions directed to Safework

QUESTION #: 113

How many planned inspector compliance visits in:

- a) 2017-18
- b) 2018-19
- c) 2019-20
- d) 2020-21
- e) 2021-22
- f) 2022-23
- g) 2023-24
- h) 2024-25

ANSWER:

I am advised:

Proactive (Planned) Compliance Visits	
Year	Number of visits
(a) 2017-18	8,062
(b) 2018-19	6,910
(c) 2019-20	6,967
(d) 2020-21	10,929
(e) 2021-22	19,060
(f) 2022-23	9,826
(g) 2023-24	9,096
(h) 2024-25*	5,428
*As at 5 March 2025	

Questions from Ms Abigail Boyd MLC

Questions directed to Safework

QUESTION #: 114

How many unplanned inspector compliance visits in:

- a) 2017-18
- b) 2018-19
- c) 2019-20
- d) 2020-21
- e) 2021-22
- f) 2022-23
- g) 2023-24
- h) 2024-25

ANSWER:

I am advised:

Reactive (Unplanned) Compliance Visits	
Year	Number of visits
(a) 2017-18	10,362
(b) 2018-19	10,324
(c) 2019-20	9,411
(d) 2020-21	8,656
(e) 2021-22	6,332
(f) 2022-23	8,650
(g) 2023-24	10,300
(h) 2024-25*	7,018
*As at 5 March 2025	

Questions from Ms Abigail Boyd MLC

Questions directed to Safework

QUESTION #: 115

How many PINs have been issued in relation to psychosocial hazards in:

- a) 2017-18
- b) 2018-19
- c) 2019-20
- d) 2020-21
- e) 2021-22
- f) 2022-23
- g) 2023-24
- h) 2024-25

ANSWER:

I am advised:

Under the *Work Health and Safety Act 2011* (WHS Act), the power to issue a provisional improvement notice (PIN) rests with a Health and Safety Representative (HSR), not SafeWork NSW. Specifically, section 90 of the WHS Act empowers an HSR to issue a PIN if they reasonably believe there is a contravention of work health and safety laws. This process is part of the internal consultation and issue resolution framework outlined in the WHS Act, allowing workers to address health and safety concerns directly with the person conducting a business or undertaking.

As this is a power exercised by HSRs within the workplace, SafeWork NSW does not record or collect data on PINs.

Questions from Ms Abigail Boyd MLC

Questions directed to Safework

QUESTION #: 116

How many PINs have been issued in relation to physical hazards in:

- a) 2017-18
- b) 2018-19
- c) 2019-20
- d) 2020-21
- e) 2021-22
- f) 2022-23
- g) 2023-24
- h) 2024-25

ANSWER:

I am advised:

See the answer to question 115.

Questions from Ms Abigail Boyd MLC

Questions directed to Safework

QUESTION #: 117

How many enforceable undertakings have been issued in relation to psychosocial hazards in:

- a) 2017-18
- b) 2018-19
- c) 2019-20
- d) 2020-21
- e) 2021-22
- f) 2022-23
- g) 2023-24
- h) 2024-25

ANSWER:

I am advised:

Enforceable Undertakings (EU) – Psychosocial Hazards	
Year	Number of EUs
(a) 2017-18	0
(b) 2018-19	0
(c) 2019-20	0
(d) 2020-21	0
(e) 2021-22	1
(f) 2022-23	0
(g) 2023-24	0
(h) 2024-25*	0
*As 13 March 2025	

Questions from Ms Abigail Boyd MLC

Questions directed to Safework

QUESTION #: 118

How many enforceable undertakings have been issued in relation to physical hazards in:

- a) 2017-18
- b) 2018-19
- c) 2019-20
- d) 2020-21
- e) 2021-22
- f) 2022-23
- g) 2023-24
- h) 2024-25

ANSWER:

I am advised:

Enforceable Undertakings (EU) – Physical Hazards	
Year	Number of EUs
(a) 2017-18	6
(b) 2018-19	2
(c) 2019-20	12
(d) 2020-21	14
(e) 2021-22	9
(f) 2022-23	6
(g) 2023-24	5
(h) 2024-25*	7
*As 13 March 2025	

Questions from Ms Abigail Boyd MLC

Questions to the Minister

QUESTION #: 119 - 121

- (119) What exactly are the reforms you intend to make to the workers compensation system?
- (120) Will you be removing entitlements?
- (121) Will you release an exposure draft?

ANSWER:

We are currently engaging in consultation. Any reforms will be a decision of Government.