

Senate Standing Committee on Education Employment and Workplace Relations

QUESTIONS ON NOTICE Budget Estimates 2011-2012

Agency - Comcare

DEEWR Question No.EW0098_12

Senator Abetz provided in writing.

Question

Misleading Comcare Briefing For March 2010 SRCC Meeting

Documents to be tabled: "Q&A for Melissa" (Doc 420-421) HSR Course Accreditation Guidelines 2007 (doc 501) Questions: 1.Please look at the document titled "Q&A for Melissa" (Doc 420-421, extracts below). Is this document a briefing for Melissa Ryan, General Manager, Research and Policy Branch, who attended the March 2010 SRCC meeting which was considering the proposed guidelines? 2.Does the briefing note that the 5 days face to face is an "existing requirement within the current guidelines"? 3.Please look at the 2007 guidelines. Were they the current guidelines at March 2010? 4.Does section 3.2 of the 2007 guidelines say that "There are no set requirements for course length, the format of courses or how the course is delivered"? 5.Was the advice that the 5 day face to face requirement was an "existing requirement within the current guidelines" false? 6.Why did Comcare not provide the correct advice? 7.Why did Comcare fail to include information that the flexible delivery promoted by the 2007 guidelines was a result of a specific SRCC decision in 2005? 8.If the SRCC was misled, can its decision be valid?

Answer

Comcare has provided the following response.

1. The document provided with the Question on Notice is an internal document that is in draft and that Dr Culvenor received as part of his FOI request for all material held on file. It is not clear how this draft document was or was not used. There is no record of it being provided to the Safety, Rehabilitation and Compensation Commission (SRCC). According to the minutes, the question on whether five days face to face was a new requirement was never posed. A range of other points were raised; please refer to the response to question 8 for the summary.

2-7. It is not clear how this draft document was or was not used.

8. At the March 2010 Commission meeting, Comcare briefed the Commission on Dr Culvenor's situation and claims and that he considered that the proposed changes would disadvantage him. Comcare further advised that the proposed changes were consistent with Safe Work Australia's position on face to face training. Comcare stated that Dr Culvenor's course was due for re-accreditation on 31 August 2010; and that, if the guidelines were endorsed, he would have until then to reconfigure the course. Comcare stated that the revised guidelines had taken into account feedback from the HSR survey where the majority preferred face to face training for a number of reasons. Comcare rejects the inference that the SRCC was misled when it considered the new guidelines.