

# Workplace Incidents Consultative Committee

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Annual Report 2023-24

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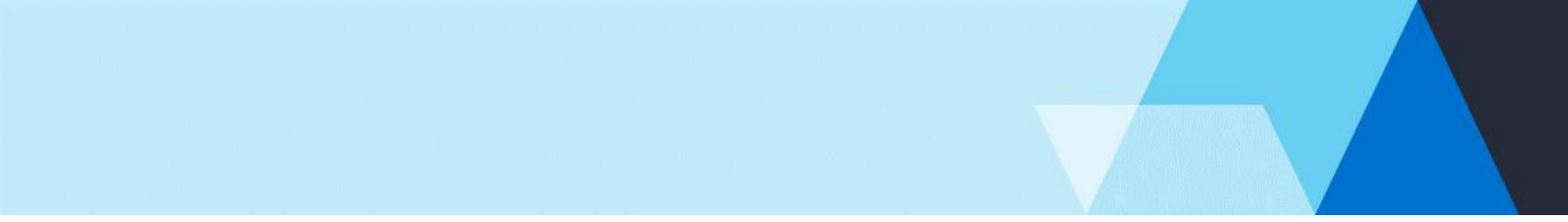
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*The Workplace Incidents Consultative Committee (WICC) would like to pay our respects to those killed and injured at work. We recognise the ongoing impact of these events on them and their loved ones. Every worker deserves to come home alive and well, both physically and mentally. We honour the dead and continue to fight for the living.*

*The WICC acknowledges the First Peoples of Victoria as the Traditional Owners and custodians of the land and waterways on which we live and work. We pay our respects to Elders past and present.*



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# 1. Foreword from Committee Co-Chairs

The Workplace Incidents Consultative Committee (WICC) is pleased to present its third annual report to the Minister for WorkSafe and the TAC (Minister).

The WICC is a ministerially appointed lived experience advisory committee established under the Occupational Health and Safety Act 2004. Our purpose is to inform government policy and contribute to systemic change to improve the prevention of workplace incidents and post incident support for Victorian workers. The Committee includes 13 members with lived experience of a serious workplace incident involving death, serious injury or illness, from a range of professional backgrounds and industries. We are proud of the unique lived experience perspective that each of our members bring to drive system improvements to workplace health and safety in Victoria.

In our third year of operation, the Committee has provided extensive advice to Government which has included advice to the Sentencing Advisory Council's review of occupational health and safety (OHS) sentencing, advising Return to Work Victoria on best practice principles for supporting injured workers, and contributing to Safe Work Australia's inquiry into support for workers and families following a workplace fatality or serious injury.

Over the past year we have regularly been consulted by the Department of Treasury and Finance (Department), WorkSafe Victoria, and other Government departments on OHS reforms and related policy issues that Government is considering.

Our members have also developed powerful videos of their personal stories which communicate important workplace safety messages related to their lived experience. The videos have been designed to raise awareness and understanding across workplaces and the general public of the impact of serious workplace incidents on individuals, their families, and communities and why safety matters. We look forward to launching these videos and promoting greater awareness of critical safety messages to employer groups, regulators and training organisations over the coming months.

The Committee continues to be focused on providing valuable lived experience advice to the Minister on emerging issues and reform areas in the year ahead. As part of this, we will continue to provide feedback and advice to WorkSafe Victoria on priority areas, including improving information sharing practices for families and affected individuals, investigations, and efforts to break down barriers around reporting OHS incidents and injuries.

The WICC continues to advocate for the implementation of the recommendations from its Best Practice Model for Workplace Incident Support report. We are also looking forward to commencing an early intervention project to apply insights from the Best Practice Model and will continue to strive for system reforms to ensure workers and their families are supported in their greatest moment of need.

We are proud to lead a diverse committee of lived experience members, including several new members who have joined us since June, and commit to leveraging the value of our collective voice to create meaningful change, to ensure all Victorian workers come home alive and well. We look forward to continuing to provide high-quality advice to the Minister to improve workplace health and safety and post-incident support for all Victorian workers.

**Dr Lana Cormie**

Non-Government Co-Chairperson

Workplace Incidents Consultative Committee

**Gary Maas MP**

Government Co-Chairperson

Workplace Incidents Consultative Committee

## **2. List of members**

### **Dr Lana Cormie – Non-Government Co-Chair and lived experience member**

Lana was the inaugural lived experience Co-Chair of the WICC and has led the WICC through its three years of operations to date.

Lana currently works in the Occupational Health and Safety sector. Her background includes work as a Veterinary Surgeon and in Animal Welfare. Lana's husband, Charlie Howkins, was one of two men killed in the Delacombe Trench Collapse while working for Pipecon Pty Ltd. Since 2018, Lana has been an active advocate for workplace safety reform. She brings considerable experience to the WICC as a previous member of the Families Reference Group (FRG) and the Workplace Manslaughter Implementation Taskforce (Taskforce) as well as having relevant OHS qualifications and professional experience.

### **Gary Maas MP – Government Co-Chairperson**

Gary was appointed as Government Co-Chairperson of the WICC in April 2023. The role was previously held by Ms Bronwyn Halfpenny MP.

Gary was elected as Member for Narre Warren South in 2018. Before entering Parliament, Gary worked as a musician, teacher, lawyer, organiser, union secretary, and board director on commercial and not-for-profit boards.

### **Samantha Burns – Deputy Co-Chair and lived experience member**

Samantha's brother, Shaun Burns, was killed at work in September 2018 when a crane failed, dropping concrete on him and another worker. She brings to the WICC strong advocacy experience as a FRG member and is motivated to improve compensation and support for close family members of persons killed in workplace incidents who are not dependents. As a Clinical Neuropsychologist, she also has experience seeing the issues that arise for workers and families following a serious injury.

### **Joe Alderuccio – Lived experience member (from June 2024)**

Joe is an OHS professional with 18 years of experience across both public and private sector workplaces. In that time, Joe has been a first responder and investigated or led crisis response and post-incident support in relation to serious incidents resulting in life changing injuries and/or fatality. Joe has been involved directly and indirectly in three workplace deaths in the construction industry and he is committed to doing what he can to support the prevention of serious and fatal incidents, recognising the trauma and enduring impact it has for everyone on site.

### **Dave Brownlee – Lived experience member**

Dave's son, Jack Brownlee, was killed in the Delacombe trench collapse, along with his friend Charlie Howkins in March 2018 while working for Pipecon Pty Ltd. Dave has considerable experience with WorkCover processes and was a member of the FRG and Taskforce. Dave is the WICC observer representative at WorkSafe's Occupational Health and Safety Advisory Committee (OHSAC).



## **Sophie Lennard – Lived experience member (from June 2024)**

Sophie sustained serious burns to her foot while working in a commercial kitchen as a 20 year old and engaged in a return to work process after her recovery. Sophie brings her perspective of having experienced a serious workplace injury and navigating the return to work process as a young person in the casual workforce. She is particularly focused on ensuring policies and initiatives consider the unique contexts and power dynamics experienced by young people and those in insecure work.

## **Francis Malek – Lived experience member (up to May 2024)**

Francis suffered a serious hand injury in 2011 while working for an abattoir. He has also suffered psychological trauma as a result of the incident. In addition to his lived experience, Francis is an active member of the Sudanese community and provides support and education to Sudanese families and recent migrants. He brings a valuable perspective to the Committee on how the system can provide better support to people from migrant cultures.

## **Elvis Martin – Lived experience member**

Elvis is a young leader who has overcome difficult circumstances and inspires many with his advocacy for social justice. The recipient of awards such as Young Community Achiever of the Year 2021 (India Australia Business and Community Awards), Elvis has worked, volunteered and spoken publicly in many roles, addressing mental health, homelessness, family violence, workplace safety and LGBTIQ+ community issues. He uses his platform, including a large social media following, to promote inclusion, diversity and equality for all. Elvis is particularly passionate about bringing a youth and multicultural lens to inform the WICC's work.

## **Nick McHugh – Lived experience member (from June 2024)**

Nick was a police officer for 27 years and has served as an OHS representative and peer support officer. He has supported colleagues through workplace stress and bullying incidents through these roles. In supporting others, it became apparent that being proactive and making changes quickly could prevent further harm. A desire to help speed up response and action has motivated him to join the WICC.

## **Bette Phillips-Campbell – Lived experience member**

Bette's son died in 1991 after being electrocuted while working as an apprentice. While more than 30 years have passed since the incident, Bette has made a significant contribution to workplace safety reform both as a member of the FRG and the WICC. Bette also contributes strong experience working with families affected by workplace fatalities as a counsellor for GriefWork Uniting. She also brings a regional perspective to the WICC.

## **Jacque Robertson – Lived experience member (from June 2024)**

Jacque's partner died in a workplace incident whilst working at an engineering facility in Bendigo in 2020. Since then, Jacque has worked to assist others going through the Comcare workers' compensation system and to advocate for change. Jacque's feedback to Comcare's regulatory area has helped to shape the newly established Family Liaison role. Jacque has also been assisting Comcare with policies and information guides to be given to families when someone is severely injured or dies at the workplace and she is motivated to contribute to positive change in the Victorian context. Her background is in paediatric nursing.

## **Ralph Snider – Lived experience member**

Ralph suffered pain in his forearms resulting in a chronic pain condition while working as a Senior Analyst Programmer in 1992 and suffered a recurrence in 2004. Ralph has lived experience managing a long-term injury that ultimately led him to change careers in 2005 to become a Disability Employment Consultant. He subsequently worked as a Vocational Consultant in the Occupational Rehabilitation Industry assisting people on WorkCover and Traffic Accident Commission cover to find work. He completed a Graduate Diploma in Careers Education and Development in 2010 and a Feldenkrais Training program in 2001. Ralph is the WICC observer representative at WorkSafe's WorkCover Advisory Committee (WAC).

## **Abha Somesh – Lived experience member (from June 2024)**

Abha sustained a serious injury to her back while caring for a patient in her role as a Critical Care Nurse in July 2020. Abha was house-bound for the next year and ultimately had to have spinal fusion surgery. This experience has required adjustments to Abha's everyday life. Her experience of a serious workplace injury and interacting with the WorkCover system has fuelled a commitment to use her experience to help optimise processes to support and advocate for injured workers. Abha is passionate about improving OHS awareness among healthcare workers.

## **Llewellyn Stevens – Lived experience member (from June 2024)**

Llewellyn suffered a serious psychosocial injury in the workplace. He has also been a carer for someone with a mental health condition caused by workplace bullying. Llewellyn wants to use his experience to help people by advocating for systemic improvements. He brings significant professional experience in market research and insights, and developing strategy at a global consultancy.

## **Michael Stone – Lived experience member (up to May 2024)**

In July 2020, Mick's workmate was fatally crushed in a workplace incident whilst working at an engineering facility. In 2019 he lost his mate to a farming incident that occurred on his mate's own property. Mick's mother-in-law is a partial paraplegic from a workplace incident. Mick brings to the Committee the unique perspectives of being affected by a farm fatality, experiencing the impacts on mental health in his workplace as well as understanding issues for those with life changing injuries. Mick has experience with Comcare, working in a supervisory role and as a Health and Safety Representative.

## **Brett Struhs – Lived experience member**

Brett's son, Kyle, died on 30 November 2018 from head injuries sustained falling from a ladder while installing solar panels in Bendigo for a small company called Solar 2.0. He brings valuable experience from being a previous FRG member, and he has experienced the whole WorkCover process from death to court case and brings a regional perspective to the WICC.

## **James Wood – Lived experience member (up to May 2024)**

James was seriously injured in a workplace incident that resulted in him being paraplegic. He is a prominent lived experience workplace health and safety advocate and established CNBSafe, a safety information and training consultancy that connects injured workers as safety speakers with workplaces to share their "real life" experiences with both employees and employers.

### 3. Establishment and structure

The Committee operates under Part 9A of the Occupational Health and Safety Act 2004 and Chapter 7A of the Occupational Health and Safety Regulations 2017 (Regulations). The Committee was established in 2021 to strengthen the voice of Victorians who have been affected by a serious workplace incident. It has an important role in providing a mechanism for lived experience perspectives to directly inform government policy making.

The Committee's model and regulations were informed by the lived experience of members of the FRG, which was convened in October 2019 to support the development of workplace safety reforms, notably new workplace manslaughter laws, introduced in Victoria in 2020.

The Committee can comprise from eight to 15 members with lived experience of a serious workplace incident involving death, serious injury or illness, and one government member. Members are appointed by the Minister.

The Committee's function is to provide advice and recommendations to the Minister about:

- the needs of persons affected by workplace incidents involving death, serious injury or illness – whether those be emotional, financial, physical or other needs; and
- the development, review and improvement of policies, practices, strategies and systems relating to serious workplace incidents and OHS more generally.

The Committee is chaired by a Government Co-Chairperson and a Non-Government Co-Chairperson who is elected from within the lived experience membership.

The Department provides secretariat support to the Committee.

### 4. Key achievements for the 2023-24 financial year

The Committee provided advice to the Minister on a broad range of issues related to the needs of persons affected by workplace incidents and were directly consulted by government agencies to provide lived experience input to a number of important initiatives.

The Committee's key achievements are outlined in further detail below.

#### Recruitment and onboarding of new members

The Committee supported a recruitment process and on 25 June 2024 successfully onboarded 6 new members. There are now 13 lived experience members from diverse personal and professional backgrounds.

#### WICC Video Project

The Committee developed videos of their personal stories with key workplace safety messages related to their lived experience. The videos have been designed to raise awareness about the impact of serious workplace incidents and to promote the importance of workplace health and safety and incident prevention to employers and employees. The videos cover personal stories about serious workplace incidents from a range of industries including construction, farming, and information technology. The WICC videos will be launched later this year.

## **Advice to the Minister following the establishment of Return to Work Victoria**

The Minister announced the establishment of Return to Work Victoria. Following this, the Committee provided advice, including best practice principles for better support for injured workers, to inform the future work of Return to Work Victoria.

## **Best Practice Model of Workplace Incident Support**

The Committee continued to provide advocacy and advice to support Government actions related to the Committee's report, A Best Practice Model of Workplace Incident Support.

## **Consultation and written submission to the Sentencing Advisory Council**

The Committee has provided feedback to the Sentencing Advisory Council. In May 2024, the Committee provided a written submission to the inquiry into the sentencing of occupational health and safety offences. A number of key issues were highlighted by the Committee in their written submission including the impact of prolonged court proceedings, the need for clear guidance on the purpose of Victim Impact Statements and management of outstanding fines.

## **Contribution to OHSAC and WAC**

Over the 2023-24 financial year, nominated Committee members attended meetings of WorkSafe's OHSAC and WAC as observers, providing a link between the three advisory committees and ensuring lived experience representation at these forums. The Committee looks forward to exploring opportunities to further strengthen this contribution over the coming months.

## **Engagement with Monash University to scope an early intervention project**

The Committee has been working with the Healthy Working Lives Research Group at Monash University to develop a proposal for an early intervention project. This project has its genesis in the recommendations from The Best Practice Model for Post Incident Support.

## **Consultation with Safe Work Australia**

The Committee provided feedback to Safe Work Australia as part of its project to explore areas for improving support for workers and families following a workplace fatality.

## **Other consultations**

Over the year, the Committee provided advice on a range of other Government policies and services, including feedback on the operation of the Fair Jobs Code, WorkSafe's Bereavement Support Service, and the Victorian Government's response to the Independent Review of the Dangerous Goods Act 1985 and associated regulations. The Committee has also continued to advocate for the development of an anonymous workplace hazards app.

## Annual report 2022-23 tabled in Parliament

The Committee's Annual Report for 2022-23 was tabled in Parliament on 16 November 2023.

## Annual planning day

In October 2023 the Committee held an annual planning day to develop its 2024 Workplan. Members developed priority areas of focus to guide the next 12 months of the Committee's operations.

## 5. Review of the Committee's Regulations

Chapter 7A of the Regulations governs the operational requirements of the Committee such as membership criteria, co-chairing arrangements, meeting operations and probity. The Regulations (Regulation 5530) require that the Minister ensure a review of the regulations governing the WICC is undertaken within two years of the appointment of the initial committee members.

The Review was completed by an independent party and is now complete. The Committee has been advised of its recommendations and provided its feedback to the Minister for consideration.

During the year the Committee and Secretariat also worked proactively to update the Committee's handbook and related practices, consistent with the Committee's focus on continuous improvement.

## 6. Future priorities

In the next financial year (2024-25), the Committee will continue to provide valued lived experience advice to the Minister on emerging issues and reform areas to improve outcomes for people affected by workplace incidents.

The Committee looks forward to the next annual planning day to confirm its 2025 Workplan. A number of priority areas of focus have been identified for the next workplan, including further engagement with WorkSafe on improving support and information sharing practices with individuals and families affected by a serious workplace incident and Return to Work Victoria initiatives. The Committee is also focused on commencing an early intervention project, continuing its advocacy for the implementation of the Rozen Review recommendations and providing further advice to the Sentencing Advisory Council in relation to OHS sentencing.

## 7. Financial information

The Committee's work is supported by the Victorian Government's Families and Injured Workers System Reform Fund (Fund), which provides \$4 million over four years to support reforms and initiatives recommended by the Committee.

The Fund provides \$4 million until June 2025 to support reforms and initiatives recommended by the Committee as part of its workplan. Recommendations must support the Fund's objective to improve:

- support for those affected by serious workplace incidents; and
- health and safety outcomes at Victorian workplaces.

A further \$1.4 million in operational funding has been provided to the Committee by WorkSafe to support its operations (including member sitting fees) over the funding period. The Department is responsible for administering this funding through a Memorandum of Understanding with WorkSafe.

## 8. Conclusion

In its third year of operation, the Committee has continued to share lived experience perspectives of its members to influence systemic change for people affected by serious workplace incidents in Victoria and contribute to improving safety for Victorian workers. It looks forward to continuing this work into the next financial year.

The Committee thanks the Minister for WorkSafe and TAC and the Victorian Government for their ongoing recognition of the importance of lived experience in policymaking.

