

## Response to question on notice

### Questions on Notice Paper No 8

27 June 2025

### Question No. 483

**MR Peter Cain MLA:** To ask the Minister for Public Service

1. What procedures are followed to ensure procedural fairness when the ACT Government initiates an internal work health and safety investigation following a psychological safety concern raised by a labour hire contractor or embedded non-permanent worker on a government program.
2. Are complainants consulted or given the opportunity to respond to allegations, participate in the investigation process, or receive notification of findings in such circumstances as referred to in part (1).

**RACHEL STEPHEN-SMITH MLA** - The answer to the Member's question is as follows:

1. Work health and safety "investigations" of the type contemplated by the question are conducted by the Work Health and Safety Commissioner, in accordance with the WorkSafe ACT Compliance and Enforcement Policy 2025-2029 (<https://www.legislation.act.gov.au/View/ni/2025-192/current/PDF/2025-192.PDF>). The Work Health and Safety Commissioner is an independent statutory officer appointed by the Minister for Skills, Training and Industrial Relations.

Where a concern is raised directly with the ACT Government, a risk assessment is conducted in accordance with the obligations placed on the ACT Government in its capacity as a "Person Conducting a Business Undertaking" under work health and safety laws. Risk assessments are highly consultative processes prescribed by regulation and would not be properly described as being an investigation or involving a complainant.

2. WorkSafe ACT is an independent regulator. Questions about its engagement with people who make a work safety complaint should be directed to WorkSafe. The WorkSafe webpage on reporting a psychosocial hazard (<https://www.portal.worksafe.act.gov.au/worksafeBusinessPortal/s/report-a-psychosocial-hazard-overview>) and the WorkSafe Service Charter ([https://www.worksafe.act.gov.au/\\_data/assets/pdf\\_file/0005/1790141/Service-Charter-August-2021-FINAL.pdf](https://www.worksafe.act.gov.au/_data/assets/pdf_file/0005/1790141/Service-Charter-August-2021-FINAL.pdf)) may provide relevant information.

Approved for circulation to the Member and incorporation into Hansard.

A handwritten signature in blue ink, appearing to read 'R. Stephen-Smith', with a stylized flourish at the end.

Rachel Stephen-Smith MLA  
Minster for Public Service

Date: 30 / 7 / 25

This response required 30mins to complete, at an approximate cost of \$64.