



Office of
Industrial Relations

Department of Education

Our reference: FILE5033478, REC592302/1
Your reference: REC33712, FILE33718

06.02.2020

Mr John Robertson
Chair
Queensland Sentencing Advisory Council
Email: [REDACTED]

Dear Mr Robertson

Thank you for your letter dated 6 December 2019 regarding the Queensland Sentencing Advisory Council's (the Council's) inquiry into penalties for assaults on police and other frontline emergency service workers, corrective service officers and other public officers (the inquiry). Although the information you requested was required by 10 January 2020, I am advised that an extension was provided to the Office of Industrial Relations (OIR) to take into account the number of key officers on leave at this time of year.

I welcome the invitation for OIR to provide preliminary input into this important inquiry. As the body responsible for improving workplace health and safety in Queensland, OIR takes the prevention of work-related violence and aggression (WVA) very seriously.

WVA is any incident in which a person is abused, threatened or assaulted in circumstances relating to their work. Workers can be exposed to WVA from a wide range of sources, including external perpetrators, clients, customers or service users. WVA is a common concern in industries where people work with the public or external clients, and is a particular risk for public officers.

Work health and safety laws in Queensland outline the legal responsibilities on persons conducting business or undertaking (PCBU), managers and workers to maintain a safe and healthy workplace. The 2014 '*Preventing and responding to work-related violence*' guideline, developed by OIR in consultation with the national Heads of Workplace Safety Authorities working group, provides further information on these duties with regard to WVA. Additional documents have also been produced by OIR to provide practical guidance on the prevention and risk management of WVA in high-risk industries such as health services, community working and bus services.

Members of the public can notify OIR of an incident, including WVA, by calling 1300 362 128, by submitting an online incident notification form, or by emailing a completed Incident Notification Form to whsq.aaa@oir.qld.gov.au. OIR uses notified incident data to investigate workplace incidents and contraventions of the *Work Health and Safety Act 2011*, and to develop programs, policies and standards that identify solutions to workplace safety issues across all industries in Queensland.

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When it comes to our staff, OIR is committed to ensuring the risk of WVA is eliminated so far as is reasonably practicable, minimising the impact of any exposure and providing a rapid response as well as all appropriate support following any incident. This includes acts of violence or aggression that occur in a Queensland Government office, and in any other location that public officers may visit in order to undertake their work duties; for example, a business that is being visited by a work health and safety (WHS) inspector in the course of responding to a WHS complaint. Whilst OIR has very positive relationships with our stakeholders, the interface between a regulator and those with duties under WHS legislation always holds the potential for heightened tensions.

Accordingly, OIR does not tolerate any form of violence, threats, harassment, intimidation, or any other disruptive behaviour, either physical or verbal, that occurs in the workplace or while carrying out duties for OIR. At every level of our organisation, we are committed to protecting staff in the course of their work from exposure to risk and to clearly demonstrating that WVA is unacceptable.

OIR staff are further encouraged to report any instances of WVA, including threats or abuse, both in-person and online on our internal incident register via an incident report form which can be found on the OIR intranet. In the period 31 January 2018 to 17 January 2020, there were 23 incidents reported to the incident register involving 30 OIR staff. Follow up with affected individuals includes OIR staff undertaking a debriefing with their managers and being offered counselling following the incidents. Where appropriate, correspondence has been sent to the offending party reinforcing OIR's zero tolerance to WVA.

OIR policy makes clear that physical assault, robbery, sexual assault and threats to harm someone should always be referred to the police, in addition to notifying OIR. As a regulator and an employer that takes the risk of WVA seriously, OIR recognises the principle of tougher penalties for assaults on public officers within the sentencing framework, as a mark of the seriousness of the offence, and welcomes the Council's inquiry into the effectiveness of current penalties as a deterrent.

With regard to the Council's specific requests for information, please find the following documents included in our submission;

- OIR '*Preventing and responding to work-related violence*' guideline;
- OIR '*Prevention and management of work-related violence and aggression in health services*' handbook;
- OIR '*Guide to working safely in people's homes*' guideline;
- OIR '*Client aggression and violence management self-assessment*' tool
- an OIR incident notifications dataset, covering the period 1 January 2008 to 31 December 2019, pertaining to assaults on public officers; and
- an OIR incident notification form (for reference).

It is my understanding that QSAC will also be provided with a data analysis of workers' compensation claims by WorkCover Queensland, to offer further insight into this important issue.

Please also find attached a series of documents produced by OIR in consultation with our Health Safety and Wellbeing Committee, which outline to employees our internal policies, procedures and zero tolerance to violence statement of principles, as well as an accompanying fact sheet on WVA. They are provided alongside our submission for reference.

If you require further information or assistance, please contact Ms Andrea Fox, Director WESP, Office of Industrial Relations on [REDACTED].

Yours sincerely,

[REDACTED]

Craig Allen
Deputy Director-General
Office of Industrial Relations

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