

## Senate Standing Committee on Education Employment and Workplace Relations

### QUESTIONS ON NOTICE Budget Estimates 2012-2013

#### Agency - Comcare

DEEWR Question No. EW0210\_13

Senator Abetz asked on 28 May 2012, Hansard page 89

#### Question

##### **ANSTO matter report EVE000204874**

Senator ABETZ: Here is your opportunity to explain the terminology as requested by Mr Blissett of ANSTO. Mr O'Connor: I would not be in a position to give the explanation in the absence of reading the report. Senator ABETZ: Who wrote the report? Mr O'Connor: It would be the report written by the inspector. Senator ABETZ: I assume he or she is not with us. Mr O'Connor: Correct. Senator ABETZ: And that is understandable that they are not. If that could be taken on notice because the dozen or so dot points make for a very damning picture of the way ANSTO had conducted themselves in relation to this matter.

#### Answer

*Comcare has provided the following response.*

The author of the report is no longer employed by Comcare. Therefore Comcare cannot offer a definitive statement about what was meant by the use of the word 'pretext'. This response is based on the context of the report.

A Comcare inspector completed an investigation into allegations raised about the circumstances that led to the suspension of two workers. The inspector determined the evidence did not establish a contravention. The reference to 'pretext' relates to a finding that the employer's internal report was flawed, and did not follow an accepted investigation methodology. The action taken as a result of the internal ANSTO investigation was found by the inspector not to have been based on a balanced and impartial investigative approach. This was addressed in the recommendations of the Comcare investigation.

Comcare is monitoring the implementation of the findings of the investigation.

The report is available publicly on Comcare's Freedom of Information disclosure log.