

Your ref : PREM14D03458

SafeWork SA Advisory Council

C/- GPO Box 465
ADELAIDE SA 5001

Phone (08) 8303 0479

1 September 2014.

Hon Jay Weatherill MP
Premier of South Australia
GPO Box 2343
ADELAIDE SA 5001

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Dear Premier

Thank you for your letter dated 8 July 2014 regarding your decision to reform South Australian Government boards and committees.

The SafeWork SA Advisory Council (the Advisory Council) is established under the *Work Health and Safety Act 2012* (SA) (the WHS Act), and was previously known as the SafeWork SA Advisory Committee (the Advisory Committee), which was established under the now repealed *Occupational Health, Safety and Welfare Act 1986*. The establishment of the Advisory Committee was a key component of the legislative reforms that consolidated occupational health and safety functions into one central agency with the formation of SafeWork SA in 2006.

The Advisory Council, a Ministerial Advisory Council, has the primary purpose of advising the Minister for Industrial Relations (the Minister) on work health and safety (WHS) matters on behalf of workers and businesses in South Australia. The Advisory Council advises on WHS standards, policy and legislative matters, and also promotes improved safety outcomes through targeted prevention programs, education and training.

The Advisory Council is a unique tripartite high level forum that facilitates consultation, cooperation and collaboration between employer and employee interests in the public and private sectors across a broad industry base. The Advisory Council has the support of key stakeholders in South Australia. It provides independent and objective opinion and analysis to the Government on WHS matters.

The Advisory Council is a presenting partner of South Australia's annual Safe Work Week event that provides focus on WHS. It has also built a strong research program that funds various projects that contribute to improved WHS outcomes in this State.

The Advisory Council works closely with the SafeWork SA executive team to provide advice and strategic direction to assist the agency in fulfilling its primary role and is critical in informing strategies to achieve the targets in *South Australia's Strategic Plan* as well as the national injury reduction targets. The Advisory Council works to align strategies with key focus areas based on facts and data that inform the direction of initiatives and research, resulting in practical outcomes.

I have had the privilege to be appointed to the role of Presiding Member since the inception of the Advisory Council (formerly the Advisory Committee). In undertaking this role I do not have a casting vote in the event of a stalemate. Throughout the duration of my appointment there has been no occasion where a matter needed to be referred to the Minister for a decision, which further highlights the cooperative and productive approach of the Advisory Council members.

The members of the Advisory Council undertake significant readings and information sharing as a part of their decision-making process. They feel there is a risk with open forum models that may lead to ill-informed advice without the debate that occurs at Council level.

I note your invitation to consider alternative ways in which the Government can continue to receive high quality advice with a contemporary approach that reduces the number of boards and committees in South Australia. Consideration could be given to having other committees in the industrial relations portfolio merged into the functions and powers of the Advisory Council and established as sub-committees to assist the Council in delivering its functions as prescribed in the WHS Act. The membership of the Advisory Council could be adapted to reflect the worker, business and industry representatives involved in any alternative model. The sub-committee option currently operates efficiently and effectively with the Legislation, Prevention and Research Committees providing the Advisory Council with valuable input in specialised areas and directly supporting the work of SafeWork SA.

The Advisory Council has a significant role in the consultation on key WHS matters in this State which cannot be achieved as easily through other mechanisms. In addition, there are certain functions bestowed on the Advisory Council by the WHS legislation. These functions include a key role in recommending to the Minister WHS Codes of Practice and involves consultation at the Advisory Council stage that draws in members' experience from a range of key industries.

There is strong support amongst the Advisory Council members to retain the existence of the Council. However, whilst the Master Builders Association of South Australia (MBA) has been a strong contributor since the formation of the Advisory Council (formerly the Advisory Committee), it supports the abolition of each of the boards and committees currently under review in the industrial relations portfolio. I have advised the Advisory Council member representing the MBA that it also has the option to write directly to you on this matter.

The Advisory Council has significant investment in achieving safer work practices and reducing injury across all workplaces in South Australia and is focussed on the associated economic and social benefits of that goal. The functions of the Advisory Council are not duplicated elsewhere in this State. It is imperative that its distinct role remains as the Council is a team that places high value on the lives and wellbeing of its fellow citizens.

Yours sincerely



Tom Phillips
PRESIDING MEMBER
SAFework SA ADVISORY COUNCIL

Your ref : PREM14D05039

SafeWork SA Advisory Council

C/- GPO Box 465
ADELAIDE SA 5001

Phone (08) 8303 0479

6 November 2014

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Hon Jay Weatherill MP
Premier of South Australia
GPO Box 2343
ADELAIDE SA 5001

Dear Premier

I am writing to you again on behalf of the SafeWork SA Advisory Council (the Advisory Council) in relation to the Government's position on the reform of Boards and Committees in South Australia. The Advisory Council acknowledges the intentions of the Government to review the operation of existing Boards and Committees to provide a modern and inclusive consultative process.

The Advisory Council understands that consideration is being given to the consolidation of the Advisory Council, the Industrial Relations Advisory Committee and possibly the Asbestos Advisory Committee into a single consultative forum. A number of Advisory Council members have raised concerns about possible changes to consultative arrangements for work health and safety and they have asked that I bring this to your attention. While the consolidated model offers an alternative approach, some members of the Advisory Council have indicated their views that the critical role of the Advisory Council in providing a co-operative and collaborative forum in shaping strategic outcomes for work health and safety should not be lost. The members of the Advisory Council noted that the role and function of the Industrial Relations Advisory Committee has been seriously diminished following the referral of industrial relations matters for the private sector to the Commonwealth.

The role of the Advisory Council is significantly different to that of the other bodies noted above. The Advisory Council's work remains relevant and the work processes and operation of the Advisory Council continue to be effective and efficient. Should the Advisory Council's functions be merged with other bodies, members of the Advisory Council are concerned that the need to include the diverse membership of those groups would compromise the ability of the Advisory Council to achieve agreed outcomes. Such a move is seen as a backward step which would be administratively complex and offer no real benefit.

While it is fair to say that some members of the Advisory Council acknowledge the benefits of a revised consultative approach, it has been put to me that there is a view amongst some members that the Advisory Council should remain unchanged. The Industrial Relations Advisory Committee should meet on an as needs basis and the Asbestos Advisory Committee continue as a stand-alone consultative forum.

I am happy to meet with you to discuss further if required.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Tom Phillips', with a long horizontal flourish extending to the right.

Tom Phillips
PRESIDING MEMBER
SAFework SA ADVISORY COUNCIL

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Hon Jay Weatherill MP
Premier of South Australia

Mr Tom Phillips
Presiding Member
SafeWork SA Advisory Council
GPO Box 465
ADELAIDE SA 5001

Dear Mr Phillips

Thank you for your further letter of 6 November 2014 to the Premier of South Australia, the Hon Jay Weatherill MP, about Boards and Committees reform.

Your letter has been sent to the Minister for Industrial Relations, the Hon John Rau MP, as this matter falls within his portfolio responsibility.

Should you have any queries about your letter, please contact the Minister's office on telephone 82071723.

Yours sincerely

A handwritten signature in black ink, appearing to be "Jay Weatherill".

**Premier's Correspondence Unit
Office of the Premier**

7 November 2014

cc: Office of the Hon John Rau MP, Minister for Industrial Relations