

Work Health and Safety (Office of the Work Health and Safety Commissioner) Statement of Expectations 2025

Notifiable instrument NI2025–116

made under the

Work Health and Safety Act 2011, schedule 2, division 2.2.5, section 2.39 (Ministerial statement of expectations)

1 Name of instrument

This instrument is the *Work Health and Safety (Office of the Work Health and Safety Commissioner) Statement of Expectations 2025*.

2 Commencement

This instrument commences on the day after notification.

3 Statement of Expectations

I make the Statement of Expectations as provided in the Schedule.

4 Consultation

I confirm that the Work Health and Safety Council has been consulted about the priorities and initiatives for the Office of the Work Health and Safety Commissioner in accordance with schedule 2, division 2.2.5, section 2.39 (2) of the *Work Health and Safety Act 2011*.

5 Revocation

This instrument revokes the *Work Health and Safety (Office of the Work Health and Safety Commissioner) Statement of Expectations 2023* [NI2023-676].

Minister Pettersson MLA
Minister for Skills, Training and Industrial Relations
4 March 2025



ACT
Government

Ministerial Statement of Expectations 2025

Office of the Work Health and Safety
Commissioner

Introduction

The Office of the Work Health and Safety Commissioner (WorkSafe ACT) is established under the *Work Health and Safety Act 2011* (the WHS Act) as an independent, prescribed Territory authority headed by the Work Health and Safety Commissioner (WHS Commissioner) who is the Territory’s WHS Regulator.

WorkSafe ACT supports the WHS Commissioner in administering the Territory’s work health and safety (WHS) related legislation by providing information, advice, and support as well as compliance and enforcement activities.

In accordance with schedule 2, division 2.2.5, section 2.39 of the WHS Act, the Minister for Skills, Training and Industrial Relations (the Minister) must make a statement to the WHS Commissioner about the priority activities and initiatives for WorkSafe ACT at least once every 12 months.

This statement does not include specific direction about the exercise of a regulatory function under the Act but may include general directions about the priority activities and initiatives for WorkSafe ACT, and any information that the Minister believes will assist with the implementation of the statement.

As required by the Act under section 2.39 (2), the ACT’s Work Health and Safety Council (WHS Council) was consulted on the priority activities and initiatives set out in the following *Statement of Expectations 2024* (the Statement) – which repeals the previous *Statement of Expectations 2023* [NI2023-676].

Persistent and Emerging Work Health and Safety Risks

Safe Work Australia’s [Australian Work Health and Safety \(WHS Strategy\) 2023-2033](#) (the Australian strategy) aims to respond to key WHS challenges and risks across Australia over the next ten-years and sets a unifying national goal to reduce worker fatalities, injuries and illness.

The Territory contributes to outcomes under the national WHS Strategy through the identified national persistent and emerging challenges, those being:

<ul style="list-style-type: none">managing psychosocial risks	<ul style="list-style-type: none">rise of artificial intelligence (AI, automation and related technologies
<ul style="list-style-type: none">complex supply chains	<ul style="list-style-type: none">health and safety vulnerability
<ul style="list-style-type: none">climate related risks	<ul style="list-style-type: none">new types of work
<ul style="list-style-type: none">hybrid work arrangements	<ul style="list-style-type: none">small business
<ul style="list-style-type: none">shifts in workforce demographics	

The Territory also contributes to nationally endorsed objectives to eliminate asbestos and silica related diseases through targets and objectives identified in the [Phase Three Asbestos National Strategic Plan 2024-2030 - January 2024](#) and [Silica National Strategic Plan 2024-30](#).

Priority activities and initiatives

Everyone has the right to a safe workplace with fair conditions. Safety is everyone’s responsibility and WorkSafe ACT has an integral role in driving an outstanding work safety culture in the ACT through its regulatory compliance and enforcement activities, and advice to government, workers, and employers.

In driving an outstanding safety culture across the ACT, WorkSafe ACT should focus on the expectations outlined in this Statement over the next 12 months. This Statement also recognises the significant and ongoing nature of the priorities highlighted in the previous statement.

Industry and community engagement is integral to improving workplace culture, integrating an organisational focus on safety and building safety capability (eg. health and safety representatives capability).

Priority initiatives and activities should be planned and implemented taking into consideration the views of ACT workers, trade unions, employers, their representative bodies and the WHS Council.

Reducing worker fatalities

The ACT Government is committed to achieving a target of zero workplace fatalities and WorkSafe ACT is integral to preventing work related serious injury, illness and fatality.

Targeting attention and activities to those industries with the highest rates of injury and illness, particularly where there is a history of fatality, would assist in reducing work related fatality.

WorkSafe ACT should continue to ensure that supports provided to families in the event of a workplace death or serious injury are meeting community expectations and deliver better outcomes for families impacted by workplace deaths or serious workplace injuries.

Psychosocial hazards in the workplace

Work-related psychosocial hazards create risks to physical and psychological health for workers. The *ACT Managing Psychosocial Hazards at Work Code of Practice*, which commenced in November 2023, assists persons conducting a business or undertaking (PCBUs) to manage these risks.

WorkSafe ACT should continue its focus on regulatory activities that assist the mental health of Canberrans through education, compliance and enforcement and utilise appropriate and proportionate responses to drive improvements to work health and safety management.

This approach supports a comprehensive view of managing psychosocial risks, including a robust focus on fatigue management which should extend beyond concerns about impairment in heavy machinery operation and address the broader impacts of prolonged excessive working hours on workers' wellbeing, mental health, and physical health. Workloads and working hours are common psychosocial hazards that contribute to fatigue risks in the workplace.

With national work underway to improve the management of and from fatigue risks and an anticipated model code of practice being agreed, a consultation process will follow with ACT stakeholders to facilitate local implementation of the model Code.

In supporting changes to the WHS legislative framework, WorkSafe ACT should ensure its activities support awareness and education about new materials that assist PCBUs in meeting their WHS obligations.

Work-related violence and aggression, sexual harassment and sexual assault are hazards which should be appropriately risk managed to ensure the health and safety of working people. The ACT Sexual and Gender-Based Harassment Code of Practice came into effect in November 2024 and assists PCBUs in meeting their WHS obligations to manage these risks. These issues continue to be a priority area for improving WHS management.

WorkSafe ACT should prioritise educating workplace participants of their obligations and ensuring appropriate and proportionate compliance with these obligations.

WHS as part of complex supply and contractual chains

PCBUs have an important role in ensuring workplaces are safe, particularly within a supply chain in an organisation. The WHS Act imposes health and safety duties on all PCBUs in the Territory, as well as duties on their officers and workers. All PCBUs are required to be aware of their health and safety duties under the WHS Act and are responsible for the elimination of risks and hazards arising from carrying out their business or undertaking.

Supply and contractual chain complexities are an emerging issue in the ACT, with increasing population and infrastructure projects putting pressure on existing work processes. Many businesses in the ACT are involved in supply and contractual arrangements, including sole traders, contractors and sub-contractors.

It is important that duty holders with shared responsibilities work together to manage risks through effective consultation, cooperation and collaboration.

WorkSafe ACT should continue raising the awareness of PCBUs of their duties under the WHS Act in these respects.

WorkSafe ACT should continue to collaborate with other Australian regulators to improve compliance across supply chains of goods and labour.

Climate-related risks in the workplace

A warming planet and changing environment mean that our physical worksites are also changing. Extreme temperatures, unpredictable weather and natural disasters are all having an impact on working conditions. Changing work environments in turn bring new risks to the health and safety of workers and others at a workplace across the ACT requiring a regulatory response.

WorkSafe ACT should continue promoting awareness of climate change impacts on the workplace and maintaining guidance materials to improve industry capability to manage these issues in the workplace.

Health and safety vulnerability and working with vulnerable populations

PCBUs must consider the needs of all workers in designing safe work systems in addressing organisational WHS hazards and risks. Some key factors known to impact workers' WHS vulnerability include being younger or new to/re-entering the workplace, being from a culturally and linguistically diverse (CALD) background and working alone or in isolation. One size fits all communication approaches and generic WHS practices can expose workers to limited WHS capability development and greater workplace risks.

WorkSafe ACT should continue to support stakeholders and PCBUs to promote WHS knowledge and understanding.

PCBUs must also consider the nature of their work and specific hazards and risks associated with the delivery of services particularly involving vulnerable or at-risk workers.

WorkSafe ACT should promote and support PCBUs to engage in WHS practices that appropriately and proportionately address these risks.

Hybrid work arrangements

The COVID-19 pandemic sparked a shift to working from home and more flexible working arrangements across a range of occupations. Hybrid work models may change or create new WHS risks, including psychosocial risks, that PCBUs need to manage.

WorkSafe ACT should continue to promote awareness of safe hybrid work practices and potential risks and impacts on workers.

Health and safety impacted by workforce demographic and size changes

Changes in workforce demographics, size and staffing shortages that can adversely impact worker health and safety. Low staffing levels can contribute to psychosocial hazards such as poor workplace support and violence and aggression in the workplace. Workforce size/shortages may have an acute impact of safety particularly in service areas that must continue operating. Upstream design of work and systems of work are important for managing these risks.

WorkSafe ACT should continue to support stakeholders and PCBU's to engage in WHS practices that address health and safety where there are ongoing workforce shortages, particularly in service sectors.

Small business – improving work health and safety

Small businesses frequently have fewer resources to dedicate to understanding WHS requirements and obligations than larger ones.

WorkSafe ACT should continue to provide tailored and targeted materials and information that better support small business in achieving improved health and safety outcomes and building working environments with a positive safety culture.

Priority industries

In the national WHS Strategy, the construction industry and public administration industry are both highlighted as high-risk industries. These industries are also priorities in the ACT.

Construction Industry

The construction industry is consistently one of the highest risk industries nationally and in the ACT.

Based on national data as at 2022-23, the ACT construction industry continues to experience a higher frequency rate of serious injury claims than the national average.

WorkSafe ACT should maintain its strong focus on construction industry safety standards and compliance across residential, commercial and civil construction sectors.

WHS compliance within ACT Government

It is important that ACT Government directorates and agencies lead by example in meeting their duties and obligations under the WHS Act.

WorkSafe ACT should continue a focus on facilitating WHS compliance within the ACT Government utilising appropriate and proportionate education, awareness, compliance and enforcement activities.

A dedicated priority approach to ensuring safety compliance in essential frontline services including health, justice, community services, education and transport aligns with the national WHS Strategy. Significant overtime challenges within certain sectors, such as the health sector due to under-resourcing, should be included in this approach.

Work-related violence also remains a significant issue for front line public servants in industries including health, education and transport.

WorkSafe ACT should continue to prioritise addressing workplace violence across these public service sectors, with a focus on strengthening staff safety measures.

Operation and performance of WorkSafe ACT

Operation

Effective enforcement activities play a critical role in promoting compliance with work injury and safety laws, as well as embedding good WHS practices in all work across all industries.

Stakeholders should be able to access information across all of the areas WorkSafe ACT regulates, including WHS, workers' compensation, hazardous substances, dangerous goods, licensing, and workplace privacy.

Stakeholders expect to be able to engage with WorkSafe ACT using digital platforms that are accessible by all devices.

WorkSafe ACT should also be in a position to capture and analyse data to inform compliance and enforcement activity.

WorkSafe ACT should remain focused on ensuring its governance and operations remain contemporary and are effective and continue to improve the capability of the regulator.

WorkSafe ACT should be a source of trusted and expert information on compliance with WHS and workers' compensation obligations.

WorkSafe ACT should ensure they are an exemplar workplace in all WHS compliance matters, including managing their own organisational risks and having a psychologically safe workplace.

Performance

WorkSafe ACT should ensure that its accountability indicators remain contemporary, are linked to outcomes and align with the strategic objectives of the regulator. In particular, the accountability indicators should align with a strong community and workplace presence of the regulator, an awareness of the regulator and demonstrate the regulator's capability building investments.

Engagement and reporting

Engagement with the WHS Council

The WHS Council plays an important role in advising the Minister and Government on matters relating to WHS in the ACT. The Work Health and Safety Commissioner is an ex-officio member of the WHS Council and should ensure WorkSafe ACT's activities are responsive to issues identified by employee and employer representatives in the Territory.

Reporting against the Statement of Expectations 2024

In line with schedule 2, section 2.41 (2) (c) of the WHS Act, WorkSafe ACT should report on its approach to implementing the priority activities and initiatives set out in this Statement within its Annual Report.