



ACT
Government

Chief Minister, Treasury and
Economic Development

Freedom of Information Publication Coversheet

The following information is provided pursuant to section 28 of the *Freedom of Information Act 2016*.

FOI Reference: CMTEDDFOI 2020-033

Information to be published	Status
1. Access application	Published
2. Decision notice	Published
3. Documents and schedule	Published
4. Additional information identified	No
5. Fees	Waived
6. Processing time (in working days)	45
7. Decision made by Ombudsman	N/A
8. Additional information identified by Ombudsman	N/A
9. Decision made by ACAT	N/A
10. Additional information identified by ACAT	N/A

From: [REDACTED]
To: [CMTEDD FOI](#)
Subject: Freedom of Information request
Date: Friday, 21 February 2020 4:19:15 PM

Please find online enquiry details below. Please ensure this enquiry is responded to within fourteen working days.

Your details

All fields are optional, however an email address OR full postal address must be provided for us to process your request. An email address and telephone contact number will assist us to contact you quickly if we need to discuss your request.

Title:
First Name:
Last Name:
Business/Organisation
Address:
Suburb:
Postcode:
State/Territory:
Phone/mobile:
Email address:

A large grey rectangular box redacting the contact details provided in the form.

Request for informati

(Please provide as much detail as possible, for example subject matter and relevant dates, and also provide details of documents that you are not interested in.)

Under the Freedom of Information Act 2016 I want to access the following document/s (*required field):

We on behalf of [REDACTED]. We seek access to all documents related to, in any way, WorkSafe ACT's review and investigation (however described) of breaches of the Work, Health and Safety Act 2011 (ACT) (WHS Act) by Brindabella Christian Education Limited (trading as Brindabella Christian College (BCC)) for the period 2019 to 2020. This includes, but not limited to, documents relating to the following:

1. information relevant to the decision to review / investigate BCC for breach(es) of the WHS Act, including complaints of which WorkSafe became aware in relation to bullying and other staffing matters at BCC (for example, from the media, members of the public or other government agencies);
2. whether WorkSafe ACT actions to review / investigate BCC for breach(es) of the WHS Act should be referred to as a review or an investigation;
3. public comments in relation to WorkSafe ACT's actions by employees of WorkSafe ACT (including the Commissioner), such as media talking points, media releases and notes of conversations with journalists; and
4. the issuing of improvement notices to BCC. For the purpose of this request, "document" means any record of information, and includes: 1. anything on which there is writing; 2. anything on which there are marks, figures, symbols or perforations having a meaning for persons qualified to interpret them; 3. anything from which sounds, images or writings can be reproduced with or without the aid of anything else; 4. a map,

plan, drawing or photograph; or 5. document in draft form or working drafts.

I do not want to access the following documents in relation to my request::

Thank you.
Freedom of Information Coordinator



ACT
Government

Chief Minister, Treasury and
Economic Development

Our ref: CMTEDDFOI 2020-033



FREEDOM OF INFORMATION REQUEST

I refer to your application under section 30 of the *Freedom of Information Act 2016* (the Act), received by the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) on 21 February 2020, in which you sought access to:

All documents related to WorkSafe ACT's review and investigation (however described) of breaches of the WHS Act by BCC for the period 2019 to 2020. This includes, but not limited to, documents relating to the following:

- information relevant to the decision to review / investigate BCC for breach(es) of the WHS Act, including complaints of which WorkSafe became aware in relation to bullying and other staffing matters at BCC (for example, from the media, members of the public or other government agencies);
- whether WorkSafe ACT actions to review / investigate BCC for breach(es) of the WHS Act should be referred to as a review or an investigation;
- public comments in relation to WorkSafe ACT's actions by employees of WorkSafe ACT (including the Commissioner), such as media talking points, media releases and notes of conversations with journalists; and
- the issuing of improvement notices to BCC.

Authority

As an appointed Information Officer under section 18 of the Act, I am authorised to make a decision on access or amendment to government information in the possession or control of CMTEDD.

Timeframes

In accordance with section 40 of the Act, CMTEDD was required to provide a decision on your access application by 23 March, however following on from third party consultation the due is now 30 April 2020.

Decision on access

Searches were completed for relevant documents and 59 documents were identified that fall within the scope of your request.

I have included as **Attachment A** to this decision the schedule of relevant documents. This provides a description of each document that falls within the scope of your request and the access decision for each of those documents.

I have decided to grant access in full to 48 documents and partial access to 10 documents relevant to your request. I have decided to refuse access to the remaining document as I consider it to be information that would, on balance, be contrary to the public interest to disclose under the test set out in section 17 of the Act.

My access decisions are detailed further in the following statement of reasons and the documents released to you are provided as **Attachment B** to this letter.

In accordance with section 54(2) of the Act a statement of reasons outlining my decisions is below.

Statement of Reasons

In reaching my access decisions, I have taken the following into account:

- the Act;
- the content of the documents that fall within the scope of your request;
- the *Human Rights Act 2004*.

Exemption claimed

My reasons for deciding not to grant access to the identified documents and components of these documents are as follows:

Information that would, on balance, be contrary to the public interest to disclose under the test set out in section 17 of the Act

Public Interest

The Act has a presumption in favour of disclosure. As a decision maker I am required to decide where, on balance, public interests lies. As part of this process I must consider factors favouring disclosure and non-disclosure.

In *Hogan v Hinch* (2011) 243 CLR 506, [31] French CJ stated that when ‘used in a statute, the term [public interest] derives its content from “the subject matter and the scope and purpose” of the enactment in which it appears’. Section 17(1) of the Act sets out the test, to be applied to determine whether disclosure of information would be contrary to the public interest. These factors are found in subsection 17(2) and Schedule 2 of the Act.

Taking into consideration the information contained in the documents found to be within the scope of your request, I have identified that the following public interest factors are relevant to determine if release of the information contained within these documents is within the ‘public interest’.

Factors favouring disclosure in the public interest:

- (a) *disclosure of the information could reasonably be expected to do any of the following:*
- (xiii) *contribute to the administration of justice generally, including procedural fairness.*

Having considered the factor above, I consider that the release of these documents may contribute to the administration of justice generally, including procedural fairness by allowing you to have a record of the communications and decision-making process behind the investigation. I am satisfied that this factor favouring disclosure carries some weight. However, this factor is to be balanced against the factors favouring non-disclosure.

Factors favouring nondisclosure in the public interest:

- (a) *disclosure of the information could reasonably be expected to do any of the following:*
- (ii) *prejudice the protection of an individual's right to privacy or any other right under the Human Rights Act 2004;*
 - (x) *prejudice intergovernmental relations;*
 - (xii) *prejudice an agency's ability to obtain confidential information.*

When considering the documents and factors in favour of non-disclosure, I have considered the personal information contained in the documents. I consider it unreasonable to release information that could reveal the name of the person or persons that have been in contact with WorkSafe ACT and other parties contained in the documents. I believe the release of this information may prejudice the protection of these individuals' right to privacy or any other right under the *Human Rights Act 2004*. I am satisfied that this factor favouring non-disclosure should be afforded significant weight as it relates to the individuals' privacy.

As this matter revolves around complaints against BCC, I am satisfied that the source or sources would have wished their identity to be known only to those who need to know it for the purpose of administering the law, and the information was supplied on the express or implied understanding that the source's identity would remain confidential.

Disclosure of this information would enable a person to ascertain the identity of a confidential source in relation to the enforcement or administration of the law. In the consultation process, several the third parties, including a government body external to the ACT Government, indicated that they do not permit disclosure of their identities to the organisation that is the subject of the complaint. I therefore consider that the third parties supplied the information on the express understanding (or at the very least, under the reasonable expectation) that their identity would remain confidential.

An agreement to treat documents as confidential does not need to be formal. A general understanding that communications of a particular nature will be treated in confidence will suffice. The understanding of confidentiality may be inferred from the circumstances

in which the communication occurred, including the relationship between the parties and the nature of the information communicated.

Having applied the test outlined in section 17 of the Act and deciding that release of personal and identifying information contained in the documents is not in the public interest to release, I have chosen to redact or exempt this specific information in accordance with section 50(2). Noting the pro-disclosure intent of the Act, I am satisfied that redacting or exempting only the information that I believe is not in the public interest to release will ensure that the intent of the Act is met and will provide you with access to the majority of the information held by CMTEDD within the scope of your request.

Charges

Pursuant to *Freedom of Information (Fees) Determination 2018* processing charges are applicable for this request because the total number of pages to be released to you exceeds the charging threshold of 50 pages. However, the charges have been waived in accordance with section 107(2)(b) of the Act.

Online publishing – Disclosure Log

Under section 28 of the Act, CMTEDD maintains an online record of access applications called a disclosure log. Your original access application, my decision and documents released to you in response to your access application will be published in the CMTEDD disclosure log after 5 May 2020. Your personal contact details will not be published.

You may view CMTEDD disclosure log at

<https://www.cmtedd.act.gov.au/functions/foi/disclosure-log>.

Ombudsman Review

My decision on your access request is a reviewable decision as identified in Schedule 3 of the Act. You have the right to seek Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day that my decision is published in CMTEDD disclosure log, or a longer period allowed by the Ombudsman.

We recommend using this form [Applying for an Ombudsman Review](#) to ensure you provide all of the required information. Alternatively, you may write to the Ombudsman at:

The ACT Ombudsman
GPO Box 442
CANBERRA ACT 2601

Via email: actfoi@ombudsman.gov.au

ACT Civil and Administrative Tribunal (ACAT) Review

Under section 84 of the Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision. Further information may be obtained from the ACAT at:

ACT Civil and Administrative Tribunal
Level 4, 1 Moore St
GPO Box 370
Canberra City ACT 2601
Telephone: (02) 6207 1740
<http://www.acat.act.gov.au/>

Should you have any queries in relation to your request please contact me by telephone on 6207 7754 or email CMTEDDFOI@act.gov.au.

Yours sincerely,



Philip Dachs
Information Officer
Information Access Team
Chief Minister, Treasury and Economic Development Directorate

30 April 2020



ACT
Government

Chief Minister, Treasury and
Economic Development

FREEDOM OF INFORMATION REQUEST SCHEDULE

WHAT ARE THE PARAMETERS OF THE REQUEST	Reference NO.
<p>All documents related to WorkSafe ACT's review and investigation (however described) of breaches of the WHS Act by BCC for the period 2019 to 2020. This includes, but not limited to, documents relating to the following:</p> <ul style="list-style-type: none"> information relevant to the decision to review / investigate BCC for breach(es) of the WHS Act, including complaints of which WorkSafe became aware in relation to bullying and other staffing matters at BCC (for example, from the media, members of the public or other government agencies); whether WorkSafe ACT actions to review / investigate BCC for breach(es) of the WHS Act should be referred to as a review or an investigation; public comments in relation to WorkSafe ACT's actions by employees of WorkSafe ACT (including the Commissioner), such as media talking points, media releases and notes of conversations with journalists; and the issuing of improvement notices to BCC. 	<p>CMTEDDFOI 2020-033</p>

Ref No	Page number	Description	Date	Status	Reason for Exemption	Online Release Status
1	1	Email	Feb-2020	Partial release	Sch 2 s2.2 (a)(ii)	Yes
2	2	Email	Jan-2020	Partial release	Sch 2 s2.2 (a)(ii)	Yes
3	3-4	Email chain	Jan-2020	Full release	N/A	Yes
4	5	Email	Jan-2020	Partial release	Sch 2 s2.2 (a)(ii)	Yes
5	6	Letter as attachment to above email	Jan-2020	Full release	N/A	Yes
6	7	Email	Jan-2020	Partial release	Sch 2 s2.2 (a)(ii)	Yes
7	8	Letter as attachment to above email	Jan-2020	Full release	N/A	Yes
8	9	Smartform Confirmation	Dec-2019	Full release	N/A	Yes
9	10-28	WorkSafe ACT notices as attachment to above email	Dec-2019	Full release	N/A	Yes

10	29-30	Email chain	Dec-2019	Full release	N/A	Yes
11	31-32	Email chain	Dec-2019	Full release	N/A	Yes
12	33	Smartform confirmation	Dec-2019	Full release	N/A	Yes
13	34	Email chain	Dec-2019	Full release	N/A	Yes
14	35	Email chain	Dec-2019	Full release	N/A	Yes
15	36	Email	Dec-2019	Full release	N/A	Yes
16	37-38	Enforcement recommendations	Dec-2019	Full release	N/A	Yes
17	39	Email	Dec-2019	Full release	N/A	Yes
18	40-42	Email chain	Dec-2019	Full release	N/A	Yes
19	43-44	Email chain	Dec-2019	Full release	N/A	Yes
20	45-46	Email chain	Dec-2019	Partial release	Sch 2 s2.2 (a)(ii)	Yes
21	47-50	Email chain	Dec-2019	Full release	N/A	Yes
22	51-52	Email chain	Dec-2019	Full release	N/A	Yes
23	53	Smartform confirmation	Nov-2019	Full release	N/A	Yes
24	54	Workplace Visit form as attachment to above smartform confirmation	Nov-2019	Full release	N/A	Yes
25	55	Email	Nov-2019	Full release	N/A	Yes
26	56-57	Draft wording as attachment to above email	Nov-2019	Full release	N/A	Yes
27	58	Email chain	Nov-2019	Full release	N/A	Yes
28	59	Email	Nov-2019	Partial release	Sch 2 s2.2 (a)(ii)	Yes
29	60	Email	Nov-2019	Partial release	Sch 2 s2.2 (a)(ii)	Yes

30	61	Email	Nov-2019	Full release	N/A	Yes
31	62	Email	Nov-2019	Full release	N/A	Yes
32	63	Email	Oct-2019	Full release	N/A	Yes
33	64	Draft Workplace Visit notes as attachment to above email	Oct-2019	Full release	N/A	Yes
34	65	Email	Oct-2019	Full release	N/A	Yes
35	66-68	Email chain	Oct-2019	Partial release	Out of scope	Yes
36	69-70	Letter as attachment to above email chain	Oct-2019	Full release	N/A	Yes
37	71-72	Letter	Oct-2019	Full release	N/A	Yes
38	73-88	WCMS Claim print outs	Oct-2019	Partial release	Sch 2 s2.2 (a)(ii)	Yes
39	89-91	Letter	Oct-2019	Full release	N/A	Yes
40	92	Letter	Oct-2019	Full release	N/A	Yes
41	93-94	Email chain	Oct-2019	Full release	N/A	Yes
42	95-96	Email chain	Oct-2019	Full release	N/A	Yes
43	97-99	Email chain	Oct-2019	Full release	N/A	Yes
44	100-101	Email chain	Sep-2019	Full release	N/A	Yes
45	102-103	Email chain	Sep-2019	Partial release	Sch 2 s2.2 (a)(ii)	Yes
46	104	Email	Sep-2019	Full release	N/A	Yes
47	105	Draft wording as attachment to above email	Sep-2019	Full release	N/A	Yes
48	1206	Meeting notice acceptance	Sep-2019	Full release	N/A	Yes
49	107	Meeting notice	Sep-2019	Full release	N/A	Yes

50	108	Email	Sep-2019	Full release	N/A	Yes
51	109	Meeting notice	Sep-2019	Full release	N/A	Yes
52	110-112	Email chain	Sep-2019	Full release	N/A	Yes
53	113	Email	Aug-2019	Full release	N/A	Yes
54	114	Media request response	Aug-2019	Full release	N/A	Yes
55	115	Email chain	Aug-2019	Partial release	Sch 2 s2.2 (a)(ii)	Yes
56	116	Email	Aug-2019	Full release	N/A	Yes
57	117-118	Email chain	Aug-2019	Full release	N/A	Yes
58	119	Email	Aug-2019	Full release	N/A	Yes
59	120-166	Documents deemed exempt from release	Multiple	Exempt	Sch 2 s2.2 (a)(ii) Sch 2 s2.2 (a)(x) Sch 2 s2.2 (a)(xii)	No
Total No of Docs						
59						

From: "Woolgar, Andrew" <Andrew.Woolgar@act.gov.au>

Sent: 24/02/2020 8:22 PM

To: "Davis, MattE" <MattE.Davis@act.gov.au>

Subject: Email correspondence I have re BCC

Attachments: RE: Brindabella Christain College **Schedule 2.2(a)(ii)**, RE:

Brindabella Christian College - Notices, Brindabella Christian College - Notices, RE: Brindabella Christain College

Schedule 2.2(a)(ii), RE: Brindabella Christain College **Schedule 2.2(a)(ii)**,

RE: Brindabella Christain College **Schedule 2.2(a)(ii)**, **Schedule 2.2(a)(ii)**

, FW: WorkSafe ACT Action Notice: Improvement Notices issued: Brindabella Christian College, FW: Workplace Visit Report Combined, BRINDABELLA CHRISTIAN EDUCATION LIMITED, 32WTC6, Workplace Visit Report Combined, BRINDABELLA CHRISTIAN EDUCATION LIMITED, 32WTC6, FW: CONFIDENTIAL - Notices Issued to Brindabella Christian College, FW: Brindabella Draft Notice wording - updated (002), Brindabella Draft Notice wording - updated (002), RE: FOR URGENT REVIEW: follow-up on Brindabella, RE: FOR URGENT REVIEW: follow-up on Brindabella, RE: MEDIA ENQUIRY (ABC) - Brindabella Christian College, Brindabella Draft Notice wording, FW: Improvement Notice wording, **Schedule 2.2(a)(ii)**, Draft Letter wording to a complainant - Brindabella Christian College, Improvement Notice wording, Brindabella and Human Rights Commission, Brindabella Meeting notes, RE: Please contact WorkSafe ACT, RE: Please contact WorkSafe ACT, Brindabella Christain College - cc email to Board, Brindabella Christain College - **Schedule 2.2(a)(ii)**, Your scan (Scan to My Email), Your scan (Scan to My Email), Your scan (Scan to My Email), Your scan (Scan to My Email), Your scan (Scan to My Email), Your scan (Scan to My Email), RE: Kikkert: FOI request - Brindabella Christian College, Request for information to assist in investigation, RE: Seeking advice re Worker Comp investigation records, RE: Seeking advice re Worker Comp investigation records, RE: Seeking advice re Worker Comp investigation records, Seeking advice re Worker Comp investigation records, RE: Referral of Concerns - Brindabella Christian College, RE: Referral of Concerns - Brindabella Christian College, FW: Referral of Concerns - Brindabella Christian College, FW: Brindabella Christian College, Brindabella Christian College, FW: Brindabella Christain College - Misconduct Claim, Draft Improvement Notice words, Accepted: Brindabella Christian College, RE: Brindabella Christain College, FW: Brindabella Christain College, Brindabella Christian College, Brindabella College, Brindabella College, Fwd: Concerns about treatment of employees at Brindabella Christian College [SEC=UNCLASSIFIED], Fwd: Grievance Handling and Investigation Policy BCC [DLM=For-Official-Use-Only], RE: Grievance Handling and Investigation Policy BCC [DLM=For-Official-Use-Only], RE: Brindabella Christian College [SEC=UNCLASSIFIED], Grievance Handling and Investigation Policy BCC [DLM=For-Official-Use-Only], FW: Concerns about treatment of employees at Brindabella Christian College [SEC=UNCLASSIFIED], 190724-002402 -T3 - Brindabella Christian College - Lyneham Campus 136 Brigalow Street Lyneham - Compliant - Bullying and harassment of workers (fA9075572) [DLM=For-Official-Use-Only], FW: Concerns about treatment of employees at Brindabella Christian College [SEC=UNCLASSIFIED]

UNCLASSIFIED

Matt,

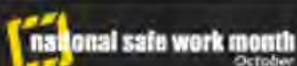
Seeking advice on these emails I have

Andrew J WOOLGAR | Inspector | WorkSafe ACT

Phone: 02 620 73989 | Mobile: 0468 544 028 | Email: andrew.woolgar@act.gov.au

Access Canberra | Chief Minister Treasury and Economic Development Directorate | ACT Government

Dame Pattie Menzies House, 16 Challis St, Dickson | GPO Box 1908, Canberra ACT 2601 | www.act.gov.au/accessCBR



BE A SAFETY CHAMPION

#safetychampion
safeworkmonth.swa.gov.au

From: "Davis, MattE" <MattE.Davis@act.gov.au>
Sent: 28/01/2020 6:30 AM
To: "Woolgar, Andrew" <Andrew.Woolgar@act.gov.au>
Subject: Letter to [REDACTED]
Attachments: scan_matte davis_2020-01-28-17-28-15.pdf

Hi Andrew,

Can you send this [REDACTED], I dropped the hardcopy on your desk if [REDACTED] want a copy.

Cheers
Matt

From: Davis, MattE <matte.davis@act.gov.au>
Sent: Tuesday, 28 January 2020 5:28 PM
To: Davis, MattE <MattE.Davis@act.gov.au>
Subject: Your scan (Scan to My Email)

From: "Jones, Greg" <Greg.Jones@act.gov.au>
Sent: 28/01/2020 4:49 AM
To: "Davis, MattE" <MattE.Davis@act.gov.au>
Cc: "Woolgar, Andrew" <Andrew.Woolgar@act.gov.au>; "Alford, Robert" <Robert.Alford@act.gov.au>; "Curtin, Daniel" <Daniel.Curtin@act.gov.au>
Subject: RE: Brindabella Christian College - Notices
Attachments: Brindabella College Response - 29 Jan 2020.docx

UNCLASSIFIED

Hi Matt, Andrew

Thanks for the response and the factual update.

I have drafted a response, could you please carefully fact check it to make all content and detail is correct.

Thanks

Greg

From: Davis, MattE <MattE.Davis@act.gov.au>
Sent: Tuesday, 28 January 2020 3:17 PM
To: Jones, Greg <Greg.Jones@act.gov.au>
Cc: Woolgar, Andrew <Andrew.Woolgar@act.gov.au>; Alford, Robert <Robert.Alford@act.gov.au>; Curtin, Daniel <Daniel.Curtin@act.gov.au>
Subject: Brindabella Christian College - Notices

Hi Greg,

I can confirm that Notices have been issued to [REDACTED] at BCC email - [REDACTED]@bcc.act.edu.au, we are confident they have been received on two counts, Smartforms advise me directly if the form is not delivered and we have emails from the college that match the email address we used for the notices. BCC have not notified us they had not been received, we are happy to resend if they provide an alternative email address.

- WPV-P39355-VLTYHK was issued on the 12 November 2019 at 11:21 am
- WPV-P39355-VMFEBE and Notices were issued on the 12 December 19 at 3:02 pm

I did change the preamble and tone of the notice to highlight that there were some processes in place however there was room for improvement, I also used the term review in the notices, we did explain to BCC that we considered review/investigate to be interchangeable.

Point 1.8 (a) is incorrect, we advised BCC that we considered the terms interchangeable but in the interest of the schools reputation we would use the term review in lieu of investigate when writing the notices.

Point 1.8 (b) is incorrect, we advised BCC that a complaint was made on the 24 July 2019 through CRM reference # 190724-002402, Inspector Woolgar first made contact with BCC on the Thursday, 8 August 2019 9:31 AM.

Point 3.3

(a) explained the context in which the notices were issues, being a review of policies and procedures (and not the investigation of any complaints). *Both WPV outline the context of the inspectors review.*

(b) recognised that systems are in place at the College to deal with bullying and harassment (even though, in WorkSafe's view, they are not fully compliant with the Work Health and Safety Act 2011 (ACT) (WHS Act)); and *WPV states - BCC has some WHS processes in place and the engagement of a WHS Consultant is supported. There is room for improvement in the overall WHS Management System, specifically Management of Risks including psychosocial hazards, Bullying and Harassment complaint management, information training and instruction, consultation with workers and clear accountabilities and responsibilities of duty holders.*

(c) acknowledged that, in relation to the review, the Early Learning Centre was found to be compliant with the WHS Act. *WPV states - Early Learning Centre has an induction program for new staff, ELC has very robust WHS Systems in place, inspectors recommended they could leverage of these WHS systems for the rest of the school.*

Point 3.4 The notices were not issued at the meeting as BCC requested amendments which were incorporated.

In relation to point 5.3, the staff had no understanding of the consequences of not exercising their duties under the WHS Act and amongst other concepts such as due diligence, who is an officer and WHS consultation, cooperation and communication I explained the left and right of arc of consequences, specifically when it was easily demonstratable that BCC knew what it needed to do as the Early Learning Centre was maintaining a compliant WHS system . What they have failed to disclose is that we also advised that as we were issuing improvement notices we were at the compliance end of the scale and were not even considering referring a referral to the investigation team.

I apologised at the time for causing distress and I made it very clear that this was a not a possibility, I also inquired about the Deputy Principle's wellbeing on the second meeting (12 Dec 2019) and advised Ms Power (principle) that I could contact the deputy directly to alleviate any stress I may have caused and assure her that although it was used as an example (not knowing that a house was being purchased) and not an outcome.

Kind Regards
Matt

Matt Davis | Assistant Director - Workplace Safety Operations Team Manager

Phone: 02 6205 2618 | Mobile: 0481 904 324 | <mailto:matte.davis@act.gov.au>

Construction, Environment and Workplace Protection | Access Canberra | ACT Government

GPO Box 158 Canberra ACT 2601 | <http://www.act.gov.au/accesscbr>

Schedule 2.2(a)(ii)

From: Sebastian Marquez [REDACTED] <[\[REDACTED\]@wmglegal.com.au](mailto:[REDACTED]@wmglegal.com.au)>

Subject: RE: Brindabella Christian College Enrolment

Date: 17 January 2020 at 3:45:22 pm AEDT

To: [REDACTED]

Cc: [REDACTED]

<[\[REDACTED\]](mailto:[REDACTED])>

Dear [REDACTED]

Please find **attached** correspondence of today's date in respect of the above matter.

Regards,



Sebastian Marquez | Solicitor

P: (02) 6253 9766

F: (02) 6253 9788

Suite 4, 75 Gozzard Street
Gungahlin, ACT 2912

PO Box 3, Gungahlin, ACT 2912

[REDACTED] <[\[REDACTED\]@wmglegal.com.au](mailto:[REDACTED]@wmglegal.com.au)>

www.wmglegal.com.au

BEWARE OF SCAMMERS:

A sophisticated email scam is targeting law firms and their clients. We have been advised that scammers have intercepted emails with bank account details so they can substitute their own account number. If you have received an email purporting to be from us with our Bank Account details for the transfer of funds, please confirm these details with us first by contacting the lawyer in charge of this matter by telephone before purporting to make any transfer or deposit of funds into our Bank Account. Otherwise, we accept no responsibility for any loss or damage arising from any electronic transfers or deposits made by you that are not received into our Bank Account.

Our ref: 8983
Your ref:

17 January 2020



By email only: [Redacted]

Dear [Redacted]

ADDRESS
Suite 4, 75 Gozzard Street
Gungahlin ACT 2912
POSTAL
PO Box 3
Gungahlin ACT 2912
PHONE
02 6253 9766
FAX
02 6253 9788
EMAIL
office@wmglegal.com.au
WEB
www.wmglegal.com.au

Enrolment at Brindabella Christian College

We act for the School and we refer to recent events that have transpired.

We are instructed that you have [Redacted] enrolled at the School and have been provided the documents relating to their engagement [Redacted] (contracts of enrolment). The School understands that you have an intention to maintain their enrolment at the School.

Due to the recent events of concern the School requests that you find alternate education for the children. Please now understand that your children are not going to be re-enrolled at the School.

This may come as a surprise. But the reasons for the School's stance is as follows:

1. The School believes that you as parents are not confident in the current policies, procedures and educational standards of the school.
2. You have displayed outward displeasure at the administration of the School.
3. You have encouraged others to also find issues with the way in which the School and the education is administered in a way that has created an unhealthy environment of anger and disunity.

As a result, the school must believe that you have lost confidence in its abilities to deliver the services which all parents desire for their children.

This is by no means a criticism of the abilities of your [Redacted] and no record of this correspondence will be on their file. Should you require letters of recommendation or commendation of the standard the children have met in their education we would be only too happy to assist.

Yours faithfully
WMG Legal
[Redacted Signature]
Steven Gavagna
Email: [Redacted]@wmglegal.com.au

[REDACTED]

From: Sebastian Marquez [REDACTED] <[\[REDACTED\]@wmglegal.com.au](mailto:[REDACTED]@wmglegal.com.au)>

Subject: RE: Brindabella Christian College Enrolment

Date: 22 January 2020 at 10:43:39 am AEDT

To: [REDACTED]

Cc: Steven Gavagna [REDACTED] <[\[REDACTED\]@wmglegal.com.au](mailto:[REDACTED]@wmglegal.com.au)>

Dear [REDACTED]

Please find **attached** correspondence of even date.

Regards,



Sebastian Marquez | Solicitor

P: (02) **6253 9766**

F: (02) 6253 9788

Suite 4, 75 Gozzard Street
Gungahlin, ACT 2912

PO Box 3, Gungahlin, ACT 2912

[REDACTED] <[\[REDACTED\]@wmglegal.com.au](mailto:[REDACTED]@wmglegal.com.au)>

www.wmglegal.com.au

BEWARE OF SCAMMERS:

A sophisticated email scam is targeting law firms and their clients. We have been advised that scammers have intercepted emails with bank account details so they can substitute their own account number. If you have received an email purporting to be from us with our Bank Account details for the transfer of funds, please confirm these details with us first by contacting the lawyer in charge of this matter by telephone before purporting to make any transfer or deposit of funds into our Bank Account. Otherwise, we accept no responsibility for any loss or damage arising from any electronic transfers or deposits made by you that are not received into our Bank Account.

Our ref: 8983
Your ref:

22 January 2020

[Redacted]

By email only: [Redacted]

Dear [Redacted]

Enrolment at Brindabella Christian College

We refer to our letter dated 17 January 2020.

In regard to your email enquiry to the School on 19 January 2020 seeking confirmation in respect of the letter dated 17 January 2020: We confirm the decision in the letter 17 January 2020 is the *joint decision* of the Board and the School Executive that includes the Principal.

Please be advised that the School will not engage further in respect of this matter.

Yours faithfully
WMG Legal
By his employed solicitor [Redacted]
Steven Gavagna
Email: [Redacted]@wmglegal.com.au

ADDRESS
Suite 4, 75 Gozzard Street
Gungahlin ACT 2912
POSTAL
PO Box 3
Gungahlin ACT 2912
PHONE
02 6253 9766
FAX
02 6253 9788
EMAIL
office@wmglegal.com.au
WEB
www.wmglegal.com.au

From: smartforms@act.gov.au

Sent: 12/12/2019 2:23 PM

To: [REDACTED]@bcc.act.edu.au" [REDACTED]@bcc.act.edu.au>

Cc: "Worksafe Notices" <WorksafeNotices@act.gov.au>

Subject: Workplace Visit Report Combined, BRINDABELLA CHRISTIAN EDUCATION LIMITED, 32WTC6

Attachments: Notice 1.pdf, Notice 2.pdf, Notice 3.pdf, Notice 4.pdf, Notice 5.pdf, Notice 6.pdf, 20191212-WPV-P39355-VMFEBE-190724-002402-BRINDABELLA CHRISTIAN EDUCATION LIMITED-136 Brigalow Street Lyneham 2602.pdf



WORKPLACE VISIT REPORT COMBINED

Please see attached PDFs to view a copy of your Workplace Visit report and issued notices.

Inspection number	WPV-P39355-VMFEBE
Lead inspector	Andrew Woolgar
Company name	BRINDABELLA CHRISTIAN EDUCATION LIMITED
Submission ID	20191212143142
Tracking number	32WTC6

For any further information please contact WorkSafe on:

Telephone: [\(02\) 6207 3000](tel:(02)62073000)

Facsimile: [\(02\) 6205 0336](tel:(02)62050336)

Email: worksafe@act.gov.au

You also contact WorkSafe through the Access Canberra [WorkSafe ACT Report online form](#).

ACT Government

Note: Please do not reply to this auto-generated email.



ACT
Government

Access
Canberra.

WORKSAFEACT

Improvement Notice

This is an Improvement Notice issued under section 191 of the Work Health and Safety Act 2011.

Issued by Inspector

Andrew Woolgar

Inspector ID number

P39355

Notice Number

IN-W-P39355-VMFEBE-1

To whom this notice is issued *

Company

Individual

Directorate

Name of individual *

BRINDABELLA CHRISTIAN EDUCATION LIMITED

ABN

21100229669

Individual address

Address line 1 *

136 Brigalow Street

Address line 2

Suburb *

Lyneham

State *

ACT

Postcode *

2602

Site/Workplace

Address line 1 *

136 Brigalow Street

Address line 2

Suburb *

LYNEHAM

State

ACT

Postcode *

2602

Method of service (s209)

Personal

Email/Fax

Served on *

[Redacted]

Date of issue *

12 Dec 2019

Location within address of workplace

The inspector believes the person -

(a) is contravening a provision of this Act; or

(b) has contravened a provision in circumstances that make it likely that the contravention will continue or be repeated;

and

The provision that the inspector believes is being, or has been contravened is

Type of legislation *

Work Health and Safety Act 2011

Work Health and Safety Regulation 2011

Dangerous Substances Act 2004

Dangerous Substances (General) Regulation 2004

Section/s

19 & 19(2)

Briefly, how the provision is being, or has been, contravened

Brindabella Christian Education Limited, trading as Brindabella Christian College is a PCBU, as per WHS Act 2011 S19 and S19(2) who on review of their Workplace Risk Management policies and procedures do not identify and manage the hazards to workers and others who are put at risk from their work activity.

The date by which you are required to remedy the contravention or likely contravention

The day stated for compliance with the improvement notice must be reasonable in all circumstances.

Date *

06 Mar 2020

This Notice may include directions concerning the measures to be taken to remedy the contravention or prevent the likely contravention, or matters or activities causing the contravention or likely contravention to which the notice relates. The inspector directs you to;

Brindabella Christian Education Limited, trading as Brindabella Christian College must develop hazard identification program, and document and implement a risk management strategy for these identified hazards.

The inspector recommends that you:

Guidance can be sought from Work Health and Safety (How to Manage Work Health and Safety Risks) Code of Practice 2011

Improvement Notice issued under section 191 of the Work Health and Safety Act 2011 - further information

If you have any questions you may contact the inspector who issued this notice.

Display of Notices

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice (s 210(1)). A person must not intentionally remove, destroy, damage or deface a notice displayed under s 210(1) while the notice is in force (s 210(2)). The maximum penalty for failing to comply with these provisions is \$5,000 for an individual or \$25,000 for a corporation.

Compliance with direction or notice

The person to whom a improvement notice is issued must comply with the notice (s197). The maximum penalty for failing to comply with this requirement is \$100,000 for an individual or \$500,000 for a corporation.

Regulator may carry out action

If a person to whom a improvement notice is issued fails to take reasonable steps to comply with the notice, and after giving written notice of its intentions and the person's liability for the costs, the regulator (WorkSafe ACT) may take any remedial action it believes reasonable to make the workplace or situation safe (s 211). The regulator may then recover the reasonable costs of taking this remedial action (s213).

Contents of Notice

This Notice may state one or more of the following: (a) a workplace, or part of a workplace, at which the activity is not to be carried out; (b) anything that is not to be used in connection with the activity; (c) any procedure that is not to be followed in connection with the activity (s196(3)).

Directions and recommendations

A direction may refer to a code of practice and may offer the person a choice of ways in which to remedy the contravention (s 204). A improvement notice may include recommendations. It is not an offence to fail to comply with recommendations in a notice (s205).

Changes to notice by inspector

An inspector may make minor changes to a notice for clarification, to correct errors or references, or to reflect changes of address or other circumstances (s206).

Privacy statement

Access Canberra may obtain personal information about you in connection with this notice. The information may be collected and stored using the powers, and to carry out functions or activities, under the *Work Health and Safety Act 2011* and related work safety laws. Under that Act, the information can be disclosed to other ACT Government agencies or non-government organisations, and other Australian work safety enforcement agencies.

Access Canberra is obliged to handle your information openly, transparently and in accordance with the Territory Privacy Principles set out in the *Information Privacy Act 2014*. For more information about how Access Canberra will collect, use, share, and store your personal information and how you can access and correct the information, please see the Access Canberra Privacy Statement at www.act.gov.au/privacy.

Review of this *Work Health and Safety Act* notice

If you have any questions or need more information you may contact the inspector who issued this notice, or email worksafe@act.gov.au.

You, or another person whose interests are affected by the decision, may apply for an internal review of the decision to issue this notice.

A review may be sought within 14 days. You may also make an application for the reviewer to stay the operation of the improvement notice.

Please ensure you include the notice number in your application for a review, together with the applicant's name and address, and the reason you are seeking the review.

An application for a review can be made in writing to: The Director-General, WorkSafe ACT, GPO Box 158 Canberra City ACT 2601 or by email: worksafe@act.gov.au

You may then seek a review of an internal reviewer's decision in the ACT Civil and Administrative Tribunal (ACAT). Information about that process can be found at www.acat.act.gov.au.

The decision to issue this notice is also reviewable under the *Administrative Decisions (Judicial Review) Act 1989* on application to the ACT Supreme Court. Further, a person may make a complaint to the ACT Ombudsman about the issue of this notice.

WorkSafe ACT contact details

PO Box 158, Canberra, ACT 2601

Email: worksafe@act.gov.au

Phone:(02) 6207 3000

Fax:(02) 6205 0336.

Translating and Interpreting Service

Phone: 131 450



ACT
Government

Access
Canberra.

WORKSAFE ACT

Improvement Notice

This is an Improvement Notice issued under section 191 of the Work Health and Safety Act 2011.

Issued by Inspector

Inspector ID number

Notice Number

Andrew Woolgar

P39355

IN-W-P39355-VMFEBE-2

To whom this notice is issued *

Company Individual Directorate

Name of individual *

ABN

BRINDABELLA CHRISTIAN EDUCATION LIMITED

21100229669

Individual address

Address line 1 *

136 Brigalow Street

Address line 2

Suburb *

State *

Postcode *

Lyneham

ACT

2602

Site/Workplace

Address line 1 *

136 Brigalow Street

Address line 2

Suburb *

State

Postcode *

LYNEHAM

ACT

2602

Method of service (s209)

Personal Email/Fax

Served on *

Date of issue *

12 Dec 2019

Location within address of workplace

The inspector believes the person -

(a) is contravening a provision of this Act; or

(b) has contravened a provision in circumstances that make it likely that the contravention will continue or be repeated;

and

The provision that the inspector believes is being, or has been contravened is

Type of legislation *

Work Health and Safety Act 2011 Work Health and Safety Regulation 2011 Dangerous Substances Act 2004 Dangerous Substances (General) Regulation 2004

Section/s

19(3)(c)

Briefly, how the provision is being, or has been, contravened

Brindabella Christian Education Limited, trading as Brindabella Christian College is a PCBU, as per WHS Act 2011 S19(3)(c) who on review of their Workplace Bullying and Violence Policy and Work Health and Safety Policy do not have a safe system of work and policy for dealing, where appropriate with the relevant psychological hazards for workers and others who submit a complaint.

The date by which you are required to remedy the contravention or likely contravention

The day stated for compliance with the improvement notice must be reasonable in all circumstances.

Date *

06 Mar 2020

This Notice may include directions concerning the measures to be taken to remedy the contravention or prevent the likely contravention, or matters or activities causing the contravention or likely contravention to which the notice relates. The inspector directs you to;

Brindabella Christian Education Limited, trading as Brindabella Christian College must develop and implement a safe system of work for dealing with relevant psychological hazards for workers and others.

The inspector recommends that you:

Guidance can be sought from Work Health and Safety (How to Manage Work Health and Safety Risks) Code of Practice 2011

Improvement Notice issued under section 191 of the Work Health and Safety Act 2011 - further information

If you have any questions you may contact the inspector who issued this notice.

Display of Notices

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice (s 210(1)). A person must not intentionally remove, destroy, damage or deface a notice displayed under s 210(1) while the notice is in force (s 210(2)). The maximum penalty for failing to comply with these provisions is \$5,000 for an individual or \$25,000 for a corporation.

Compliance with direction or notice

The person to whom a improvement notice is issued must comply with the notice (s197). The maximum penalty for failing to comply with this requirement is \$100,000 for an individual or \$500,000 for a corporation.

Regulator may carry out action

If a person to whom a improvement notice is issued fails to take reasonable steps to comply with the notice, and after giving written notice of its intentions and the person's liability for the costs, the regulator (WorkSafe ACT) may take any remedial action it believes reasonable to make the workplace or situation safe (s 211). The regulator may then recover the reasonable costs of taking this remedial action (s213).

Contents of Notice

This Notice may state one or more of the following: (a) a workplace, or part of a workplace, at which the activity is not to be carried out; (b) anything that is not to be used in connection with the activity; (c) any procedure that is not to be followed in connection with the activity (s196(3)).

Directions and recommendations

A direction may refer to a code of practice and may offer the person a choice of ways in which to remedy the contravention (s 204). A improvement notice may include recommendations. It is not an offence to fail to comply with recommendations in a notice (s205).

Changes to notice by inspector

An inspector may make minor changes to a notice for clarification, to correct errors or references, or to reflect changes of address or other circumstances (s206).

Privacy statement

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Review of this *Work Health and Safety Act* notice

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You, or another person whose interests are affected by the decision, may apply for an internal review of the decision to issue this notice.

A review may be sought within 14 days. You may also make an application for the reviewer to stay the operation of the improvement notice.

Please ensure you include the notice number in your application for a review, together with the applicant's name and address, and the reason you are seeking the review.

An application for a review can be made in writing to: The Director-General, WorkSafe ACT, GPO Box 158 Canberra City ACT 2601 or by email: worksafe@act.gov.au

You may then seek a review of an internal reviewer's decision in the ACT Civil and Administrative Tribunal (ACAT). Information about that process can be found at www.acat.act.gov.au.

The decision to issue this notice is also reviewable under the *Administrative Decisions (Judicial Review) Act 1989* on application to the ACT Supreme Court. Further, a person may make a complaint to the ACT Ombudsman about the issue of this notice.

WorkSafe ACT contact details

PO Box 158, Canberra, ACT 2601

Email: worksafe@act.gov.au

Phone:(02) 6207 3000

Fax:(02) 6205 0336.

Translating and Interpreting Service

Phone: 131 450



ACT
Government

Access
Canberra.

WORKSAFE ACT

Improvement Notice

This is an Improvement Notice issued under section 191 of the Work Health and Safety Act 2011.

Issued by Inspector

Inspector ID number

Notice Number

Andrew Woolgar

P39355

IN-W-P39355-VMFEBE-3

To whom this notice is issued *

Company

Individual

Directorate

Name of individual *

ABN

BRINDABELLA CHRISTIAN EDUCATION LIMITED

21100229669

Individual address

Address line 1 *

136 Brigalow Street

Address line 2

Suburb *

State *

Postcode *

Lyneham

ACT

2602

Site/Workplace

Address line 1 *

136 Brigalow Street

Address line 2

Suburb *

State

Postcode *

LYNEHAM

ACT

2602

Method of service (s209)

Personal

Email/Fax

Served on *

Date of issue *

12 Dec 2019

Location within address of workplace

The inspector believes the person -

(a) is contravening a provision of this Act; or

(b) has contravened a provision in circumstances that make it likely that the contravention will continue or be repeated;

and

The provision that the inspector believes is being, or has been contravened is

Type of legislation *

Work Health and Safety Act 2011

Work Health and Safety Regulation 2011

Dangerous Substances Act 2004

Dangerous Substances (General) Regulation 2004

Section/s

19(3)(c)

Briefly, how the provision is being, or has been, contravened

Brindabella Christian Education Limited, trading as Brindabella Christian College is a PCBU, as per WHS Act 2011 S19(3)(c) who on investigations of their Workplace Bullying and Violence Policy do not have a safe system of work and policy for investigating bullying and harassment complaints against the different levels of the Brindabella Christian College management structure.

The date by which you are required to remedy the contravention or likely contravention

The day stated for compliance with the improvement notice must be reasonable in all circumstances.

Date *

06 Mar 2020

This Notice may include directions concerning the measures to be taken to remedy the contravention or prevent the likely contravention, or matters or activities causing the contravention or likely contravention to which the notice relates. The inspector directs you to;

Brindabella Christian Education Limited, trading as Brindabella Christian College must develop and implement a safe system of work for investigating bullying and harassment complaints against the different levels of the Brindabella Christian College management structure.

The inspector recommends that you:

Guidance can be sought from Work Health and Safety (How to Manage Work Health and Safety Risks) Code of Practice 2011

Improvement Notice issued under section 191 of the Work Health and Safety Act 2011 - further information

If you have any questions you may contact the inspector who issued this notice.

Display of Notices

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice (s 210(1)). A person must not intentionally remove, destroy, damage or deface a notice displayed under s 210(1) while the notice is in force (s 210(2)). The maximum penalty for failing to comply with these provisions is \$5,000 for an individual or \$25,000 for a corporation.

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Regulator may carry out action

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Contents of Notice

This Notice may state one or more of the following: (a) a workplace, or part of a workplace, at which the activity is not to be carried out; (b) anything that is not to be used in connection with the activity; (c) any procedure that is not to be followed in connection with the activity (s196(3)).

Directions and recommendations

A direction may refer to a code of practice and may offer the person a choice of ways in which to remedy the contravention (s 204). A improvement notice may include recommendations. It is not an offence to fail to comply with recommendations in a notice (s205).

Changes to notice by inspector

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Review of this *Work Health and Safety Act* notice

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You, or another person whose interests are affected by the decision, may apply for an internal review of the decision to issue this notice.

A review may be sought within 14 days. You may also make an application for the reviewer to stay the operation of the improvement notice.

Please ensure you include the notice number in your application for a review, together with the applicant's name and address, and the reason you are seeking the review.

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WorkSafe ACT contact details

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Email: worksafe@act.gov.au

Phone:(02) 6207 3000

Fax:(02) 6205 0336.

Translating and Interpreting Service

Phone: 131 450



Improvement Notice

This is an Improvement Notice issued under section 191 of the Work Health and Safety Act 2011.

Issued by Inspector

Andrew Woolgar

Inspector ID number

P39355

Notice Number

IN-W-P39355-VMFEBE-4

To whom this notice is issued *

Company

Individual

Directorate

Name of individual *

BRINDABELLA CHRISTIAN EDUCATION LIMITED

ABN

21100229669

Individual address

Address line 1 *

136 Brigalow Street

Address line 2

Suburb *

Lyneham

State *

ACT

Postcode *

2602

Site/Workplace

Address line 1 *

136 Brigalow Street

Address line 2

Suburb *

LYNEHAM

State

ACT

Postcode *

2602

Method of service (s209)

Personal

Served on *

[Redacted]

Email/Fax

Date of issue *

12 Dec 2019

Location within address of workplace

The inspector believes the person -

(a) is contravening a provision of this Act; or

(b) has contravened a provision in circumstances that make it likely that the contravention will continue or be repeated;

and

The provision that the inspector believes is being, or has been contravened is

Type of legislation *

Work Health and Safety Act 2011

Work Health and Safety Regulation 2011

Dangerous Substances Act 2004

Dangerous Substances (General) Regulation 2004

Section/s

39

Briefly, how the provision is being, or has been, contravened

Brindabella Christian Education Limited, trading as Brindabella Christian College is a PCBU, as per WHS Reg. S 39 workers and other person are exposed to a risk to their health and safety as the information, training and instruction provider to workers and other is unsuitable and inadequate to enable safely to workers and others.

The date by which you are required to remedy the contravention or likely contravention

The day stated for compliance with the improvement notice must be reasonable in all circumstances.

Date *

06 Mar 2020

This Notice may include directions concerning the measures to be taken to remedy the contravention or prevent the likely contravention, or matters or activities causing the contravention or likely contravention to which the notice relates. The inspector directs you to;

Brindabella Christian Education Limited, trading as Brindabella Christian College must ensure:

- the information, training and instruction provided to workers is suitable and adequate to enable work to be safely carried out.
- the nature of the work, nature of risks associated with the work and the control measures to be implemented are considered when providing information, training and instruction to workers
- the information, training and instruction provided to workers is readily understandable to enable the work is carried out safely.

The inspector recommends that you:

Guidance can be sought from Work Health and Safety (How to Manage Work Health and Safety Risks) Code of Practice 2011

Improvement Notice issued under section 191 of the Work Health and Safety Act 2011 - further information

If you have any questions you may contact the inspector who issued this notice.

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Review of this *Work Health and Safety Act* notice

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PO Box 158, Canberra, ACT 2601

Email: worksafe@act.gov.au

Phone:(02) 6207 3000

Fax:(02) 6205 0336.

Translating and Interpreting Service

Phone: 131 450



ACT
Government

Access
Canberra.

WORKSAFE ACT

Improvement Notice

This is an Improvement Notice issued under section 191 of the Work Health and Safety Act 2011.

Issued by Inspector

Inspector ID number

Notice Number

Andrew Woolgar

P39355

IN-W-P39355-VMFEBE-5

To whom this notice is issued *

Company

Individual

Directorate

Name of individual *

ABN

BRINDABELLA CHRISTIAN EDUCATION LIMITED

21100229669

Individual address

Address line 1 *

136 Brigalow Street

Address line 2

Suburb *

State *

Postcode *

Lyneham

ACT

2602

Site/Workplace

Address line 1 *

136 Brigalow Street

Address line 2

Suburb *

State

Postcode *

LYNEHAM

ACT

2602

Method of service (s209)

Personal

Email/Fax

Served on *

Date of issue *

12 Dec 2019

Location within address of workplace

The inspector believes the person -

(a) is contravening a provision of this Act; or

(b) has contravened a provision in circumstances that make it likely that the contravention will continue or be repeated;

and

The provision that the inspector believes is being, or has been contravened is

Type of legislation *

Work Health and Safety Act
2011

Work Health and Safety
Regulation 2011

Dangerous Substances Act
2004

Dangerous Substances
(General) Regulation 2004

Section/s

49

Briefly, how the provision is being, or has been, contravened

Brindabella Christian Education Limited, trading as Brindabella Christian College is a PCBU, as per WHS Act 2011 S49 has not so far as is reasonably practicable consulted with workers at the workplace about the revision of the Workplace Bullying and Violence Policy and Work Health and Safety Policy

The date by which you are required to remedy the contravention or likely contravention

The day stated for compliance with the improvement notice must be reasonable in all circumstances.

Date *

06 Mar 2020

This Notice may include directions concerning the measures to be taken to remedy the contravention or prevent the likely contravention, or matters or activities causing the contravention or likely contravention to which the notice relates. The inspector directs you to;

Brindabella Christian Education Limited, trading as Brindabella Christian College must so far as is reasonably practicable consult with workers at the workplace about development of relevant safety policies and procedures which is affecting, or has the potential to affect their health or safety.

The inspector recommends that you:

Guidance can be sought from Work Health and Safety (How to Manage Work Health and Safety Risks) Code of Practice 2011

Improvement Notice issued under section 191 of the Work Health and Safety Act 2011 - further information

If you have any questions you may contact the inspector who issued this notice.

Display of Notices

A person to whom a notice is issued must, as soon as possible, display a copy of the notice in a prominent place at or near the workplace, or part of the workplace, at which work is being carried out that is affected by the notice (s 210(1)). A person must not intentionally remove, destroy, damage or deface a notice displayed under s 210(1) while the notice is in force (s 210(2)). The maximum penalty for failing to comply with these provisions is \$5,000 for an individual or \$25,000 for a corporation.

Compliance with direction or notice

The person to whom a improvement notice is issued must comply with the notice (s197). The maximum penalty for failing to comply with this requirement is \$100,000 for an individual or \$500,000 for a corporation.

Regulator may carry out action

If a person to whom a improvement notice is issued fails to take reasonable steps to comply with the notice, and after giving written notice of its intentions and the person's liability for the costs, the regulator (WorkSafe ACT) may take any remedial action it believes reasonable to make the workplace or situation safe (s 211). The regulator may then recover the reasonable costs of taking this remedial action (s213).

Contents of Notice

This Notice may state one or more of the following: (a) a workplace, or part of a workplace, at which the activity is not to be carried out; (b) anything that is not to be used in connection with the activity; (c) any procedure that is not to be followed in connection with the activity (s196(3)).

Directions and recommendations

A direction may refer to a code of practice and may offer the person a choice of ways in which to remedy the contravention (s 204). A improvement notice may include recommendations. It is not an offence to fail to comply with recommendations in a notice (s205).

Changes to notice by inspector

An inspector may make minor changes to a notice for clarification, to correct errors or references, or to reflect changes of address or other circumstances (s206).

Privacy statement

Access Canberra may obtain personal information about you in connection with this notice. The information may be collected and stored using the powers, and to carry out functions or activities, under the *Work Health and Safety Act 2011* and related work safety laws. Under that Act, the information can be disclosed to other ACT Government agencies or non-government organisations, and other Australian work safety enforcement agencies.

Access Canberra is obliged to handle your information openly, transparently and in accordance with the Territory Privacy Principles set out in the *Information Privacy Act 2014*. For more information about how Access Canberra will collect, use, share, and store your personal information and how you can access and correct the information, please see the Access Canberra Privacy Statement at www.act.gov.au/privacy.

Review of this *Work Health and Safety Act* notice

If you have any questions or need more information you may contact the inspector who issued this notice, or email worksafe@act.gov.au.

You, or another person whose interests are affected by the decision, may apply for an internal review of the decision to issue this notice.

A review may be sought within 14 days. You may also make an application for the reviewer to stay the operation of the improvement notice.

Please ensure you include the notice number in your application for a review, together with the applicant's name and address, and the reason you are seeking the review.

An application for a review can be made in writing to: The Director-General, WorkSafe ACT, GPO Box 158 Canberra City ACT 2601 or by email: worksafe@act.gov.au

You may then seek a review of an internal reviewer's decision in the ACT Civil and Administrative Tribunal (ACAT). Information about that process can be found at www.acat.act.gov.au.

The decision to issue this notice is also reviewable under the *Administrative Decisions (Judicial Review) Act 1989* on application to the ACT Supreme Court. Further, a person may make a complaint to the ACT Ombudsman about the issue of this notice.

WorkSafe ACT contact details

PO Box 158, Canberra, ACT 2601

Email: worksafe@act.gov.au

Phone:(02) 6207 3000

Fax:(02) 6205 0336.

Translating and Interpreting Service

Phone: 131 450



ACT
Government

Access
Canberra.

WORKSAFE ACT

Improvement Notice

This is an Improvement Notice issued under section 191 of the Work Health and Safety Act 2011.

Issued by Inspector

Inspector ID number

Notice Number

Andrew Woolgar

P39355

IN-W-P39355-VMFEBE-6

To whom this notice is issued *

Company

Individual

Directorate

Name of individual *

ABN

BRINDABELLA CHRISTIAN EDUCATION LIMITED

21100229669

Individual address

Address line 1 *

136 Brigalow Street

Address line 2

Suburb *

State *

Postcode *

Lyneham

ACT

2602

Site/Workplace

Address line 1 *

136 Brigalow Street

Address line 2

Suburb *

State

Postcode *

LYNEHAM

ACT

2602

Method of service (s209)

Personal

Email/Fax

Served on *

Date of issue *

12 Dec 2019

Location within address of workplace

The inspector believes the person -

(a) is contravening a provision of this Act; or

(b) has contravened a provision in circumstances that make it likely that the contravention will continue or be repeated;

and

The provision that the inspector believes is being, or has been contravened is

Type of legislation *

Work Health and Safety Act 2011

Work Health and Safety Regulation 2011

Dangerous Substances Act 2004

Dangerous Substances (General) Regulation 2004

Section/s

19(2)

Briefly, how the provision is being, or has been, contravened

Brindabella Christian Education Limited, trading as Brindabella Christian College is a PCBU, who as per WHS Act 2011 S 19(2) has not developed a safe system of work which outlines the positions and roles of Officers for the PCBU.

The date by which you are required to remedy the contravention or likely contravention

The day stated for compliance with the improvement notice must be reasonable in all circumstances.

Date *

06 Mar 2020

This Notice may include directions concerning the measures to be taken to remedy the contravention or prevent the likely contravention, or matters or activities causing the contravention or likely contravention to which the notice relates. The inspector directs you to;

Brindabella Christian Education Limited, trading as Brindabella Christian College is a PCBU must develop and implement a safe system of work which identifies and outlines how Officer(s) exercise due diligence to ensure the PCBU complies with their duty or obligation under the Work Health and Safety Act 2011

The inspector recommends that you:

Guidance can be sought from Work Health and Safety (How to Manage Work Health and Safety Risks) Code of Practice 2011

Improvement Notice issued under section 191 of the Work Health and Safety Act 2011 - further information

If you have any questions you may contact the inspector who issued this notice.

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Regulator may carry out action

If a person to whom a improvement notice is issued fails to take reasonable steps to comply with the notice, and after giving written notice of its intentions and the person's liability for the costs, the regulator (WorkSafe ACT) may take any remedial action it believes reasonable to make the workplace or situation safe (s 211). The regulator may then recover the reasonable costs of taking this remedial action (s213).

Contents of Notice

This Notice may state one or more of the following: (a) a workplace, or part of a workplace, at which the activity is not to be carried out; (b) anything that is not to be used in connection with the activity; (c) any procedure that is not to be followed in connection with the activity (s196(3)).

Directions and recommendations

A direction may refer to a code of practice and may offer the person a choice of ways in which to remedy the contravention (s 204). A improvement notice may include recommendations. It is not an offence to fail to comply with recommendations in a notice (s205).

Changes to notice by inspector

An inspector may make minor changes to a notice for clarification, to correct errors or references, or to reflect changes of address or other circumstances (s206).

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Access Canberra is obliged to handle your information openly, transparently and in accordance with the Territory Privacy Principles set out in the *Information Privacy Act 2014*. For more information about how Access Canberra will collect, use, share, and store your personal information and how you can access and correct the information, please see the Access Canberra Privacy Statement at www.act.gov.au/privacy.

Review of this *Work Health and Safety Act* notice

If you have any questions or need more information you may contact the inspector who issued this notice, or email worksafe@act.gov.au.

You, or another person whose interests are affected by the decision, may apply for an internal review of the decision to issue this notice.

A review may be sought within 14 days. You may also make an application for the reviewer to stay the operation of the improvement notice.

Please ensure you include the notice number in your application for a review, together with the applicant's name and address, and the reason you are seeking the review.

An application for a review can be made in writing to: The Director-General, WorkSafe ACT, GPO Box 158 Canberra City ACT 2601 or by email: worksafe@act.gov.au

You may then seek a review of an internal reviewer's decision in the ACT Civil and Administrative Tribunal (ACAT). Information about that process can be found at www.acat.act.gov.au.

The decision to issue this notice is also reviewable under the *Administrative Decisions (Judicial Review) Act 1989* on application to the ACT Supreme Court. Further, a person may make a complaint to the ACT Ombudsman about the issue of this notice.

WorkSafe ACT contact details

PO Box 158, Canberra, ACT 2601

Email: worksafe@act.gov.au

Phone:(02) 6207 3000

Fax:(02) 6205 0336.

Translating and Interpreting Service

Phone: 131 450

Name of individual or registered company *

BRINDABELLA CHRISTIAN EDUCATION LIMITED

ABN

21100229669

ACN

100229669

Business or trading name (if different)

Brindabella Christian Collegee

Registered company address

Address line 1 *

136 Brigalow Street

Address line 2

Suburb *

Lyneham

State *

ACT

Postcode *

2602

Contact name *

Contact number *

Email address *

@bcc.act.edu.au

Workers compensation

Is a compulsory Workers Compensation Policy maintained? *

- Yes
- No
- Not applicable

Details of inspection

Site/Workplace address

Same as registered address

Notification of entry to (as required by s164) *

- PCBU
- Manager
- Supervisor
- HSR
- Other
- N/A

Inspector notes

On the 07/11/2019 at 13:30 Assistant Director Davis and Wray and Inspector Woolgar met with Greg Zwajgenberg, Board Chairman, Brindabella Christian Education Limited T/A Brindabella Christian College and Brandon Major, Acting/ Chief Financial Officer, Brindabella Christian College (BCC). The following are notes on these discussions:

- Currently in the process of updating system for accessing and automatically updating BCC policies and procedures
 - o Which will include a reporting process to monitor when workers and staff have read these polies and procedures during induction and/or refresher training
 - o There will be an internal on-line complaint system which has automatic reporting and monitoring processes for complaint submission and investigation
 - There has been some consultation with the Health and Safety Committee regarding reviewing the current BCC policies and procedures
 - o The representatives on the Health and Safety Committee are made from the different work areas with BCC, and these representative self-nominate within their work areas
 - It is believed there has been no formal complaint submitted to BBC regarding bullying and harassment
 - o There has been a complaint submitted to Fair Work regarding bullying and harassment
- It was stated this claim was withdrawn by the complainant
- An assessment of the BCC Workplace Bullying and Violence Policy revealed:
 - o No record of workers/staff being inducted and/or trained in this policy
 - o No record of which workers/ staff had undertaken any refresher training in this policy
 - o Unable to outline what training has been provided to the Contact Officers
 - o Unable to outline the training provided to the officers who are tasked with undertaking any investigation under this policy
 - o Unable to outline the process for undertaking an investigation under this policy
 - o The policy was not displayed as required by the policy

The following documents were provided at this meeting:

- Work Health and Safety (Preventing and Responding to Bullying) Code of Practice 2012
- Who is an Officer? Safe Work Australia Guidance note
- Work Health and Safety consultation, cooperation and coordination Code of Practice May 2019

Organised to undertake another meeting on the 14/11/2019 at 13:30 between WorkSafe ACT Officers and relevant workers and staff of BCC who have more knowledge of the implementation, and reviewing and updating the current and future BCC policies and procedures

Further action

Further action required? *

Yes No

Previous notice/s issued?

Yes No

Finalisation details

Photos

Other attachments (documents)

WPV for asbestos related issue *

Yes No

Industry group *

Education and Training

Compliant at initial proactive inspection? *

Yes No

Time finished *

15:30

Disclaimer:

The issues identified during this Inspection are only indicative of compliance with the Work Health and Safety Act 2011, Work Health and Safety Regulation 2011, Dangerous Substance Act 2004 and Workers Compensation Act 1951 on the date of the Inspection. If compliance is identified during this Inspection, it does not remove the obligation of any person to comply with any further requirement of the above mentioned Acts and Regulations.

Lead inspector email address *

Andrew.Woolgar@act.gov.au

How many other email addresses would you like to send this to? *

1

Email 1 *

[REDACTED]@bcc.act.edu.au

Privacy notice

The information collected for the purpose of the Work Health and Safety Act 2011 and is in accordance with the Information Privacy Act 2014. WorkSafe ACT prevents any unreasonable intrusion into person's privacy in accordance with the Privacy Act 1988 (C'With) and Information Privacy Act 2014. WorkSafe ACT provides identifiable information which can be disclosed to other law enforcement agencies and authorised organisations that have legal authority to request information under prescribed circumstances.

Initial information

Type of report *

Workplace Visit

Inspector ID *

P39355

Inspection number

WPV-P39355-VMFEBE

Event number

190724-002402

Lead inspector *

Andrew Woolgar

Is there any accompanying inspectors *

Yes

No

Item Number 1

Accompanying inspector/Other *

Matt Davis

Date *

12 Dec 2019

Time commenced *

10:00

Type of WPV *

Proactive

Reactive

Purpose of WPV *

Complaint

Legislation *

Work Health and Safety Act 2011

Is this a joint inspection? *

Yes

No

Name of individual or registered company *

Other

Name of individual or registered company *

BRINDABELLA CHRISTIAN EDUCATION LIMITED

ABN

21100229669

ACN

Business or trading name (if different)

Brinabella Christian College

Registered company address

Address line 1 *

136 Brigalow Street

Address line 2

Suburb *

Lyneham

State *

ACT

Postcode *

2602

Contact name *

Contact number *

Email address *

@bcc.act.edu.au

Workers compensation

Is a compulsory Workers Compensation Policy maintained? *

- Yes
- No
- Not applicable

Details of inspection

Site/Workplace address

Same as registered address

Notification of entry to (as required by s164) *

- PCBU
- Manager
- Supervisor
- HSR
- Other
- N/A

Inspector notes

On the 14 Nov 2019 Davis and Woolgar met with Power, Jones and Major to view and work through the process of access to relevant Brindabella Christian College's (BCC) WHS policies and procedures on the internal computer system. Observation and discussion revealed:

- Workers and others can access and use the BCC Complaint form if they wish to complaint against any worker or the Board
- Complaint form once submitted is internally tracked by the Senior Leadership Team, no process to document this could be shown/provided. The document, Internal Complaints, that was sighted referenced other documents (Investigations), BCC staff were not able to demonstrate to inspectors that these documents existed.
- Complaint is linked to the Complaint Register; BCC staff were not able to demonstrate to inspectors that these documents existed.
- There is the option to use Piecewise (External provider currently in place) for negotiation on complaints, there is no documented process to support this.
- There has been one complaint submitted by a staff member against a contractor.
- Outlined the system for dealing with complaints through negotiation with agreed outcomes, could not demonstrate a documented system to support this.
- In the process of employing a new WHS Consultant.
- There is no register of the training provided to staff.
- o Staff training is provided but it is not recorded, no records were available.

Early Learning Centre has an induction program for new staff, ELC has very robust WHS Systems in place, inspectors recommended they could leverage of these WHS systems for the rest of the school.

- Inspectors discussed the possible enforcement action.

BCC has some WHS processes in place and the engagement of a WHS Consultant is supported. There is room for improvement in the overall WHS Management System, specifically Management of Risks including psychosocial hazards, Bullying and Harassment complaint management, information training and instruction, consultation with workers and clear accountabilities and responsibilities of duty holders.

On the 12/12/2019 at 10:00 met with Greg Zwajgenberg, Board Chairman, Brindabella Christian Education Limited T/A BCC, Brenton Major, A/ Chief Financial Officer/ Brindabella Christian Education Limited Secretary and Suzanne Power, Principal BCC, Bede Gahan, Lawyer HWL EBSWORTH, Steven Gavagna, Special Counsel WMG Lega to discuss the Improvement Notices which are being issued. The following Improvement Notices are to assist BBC prioritise their resources as they improve the WHS Management System:

1. WHS Act 2011 S19 and S19(2) - must develop hazard identification program, document and implement a risk management strategy for identified hazards.
2. WHS Act 2011 S19(3)(c) - must develop and implement a safe system of work for dealing with relevant psychological hazards for workers and others.
3. WHS Act 2011 S19(3)(c) - must develop and implement a safe system of work for investigating bullying and harassment complaints against the different levels of the Brindabella Christian College management structure.
4. WHS Reg. S 39 - must ensure:
 - the information, training and instruction provided to workers is suitable and adequate to enable work to be safely carried out.
 - the nature of the work, nature of risks associated with the work and the control measures to be implemented are considered when providing information, training and instruction to workers.
 - the information, training and instruction provided to workers is readily understandable to enable the work is carried out safely.
5. WHS Act 2011 S49 - must so far as is reasonably practicable consult with workers at the workplace about development of relevant safety policies and procedures which is affecting or has the potential to affect their health or safety.
6. WHS Act 2011 S 19(2) - must developed and implement a safe system of work which identifies and outlines how Officer(s) exercise due diligence to ensure the PCBU complies with their duty or obligation under the Work Health and Safety Act 2011.

Further action

Further action required? *

- Yes No

Further inspections required? *

Yes

No

Selecting 'Yes' to the above question will cause a revisit task to be created in your task list

Notices issued *

Yes

No

Type of notices *

Improvement

Prohibition

Infringement

Other

Previous notice/s issued?

Yes

No

From: "Jones, Greg" <Greg.Jones@act.gov.au>

Sent: 13/12/2019 6:46 AM

To: "Curtin, Daniel" <Daniel.Curtin@act.gov.au>; "Alford, Robert" <Robert.Alford@act.gov.au>; "Davis, MattE" <MattE.Davis@act.gov.au>; "Woolgar, Andrew" <Andrew.Woolgar@act.gov.au>; "Eri, Jeanne" <Jeanne.Eri@act.gov.au>

Subject: FW: WorkSafe ACT Action Notice: Improvement Notices issued: Brindabella Christian College

UNCLASSIFIED

Hi everyone

This went out late this afternoon (Friday).

Canberra Times will run it tonight or tomorrow (Sat). Further articles on other matters at the College will come next week.

Regards

Greg

From: CMTEDDMedia <CMTEDDMedia@act.gov.au>

Sent: Friday, 13 December 2019 4:13 PM

Subject: WorkSafe ACT Action Notice: Improvement Notices issued: Brindabella Christian College

UNCLASSIFIED

WORKSAFEACT

ACTION NOTICE



Improvement Notices issued: Brindabella Christian College

WorkSafe ACT has issued six Improvement Notices to Brindabella Christian College through the *Work Health and Safety* Act 2011. The Notices and action taken does not relate to student safety.

The notices which were issued on 12 December 2019 relate to the development and documentation of work health and safety systems as required under the Work Health and Safety legislation.

The Notices cover the development and documentation of processes and procedures including:

- risk assessments for hazard identification, incorporating psychological hazards such as bullying and harassment
- methodology for investigating complaints
- ensuring appropriate training and instruction is available for workers
- consulting workers on the development of policies and procedures, and
- having systems in place to ensure officers exercise appropriate due diligence.

The College is required to demonstrate completion of all Notices by early March 2020.

WorkSafe ACT will continue to work with the College during this process.

As this matter is ongoing, no additional comment will be provided at this time.

Media contact:

CMTEDD Media

M 0466 937 557

E CMTEDDMedia@act.gov.au

✉ worksafe@act.gov.au
☎ 13 22 81

WORKSAFE ACT

From: "Davis, MattE" <MattE.Davis@act.gov.au> on behalf of "Worksafe Notices" <WorksafeNotices@act.gov.au>
Sent: 12/12/2019 5:09 AM
To: "Jones, Greg" <Greg.Jones@act.gov.au>; "Alford, Robert" <Robert.Alford@act.gov.au>; "Curtin, Daniel" <Daniel.Curtin@act.gov.au>
Cc: "Woolgar, Andrew" <Andrew.Woolgar@act.gov.au>
Subject: FW: Workplace Visit Report Combined, BRINDABELLA CHRISTIAN EDUCATION LIMITED, 32WTC6
Attachments: Notice 1.pdf, Notice 2.pdf, Notice 3.pdf, Notice 4.pdf, Notice 5.pdf, Notice 6.pdf, 20191212-WPV-P39355-VMFEBE-190724-002402-BRINDABELLA CHRISTIAN EDUCATION LIMITED-136 Brigalow Street Lyneham 2602.pdf

Hi Gents,

The Brindabella Christian College notices have been issued. Any questions let me know.

Cheers
Matt

From: smartforms@act.gov.au <smartforms@act.gov.au>
Sent: Thursday, 12 December 2019 2:23 PM
To: [REDACTED]@bcc.act.edu.au
Cc: Worksafe Notices <WorksafeNotices@act.gov.au>
Subject: Workplace Visit Report Combined, BRINDABELLA CHRISTIAN EDUCATION LIMITED, 32WTC6



WORKPLACE VISIT REPORT COMBINED

Please see attached PDFs to view a copy of your Workplace Visit report and issued notices.

Inspection number	WPV-P39355-VMFEBE
Lead inspector	Andrew Woolgar
Company name	BRINDABELLA CHRISTIAN EDUCATION LIMITED
Submission ID	20191212143142
Tracking number	32WTC6

For any further information please contact WorkSafe on:
Telephone: (02) 6207 3000
Facsimile: (02) 6205 0336

Email: worksafe@act.gov.au

You also contact WorkSafe through the Access Canberra [WorkSafe ACT Report online form](#).

ACT Government

Note: Please do not reply to this auto-generated email.

From:smartforms@act.gov.au

Sent:12/12/2019 2:23 PM

To:"Woolgar, Andrew" <Andrew.Woolgar@act.gov.au>

Cc:"Worksafe Notices" <WorksafeNotices@act.gov.au>

Subject:Workplace Visit Report Combined, BRINDABELLA CHRISTIAN EDUCATION LIMITED, 32WTC6

Attachments:Notice 1.pdf, Notice 2.pdf, Notice 3.pdf, Notice 4.pdf, Notice 5.pdf, Notice 6.pdf, 20191212-WPV-P39355-VMFEBE-190724-002402-BRINDABELLA CHRISTIAN EDUCATION LIMITED-136 Brigalow Street Lyneham 2602.pdf



WORKPLACE VISIT REPORT COMBINED

Please see attached PDFs to view a copy of your Workplace Visit report and issued notices.

Inspection number	WPV-P39355-VMFEBE
Lead inspector	Andrew Woolgar
Company name	BRINDABELLA CHRISTIAN EDUCATION LIMITED
Submission ID	20191212143142
Tracking number	32WTC6

For any further information please contact WorkSafe on:

Telephone: [\(02\) 6207 3000](tel:(02)62073000)

Facsimile: [\(02\) 6205 0336](tel:(02)62050336)

Email: worksafe@act.gov.au

You also contact WorkSafe through the Access Canberra [WorkSafe ACT Report online form](#).

ACT Government

Note: Please do not reply to this auto-generated email.

From: "Davis, MattE" <MattE.Davis@act.gov.au>
Sent: 12/12/2019 3:25 AM
To: "Woolgar, Andrew" <Andrew.Woolgar@act.gov.au>
Subject: FW: CONFIDENTIAL - Notices Issued to Brindabella Christian College

FYI.

From: Jones, Greg <Greg.Jones@act.gov.au>
Sent: Thursday, 12 December 2019 9:47 AM
To: Brighton, Meg <Meg.Brighton@act.gov.au>; Matthews, David <David.Matthews@act.gov.au>
Cc: Alford, Robert <Robert.Alford@act.gov.au>; Davis, MattE <MattE.Davis@act.gov.au>; Curtin, Daniel <Daniel.Curtin@act.gov.au>
Subject: CONFIDENTIAL - Notices Issued to Brindabella Christian College

UNCLASSIFIED Sensitive

Hi Meg, David

For your information, this morning WorkSafe has issued six Improvement Notices to Brindabella Christian College relating to developing and documenting risk assessment processes/procedures and implementing them.

The Notices are as follows:

1. WHS Act 2011 S19 and S19(2) - must develop hazard identification program, document and implement a risk management strategy for identified hazards.
2. WHS Act 2011 S19(3)(c) - must develop and implement a safe system of work for dealing with relevant psychological hazards for workers and others.
3. WHS Act 2011 S19(3)(c) - must develop and implement a safe system of work for investigating bullying and harassment complaints against the different levels of the Brindabella Christian College management structure.
4. WHS Reg. S 39 - must ensure:
 - the information, training and instruction provided to workers is suitable and adequate to enable work to be safely carried out.
 - the nature of the work, nature of risks associated with the work and the control measures to be implemented are considered when providing information, training and instruction to workers
 - the information, training and instruction provided to workers is readily understandable to enable the work is carried out safely.
5. WHS Act 2011 S49 - must so far as is reasonably practicable consult with workers at the workplace about development of relevant safety policies and procedures which is affecting, or has the potential to affect their health or safety.
6. WHS Act 2011 S 19(2) - must developed and implement a safe system of work which identifies and outlines how Officer(s) exercise due diligence to ensure the PCBU complies with their duty or obligation under the Work Health and Safety Act 2011.

The College has been provided several months to demonstrate completion of the Notices. WorkSafe will continue to work with the College during this process. We understand that the College may be engaging a consultant to assist them (this is a matter for the College).

Happy to discuss as necessary.

Regards

Greg

From: "Davis, MattE" <MattE.Davis@act.gov.au>

Sent: 11/12/2019 1:18 AM

To: "Alford, Robert" <Robert.Alford@act.gov.au>; "Curtin, Daniel" <Daniel.Curtin@act.gov.au>; "Jones, Greg" <Greg.Jones@act.gov.au>

Cc: "Woolgar, Andrew" <Andrew.Woolgar@act.gov.au>

Subject: FW: Brindabella Draft Notice wording - updated (002)

Attachments: Brindabella Draft Notice wording - updated (002).docx

Hi Gents,

Please find attached the draft IN for Brindabella Christian College (BCC), the intent is to issue QTY 6 notices to the CFO Wednesday 12 December 2109 @ 10:00 at the college. The PCBU has been advised the notices are being issued. Notices are as follows:

1. WHS Act 2011 S19 and S19(2) - must develop hazard identification program, document and implement a risk management strategy for identified hazards.
2. WHS Act 2011 S19(3)(c) - must develop and implement a safe system of work for dealing with relevant psychological hazards for workers and others.
3. WHS Act 2011 S19(3)(c) - must develop and implement a safe system of work for investigating bullying and harassment complaints against the different levels of the Brindabella Christian College management structure.
4. WHS Reg. S 39 - must ensure:
 - the information, training and instruction provided to workers is suitable and adequate to enable work to be safely carried out.
 - the nature of the work, nature of risks associated with the work and the control measures to be implemented are considered when providing information, training and instruction to workers
 - the information, training and instruction provided to workers is readily understandable to enable the work is carried out safely.
5. WHS Act 2011 S49 - must so far as is reasonably practicable consult with workers at the workplace about development of relevant safety policies and procedures which is affecting, or has the potential to affect their health or safety.
6. WHS Act 2011 S 19(2) - must developed and implement a safe system of work which identifies and outlines how Officer(s) exercise due diligence to ensure the PCBU complies with their duty or obligation under the Work Health and Safety Act 2011.

The basis for belief was formed through an examination of documentation that BCC presented in response to questions about the risk management system that was currently in place, the parent document they produced referred to other documents that outlined the detailed procedures. BCC was unable to produce these detailed procedures, could not demonstrate they were in place or provide evidence that workers had been trained or consulted in the development of these detailed procedures.

BCC acknowledged that their system had deteriorated and was reliant of corporate knowledge. The Early Learning Child care Centre which has a functional WHS Management System is part of the college and the Principle/Deputy Principle have been advised to look at those procedures and consider implementing them in other areas of the college.

If you have any questions/concerns let me know, once the WPV/Notices are drafted there will no doubt be further adjustments to the wording before release.

Cheers
Matt

From: Davis, MattE

Sent: Tuesday, 10 December 2019 5:07 PM

To: Woolgar, Andrew <Andrew.Woolgar@act.gov.au>

Subject: Brindabella Draft Notice wording - updated (002)

Hi Andrew,

Minor changes, I moved a comma!

Lets get them loaded and released, Greg has had to release some media so the quicker we move the better.

Cheers

Matt

Brindabella Christian College

Recommend the following Enforcement Action against Brindabella Christian College due to:

- a. Brindabella Christian Education Limited, trading as Brindabella Christian College is a PCBU, as per WHS Act 2011 S19 and S19(2) who on investigations of their Workplace Risk Management policies and procedures do not identify and manage the hazards to workers and others who are put at risk from their work activity
 - i. Brindabella Christian Education Limited, trading as Brindabella Christian College must develop hazard identification program, and document and implement a risk management strategy for these identified hazards
- b. Brindabella Christian Education Limited, trading as Brindabella Christian College is a PCBU, as per WHS Act 2011 S19(3)(c) who on investigations of their Workplace Bullying and Violence Policy and Work Health and Safety Policy do not have a safe system of work and policy for dealing, were appropriate with the relevant psychological hazards for workers and others who submits a complaint
 - i. Brindabella Christian Education Limited, trading as Brindabella Christian College must develop and implement a safe system of work for dealing with relevant psychological hazards for workers and others
- c. Brindabella Christian Education Limited, trading as Brindabella Christian College is a PCBU, as per WHS Act 2011 S19(3)(c) who on investigations of their Workplace Bullying and Violence Policy do not have a safe system of work and policy for investigating bullying and harassment complaints against the different levels of the Brindabella Christian College management structure
 - i. Brindabella Christian Education Limited, trading as Brindabella Christian College must develop and implement a safe system of work for investigating bullying and harassment complaints against the different levels of the Brindabella Christian College management structure
- d. Brindabella Christian Education Limited, trading as Brindabella Christian College is a PCBU, as per WHS Reg. S 39 workers and other person are exposed to a risk to their health and safety as the information, training and instruction provider to workers and other is unsuitable and inadequate to enable safely to workers and others
 - i. Brindabella Christian Education Limited, trading as Brindabella Christian College must ensure:
 - the information, training and instruction provided to workers is suitable and adequate to enable work to be safely carried out.
 - the nature of the work, nature of risks associated with the work and the control measures to be implemented are considered when providing information, training and instruction to workers
 - the information, training and instruction provided to workers is readily understandable to enable the work is carried out safely.
- e. Brindabella Christian Education Limited, trading as Brindabella Christian College is a PCBU, as per WHS Act 2011 S49 has not so far as is reasonably practicable consulted with workers at the workplace about the revision of the Workplace Bullying and Violence Policy and Work Health and Safety Policy
 - i. Brindabella Christian Education Limited, trading as Brindabella Christian College must so far as is reasonably practicable consult with workers at the workplace about development of relevant safety policies and procedures which is affecting, or has the potential to affect their health or safety.

- f. Brindabella Christian Education Limited, trading as Brindabella Christian College is a PCBU, who as per WHS Act 2011 S 19(2) has not developed a safe system of work which outlines the positions and roles of Officers for the PCBU.
 - i. Brindabella Christian Education Limited, trading as Brindabella Christian College is a PCBU must developed and implement a safe system of work which identifies and outlines how Officer(s) exercise due diligence to ensure the PCBU complies with their duty or obligation under the Work Health and Safety Act 2011

From:"Davis, MattE" <MattE.Davis@act.gov.au>
Sent:10/12/2019 6:07 AM
To:"Woolgar, Andrew" <Andrew.Woolgar@act.gov.au>
Subject:Brindabella Draft Notice wording - updated (002)
Attachments:Brindabella Draft Notice wording - updated (002).docx

Hi Andrew,

Minor changes, I moved a comma!

Lets get them loaded and released, Greg has had to release some media so the quicker we move the better.

Cheers
Matt

From: "Jones, Greg" <Greg.Jones@act.gov.au>
Sent: 10/12/2019 4:49 AM
To: "Davis, MattE" <MattE.Davis@act.gov.au>; "Alford, Robert" <Robert.Alford@act.gov.au>
Cc: "Woolgar, Andrew" <Andrew.Woolgar@act.gov.au>
Subject: RE: FOR URGENT REVIEW: follow-up on Brindabella

UNCLASSIFIED

Thanks Matt

The impression I get is that the story will run in the next few days – say, by the end of the week (depending on what else happens – bushfires etc).

Regards

Greg

From: Davis, MattE <MattE.Davis@act.gov.au>
Sent: Tuesday, 10 December 2019 3:32 PM
To: Jones, Greg <Greg.Jones@act.gov.au>; Alford, Robert <Robert.Alford@act.gov.au>
Cc: Woolgar, Andrew <Andrew.Woolgar@act.gov.au>
Subject: RE: FOR URGENT REVIEW: follow-up on Brindabella

Hi Greg,

I think that is fine, Andrew is arranging a meeting with the school for this week but I'll get him to bring it forward, we will emphasise we are investigating WHS systems, not individual people or cases and issue notices at the same time.

Do you know when the story runs?

Cheers
Matt

From: Jones, Greg <Greg.Jones@act.gov.au>
Sent: Tuesday, 10 December 2019 3:24 PM
To: Davis, MattE <MattE.Davis@act.gov.au>; Alford, Robert <Robert.Alford@act.gov.au>
Subject: RE: FOR URGENT REVIEW: follow-up on Brindabella

UNCLASSIFIED

Hi Matt

Our original responses back in September are earlier in the e-mail sequence, my suggested response (in blue) is immediately below.

Is Worksafe formally investigating?

WorkSafe ACT is investigating compliance with the *Work Health and Safety Act 2011* in relation to bullying of staff at the school. WorkSafe continues to work closely with the Brindabella Christian College management.

If yes, what is the scope of the investigation? If no, why not?

WorkSafe ACT has a focus on ensuring all workplaces are safe and healthy including being free from bullying and harassment. WorkSafe has a primary role of ensuring businesses comply with Work Health and Safety legislation and that employers protect their workers by taking their responsibilities seriously. WorkSafe engages with businesses including providing information on how to be compliant with their statutory responsibilities. It also takes regulatory action where it is appropriate to do so, such as if there is serious or significant legislative breaches.

Has Worksafe spoken to staff, families or senior management?

WorkSafe's inquiries are on-going and will involve engagement with all necessary stakeholders as part of its conduct.

Your comments would be appreciated.

Regards

Greg

From: Pretorius, Dion <Dion.Pretorius@act.gov.au>
Sent: Tuesday, 10 December 2019 2:07 PM
To: Jones, Greg <Greg.Jones@act.gov.au>
Cc: Francis, Michelle <Michelle.Francis@act.gov.au>
Subject: FOR URGENT REVIEW: follow-up on Brindabella
Importance: High

UNCLASSIFIED

Hi Greg,

The journalist has asked whether our previous response (sent in late September) still stands. My instinct is yes, but I thought I'd double check.

Is Worksafe formally investigating?

YES . The investigation relates to allegations made to WorkSafe ACT in relation to bullying of staff at the school. WorkSafe's investigation into these allegations is on-going and includes working closely with the Brindabella Christian College management.

If yes, what is the scope of the investigation? If no, why not?

WorkSafe ACT has a focus on ensuring all workplaces are safe and healthy including being free from bullying and harassment. WorkSafe has a primary role of ensuring businesses comply with Work Health and Safety legislation and that employers protect their workers by taking their responsibilities seriously. WorkSafe engages with businesses including providing information on how to be compliant with their statutory responsibilities. It also takes regulatory action where it is appropriate to do so, such as if there is serious or significant legislative breaches.

Has Worksafe spoken to staff, families or senior management?

WorkSafe's investigation is on-going and will involve engagement with all necessary stakeholders as part of its conduct.

All the best,
Dion

Dion Pretorius | Content Director
E: dion.pretorius@act.gov.au | (02) 6207 6130

24/7 CMTEDD Media Line: 0466 937 557

Communications and Engagement | Chief Minister, Treasury and Economic Development Directorate

ACT Government

Level 5, Canberra Nara Centre, 1 Constitution Avenue, Canberra City | GPO Box 158 Canberra City ACT 2601 | www.act.gov.au



From: "Davis, MattE" <MattE.Davis@act.gov.au>
Sent: 02/12/2019 2:05 AM
To: "Jones, Greg" <Greg.Jones@act.gov.au>; "Alford, Robert" <Robert.Alford@act.gov.au>; "Curtin, Daniel" <Daniel.Curtin@act.gov.au>
Cc: "Woolgar, Andrew" <Andrew.Woolgar@act.gov.au>
Subject: RE: MEDIA ENQUIRY (ABC) - Brindabella Christian College

Hi Greg,

"Inquiries are ongoing and there are no further updates."

I've purposely dropped the investigation phrase as it is not going in this direction, we have advised BCC this is the case. Notices have been drafted which will be presented to BCC at a meeting Andrew is scheduling for next week.

Cheers
Matt

Kind Regards
Matt

Matt Davis | Assistant Director - Workplace Safety Operations Team Manager
Phone: 02 6205 2618 | Mobile: 0481 904 324 | <mailto:matte.davis@act.gov.au>
Construction, Environment and Workplace Protection | Access Canberra | ACT Government
GPO Box 158 Canberra ACT 2601 | <http://www.act.gov.au/accesscbr>

From: Jones, Greg <Greg.Jones@act.gov.au>
Sent: Monday, 2 December 2019 12:46 PM
To: Davis, MattE <MattE.Davis@act.gov.au>; Alford, Robert <Robert.Alford@act.gov.au>; Curtin, Daniel <Daniel.Curtin@act.gov.au>
Subject: FW: MEDIA ENQUIRY (ABC) - Brindabella Christian College
Importance: High

UNCLASSIFIED

Hi Matt

I assume this matter is still on-going? See media enquiry below.

Regards

Greg

From: CMTEDDMedia <CMTEDDMedia@act.gov.au>
Sent: Monday, 2 December 2019 10:59 AM
To: Jones, Greg <Greg.Jones@act.gov.au>
Cc: Francis, Michelle <Michelle.Francis@act.gov.au>; CMTEDDMedia <CMTEDDMedia@act.gov.au>
Subject: MEDIA ENQUIRY (ABC) - Brindabella Christian College
Importance: High

UNCLASSIFIED

Good morning Greg,

The ABC have asked for any updates on the Brindabella College matter following our response to their enquiry in September – see below. If it is still ongoing, a simple one line should suffice: "Investigations are ongoing and there are no further updates."

All the best,
Dion

From: [REDACTED] <[REDACTED]@abc.net.au>
Sent: Monday, 2 December 2019 10:54 AM
To: CMTEDDMedia <CMTEDDMedia@act.gov.au>
Subject: RE: ABC: media inquiry

Hi Dion,

Just picking up this thread again. Has the investigation been completed? If yes, what was the result?

Thanks

Michael

From: CMTEDDMedia <CMTEDDMedia@act.gov.au>
Sent: Friday, 27 September 2019 9:56 AM
To: [REDACTED] <[REDACTED]@abc.net.au>; CMTEDDMedia <CMTEDDMedia@act.gov.au>
Subject: RE: ABC: media inquiry

UNCLASSIFIED

Morning [REDACTED]

Please find responses to your queries below:

1. Are you able to confirm the investigation and its scope?

The investigation relates to allegations made to WorkSafe ACT in relation to bullying of staff at the school. WorkSafe's investigation into these allegations is on-going and includes working closely with the Brindabella Christian College management.

2. Is WorkSafe concerned about the allegations coming out of the school?

WorkSafe ACT has a focus on ensuring all workplaces are safe and healthy including being free from bullying and harassment. WorkSafe has a primary role of ensuring businesses comply with Work Health and Safety legislation and that employers protect their workers by taking their responsibilities seriously. WorkSafe engages with businesses including providing information on how to be compliant with their statutory responsibilities. It also takes regulatory action where it is appropriate to do so, such as if there is serious or significant legislative breaches.

Thanks and all the best,
Dion

Dion Pretorius | Content Director

E: dion.pretorius@act.gov.au | 24/7 CMTEDD Media Line: 0466 937 557

Communications and Engagement | Chief Minister, Treasury and Economic Development Directorate

ACT Government

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From: "Woolgar, Andrew"

Sent: 29/08/2019 10:55 PM

To: "Davis, MattE" <MattE.Davis@act.gov.au>

Subject: Fwd: Concerns about treatment of employees at Brindabella Christian College [SEC=UNCLASSIFIED]

Attachments: Complaint re. Brindabella Christian College Schedule 2.2(a)(ii)

FYI

Andrew J WOOLGAR | Inspector | WorkSafe ACT

Phone: 02 620 73989 | Mobile: 0468 544 028 | Email: andrew.woolgar@act.gov.au

Access Canberra | Chief Minister Treasury and Economic Development Directorate | ACT Government

Dame Pattie Menzies House, 16 Challis St, Dickson | GPO Box 1908, Canberra ACT 2601 |

www.act.gov.au/accesssCBR

From: Mason, Greg (ACT WorkSafe) <Greg.Mason@act.gov.au>

Sent: Tuesday, August 27, 2019 12:40:50 PM

To: Woolgar, Andrew <Andrew.Woolgar@act.gov.au>

Subject: FW: Concerns about treatment of employees at Brindabella Christian College [SEC=UNCLASSIFIED]

Document as discussed

From: CMTEDD WorkSafe

Sent: Tuesday, 27 August 2019 9:39 AM

To: Mason, Greg (ACT WorkSafe) <Greg.Mason@act.gov.au>

Subject: FW: Concerns about treatment of employees at Brindabella Christian College [SEC=UNCLASSIFIED]

Good Morning Greg

For your action please.

Thanks.

Izzy

Schedule 2.2(a)(ii)

Schedule 2.2(a)(ii)

From: "Woolgar, Andrew"

Sent: 29/08/2019 10:55 PM

To: "Davis, MattE" <MattE.Davis@act.gov.au>

Cc: "Alford, Robert" <Robert.Alford@act.gov.au>

Subject: Fwd: Grievance Handling and Investigation Policy BCC [DLM=For-Official-Use-Only]

Matt

Seeking your advice on how to respond

Andrew J WOOLGAR | Inspector | WorkSafe ACT

Phone: 02 620 73989 | Mobile: 0468 544 028 | Email: andrew.woolgar@act.gov.au

Access Canberra | Chief Minister Treasury and Economic Development Directorate | ACT Government

Dame Pattie Menzies House, 16 Challis St, Dickson | GPO Box 1908, Canberra ACT 2601 |

www.act.gov.au/accesssCBR

From: [REDACTED] <[REDACTED]@bcc.act.edu.au>

Sent: Thursday, August 29, 2019 8:35 pm

To: Woolgar, Andrew

Subject: Re: Grievance Handling and Investigation Policy BCC [DLM=For-Official-Use-Only]

Andrew,

In a riotact article tonight (link below) it states " WorkSafe has confirmed that several workplace bullying claims have been approved for payouts this year. " I would be interested as to what payouts worksafe is referring to.

https://the-riotact.com/angry-brindabella-parents-call-on-education-minister-christian-schools-australia-for-help/320884?utm_medium=facebook&utm_source=ra

Regards,

[REDACTED]

From: [REDACTED] <[REDACTED]@bcc.act.edu.au>

Sent: Thursday, 29 August 2019 5:24:56 PM

To: Woolgar, Andrew <Andrew.Woolgar@act.gov.au>

Subject: Re: Grievance Handling and Investigation Policy BCC [DLM=For-Official-Use-Only]

Hi Andrew,

that time works for me I will see you then

Regards,

From: Woolgar, Andrew <Andrew.Woolgar@act.gov.au>

Sent: Thursday, 29 August 2019 3:56:32 PM

To: [REDACTED]@bcc.act.edu.au>

Subject: RE: Grievance Handling and Investigation Policy BCC [DLM=For-Official-Use-Only]

Gid day [REDACTED]

Is it possible for Matt Davis, Assistance Director and myself meet with you at your office at 13:30 on the 03/09/2019?

This meeting is to discuss the grievance handling and investigation policies and their use in formal investigations within BCC.

Please contact me if you require further information.

Andrew J WOOLGAR | Inspector | WorkSafe ACT

Phone: 02 620 73989 | Mobile: 0468 544 028 | Email:andrew.woolgar@act.gov.au

Access Canberra | Chief Minister Treasury and Economic Development Directorate | ACT Government

Dame Pattie Menzies House, 16 Challis St, Dickson | GPO Box 1908, Canberra ACT 2601 | www.act.gov.au/accesssCBR



From: [REDACTED]@bcc.act.edu.au]

Sent: Wednesday, 28 August 2019 2:29 PM

To: Woolgar, Andrew <Andrew.Woolgar@act.gov.au>

Cc: [REDACTED]@bcc.act.edu.au>

Subject: RE: Grievance Handling and Investigation Policy BCC [DLM=For-Official-Use-Only]

Andrew,

I am available tomorrow, or next week just not Thursday or Friday this week. just let me know when you are available

Kind Regards

[REDACTED]
Brindabella Christian College
136 Brigalow St
Lyneham ACT 2602

Ph: 02 6247 4644

E: [REDACTED]@bcc.act.edu.au

<http://www.bcc.act.edu.au>

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From: Woolgar, Andrew <Andrew.Woolgar@act.gov.au>

Sent: Wednesday, 28 August 2019 1:33 PM

To: [REDACTED]@bcc.act.edu.au

Cc: [REDACTED]@bcc.act.edu.au

Subject: Grievance Handling and Investigation Policy BCC [DLM=For-Official-Use-Only]

Gid day [REDACTED]

I am the WorkSafe ACT Inspector who has been tasked with investigating a bullying and harassment complaint linked to Brindabella Christian College and I am seeking to organise a time to meet with you to discuss this complaint.

I have been provided your contact details by [REDACTED] Brindabella Christian College due to you being the Contact Officer nominated by the College for these matters.

I look forward to your response.

Andrew J WOOLGAR | Inspector | WorkSafe ACT

Phone: 02 620 73989 | Mobile: 0468 544 028 | Email:andrew.woolgar@act.gov.au



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From: "Woolgar, Andrew"
Sent: 29/08/2019 5:56 AM
To: [REDACTED]@bcc.act.edu.au
Subject: RE: Grievance Handling and Investigation Policy BCC [DLM=For-Official-Use-Only]

Gid day [REDACTED]

Is it possible for Matt Davis, Assistance Director and myself meet with you at your office at 13:30 on the 03/09/2019?

This meeting is to discuss the grievance handling and investigation policies and their use in formal investigations within BCC.

Please contact me if you require further information.

Andrew J WOOLGAR | Inspector | WorkSafe ACT
Phone: 02 620 73989 | Mobile: 0468 544 028 | Email: andrew.woolgar@act.gov.au
Access Canberra | Chief Minister Treasury and Economic Development Directorate | ACT Government
Dame Pattie Menzies House, 16 Challis St, Dickson | GPO Box 1908, Canberra ACT 2601 | www.act.gov.au/accessCBR



From: [REDACTED]@bcc.act.edu.au
Sent: Wednesday, 28 August 2019 2:29 PM
To: Woolgar, Andrew <Andrew.Woolgar@act.gov.au>
Cc: [REDACTED]@bcc.act.edu.au
Subject: RE: Grievance Handling and Investigation Policy BCC [DLM=For-Official-Use-Only]

Andrew,

I am available tomorrow, or next week just not Thursday or Friday this week. just let me know when you are available

Kind Regards

[REDACTED]
Brindabella Christian College
136 Brigalow St
Lyneham ACT 2602

Ph: 02 6247 4644
E: [REDACTED]@bcc.act.edu.au
<http://www.bcc.act.edu.au>

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From: Woolgar, Andrew <Andrew.Woolgar@act.gov.au>
Sent: Wednesday, 28 August 2019 1:33 PM
To: [REDACTED] <[\[REDACTED\]@bcc.act.edu.au](mailto:[REDACTED]@bcc.act.edu.au)>
Cc: [REDACTED] <[\[REDACTED\]@bcc.act.edu.au](mailto:[REDACTED]@bcc.act.edu.au)>
Subject: Grievance Handling and Investigation Policy BCC [DLM=For-Official-Use-Only]

Gid day [REDACTED]

I am the WorkSafe ACT Inspector who has been tasked with investigating a bullying and harassment complaint linked to Brindabella Christian College and I am seeking to organise a time to meet with you to discuss this complaint.

I have been provided your contact details by [REDACTED] Brindabella Christian College due to you being the Contact Officer nominated by the College for these matters.

I look forward to your response.

Andrew J WOOLGAR | Inspector | WorkSafe ACT
Phone: 02 620 73989 | Mobile: 0468 544 028 | Email: andrew.woolgar@act.gov.au
Access Canberra | Chief Minister Treasury and Economic Development Directorate | ACT Government
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From:smartforms@act.gov.au

Sent:12/11/2019 11:21 AM

To: [REDACTED]@bcc.act.edu.au>

Cc:"Worksafe Notices" <WorksafeNotices@act.gov.au>

Subject:Workplace Visit Report Combined, BRINDABELLA CHRISTIAN EDUCATION LIMITED, Z6PJMV

Attachments:20191107-WPV-P39355-VLTYHK-190724-002402-BRINDABELLA CHRISTIAN EDUCATION LIMITED-136
Brigalow Street Lyneham 2602-Compliant.pdf



WORKPLACE VISIT REPORT COMBINED

Please see attached PDF to view a copy of your Workplace Visit report.

Inspection number	WPV-P39355-VLTYHK
Lead inspector	Andrew Woolgar
Company name	BRINDABELLA CHRISTIAN EDUCATION LIMITED
Submission ID	201911111104420
Tracking number	Z6PJMV

For any further information please contact WorkSafe on:

Telephone: (02) 6207 3000

Facsimile: (02) 6205 0336

Email: worksafe@act.gov.au

You also contact WorkSafe through the Access Canberra [WorkSafe ACT Report online form](#).

ACT Government

Note: Please do not reply to this auto-generated email.

Initial information

Type of report *

Workplace Visit

Inspector ID *

P39355

Inspection number

WPV-P39355-VLTYHK

Event number

190724-002402

Lead inspector *

Andrew Woolgar

Is there any accompanying inspectors *

Yes

No

Item Number 1

Accompanying inspector/Other *

Matt Davies

Item Number 2

Accompanying inspector/Other *

Alexis Wray

Date *

07 Nov 2019

Time commenced *

13:30

Type of WPV *

Proactive

Reactive

Purpose of WPV *

Complaint

Legislation *

Work Health and Safety Act 2011

Is this a joint inspection? *

Yes

No

Name of individual or registered company *

Other

From:"Davis, MattE" <MattE.Davis@act.gov.au>

Sent:27/11/2019 12:24 AM

To:"Woolgar, Andrew" <Andrew.Woolgar@act.gov.au>;"Wray, Alexis" <Alexis.Wray@act.gov.au>

Subject:Brindabella Draft Notice wording

Attachments:Brindabella Draft Notice wording.docx

Hey gurus,

My 1.5 cents worth, as you'll see in my comments I think we are going to narrow with our scope but happy to discuss.

Cheers

Matt

Brindabella Christian College

Recommend the following Enforcement Action against Brindabella Christian College due to:

- a. Brindabella Christian College is a PCBU as per WHS Act 2011, S19 and S19(2) who on investigations of their Workplace Bullying and Violence Policy and Work Health and Safety Policy do not identify and manage the psychological hazard to workers and others who are put at risk from their work activity
- b. Brindabella Christian College is a PCBU as per WHS Act 2011, S19(3)(c) who on investigations of their Workplace Bullying and Violence Policy and Work Health and Safety Policy do not have a safe system of work and policy for dealing, were appropriate with the relevant psychological hazards for workers and others who submits a complaint
- c. Brindabella Christian College is a PCBU as per WHS Act 2011, S19(3)(c) who on investigations of their Workplace Bullying and Violence Policy do not have a safe system of work and policy for investigating bullying and harassment complaints against the different levels of the Brindabella Christian College management structure
- d. Brindabella Christian College is a PCBU as per WHS Reg. S 39 workers and other person are exposed to a risk to their psychological health and safety as the information, training and instruction provider to workers and other is unsuitable and inadequate to enable compliant investigations to be carried out safely
- e. Brindabella Christian College is a PCBU as per WHS Act 2011, S49 has not so far as is reasonably practicable consulted with workers at the workplace about the revision of the Workplace Bullying and Violence Policy and Work Health and Safety Policy

Commented [DM1]: This implies that S19 defines BCC as a PCBU?

Commented [WA2]: I do not know if use both or C Improvement Notice wording to address identified issues

Comments:

1. My primary concern is that this is too narrow, and BCC has no system in place to Manage Risk. So let's look at WHS Act 2011, S17 and follow that up with the S19 offences but keep them aimed at overall hazards/risk which includes psychological hazards and bullying and harassment complaints. What I'm trying to avoid is BCC creating a system around one hazard, we can make it explicit in the notice that they must include and prioritise psychological hazards and bullying and harassment complaints, but it shouldn't be the only focus. This also applies to the S 39 and 49 offences.
2. We also need to cover off on the Principals role as an officer of the PCBU, BCC has a perfectly functional system in the early learning centre which the principle needs to consider to inform wider school WHS activities, WHS Act 2011, S27 5 (A).

Brindabella Christian College

Recommend the following Enforcement Action against Brindabella Christian College due to:

- a. Brindabella Christian College is a PCBU as per WHS Act 2011, S19 and S19(2) who on investigations of their Workplace Bullying and Violence Policy and Work Health and Safety Policy do not identify and manage the psychological hazard to workers and others who are put at risk from their work activity
- b. Brindabella Christian College is a PCBU as per WHS Act 2011, S19(3)(c) who on investigations of their Workplace Bullying and Violence Policy and Work Health and Safety Policy do not have a safe system of work and policy for dealing, were appropriate with the relevant psychological hazards for workers and others who submits a complaint
- c. Brindabella Christian College is a PCBU as per WHS Act 2011, S19(3)(c) who on investigations of their Workplace Bullying and Violence Policy do not have a safe system of work and policy for investigating bullying and harassment complaints against the different levels of the Brindabella Christian College management structure
- d. Brindabella Christian College is a PCBU as per WHS Reg. S 39 workers and other person are exposed to a risk to their psychological health and safety as the information, training and instruction provider to workers and other is unsuitable and inadequate to enable compliant investigations to be carried out safely
- e. Brindabella Christian College is a PCBU as per WHS Act 2011, S49 has not so far as is reasonably practicable consulted with workers at the workplace about the revision of the Workplace Bullying and Violence Policy and Work Health and Safety Policy

Commented [WA1]: I do not know if use both or C Improvement Notice wording to address identified issues

From: "Woolgar, Andrew"
Sent: 26/11/2019 9:25 PM
To: "Davis, MattE" <MattE.Davis@act.gov.au>
Subject: FW: Improvement Notice wording
Attachments: Brindabella Draft Notice wording.docx

UNOFFICIAL

Mat,

We need to do something about this

Andrew J WOOLGAR | Inspector | WorkSafe ACT
Phone: 02 620 73989 | Mobile: 0468 544 028 | Email: andrew.woolgar@act.gov.au
Access Canberra | Chief Minister Treasury and Economic Development Directorate | ACT Government
Dame Pattie Menzies House, 16 Challis St, Dickson | GPO Box 1908, Canberra ACT 2601 | www.act.gov.au/accesssCBR



From: Woolgar, Andrew
Sent: Tuesday, 19 November 2019 8:01 AM
To: Cummins, Bradley (Bradley.Cummins@act.gov.au) <Bradley.Cummins@act.gov.au>
Cc: Davis, MattE <MattE.Davis@act.gov.au>
Subject: Improvement Notice wording

UNOFFICIAL

Gid day Brad,

Mat informed me you have draft improvement Notice wording which could assist me with my Brindabella Christian College case.

I have the attached draft wording I was thinking about using, but it may not cover the issue appropriately.

I am seeking assistance with wording for Improvement Notices on:

- Hazard Management Systems, and
- Risk Management System

I look forward to your response

Andrew J WOOLGAR | Inspector | WorkSafe ACT
Phone: 02 620 73989 | Mobile: 0468 544 028 | Email: andrew.woolgar@act.gov.au
Access Canberra | Chief Minister Treasury and Economic Development Directorate | ACT Government
Dame Pattie Menzies House, 16 Challis St, Dickson | GPO Box 1908, Canberra ACT 2601 | www.act.gov.au/accesssCBR



From: "Davis, MattE" <MattE.Davis@act.gov.au>
Sent: 22/11/2019 12:35 AM
To: "Alford, Robert" <Robert.Alford@act.gov.au>
Cc: "Woolgar, Andrew" <Andrew.Woolgar@act.gov.au>
Subject: Schedule 2.2(a)(ii) [REDACTED]
Attachments: Schedule 2.2(a)(ii) [REDACTED]

Hi Bob,

We are getting multiple requests from complainants asking what we have done to address the bullying at Brindabella Christian College, some complainants [REDACTED] are very persistent so I think a letter to close the job out is appropriate.

Can you staff this to Greg for his approval and signature.

Cheers
Matt

From: "Woolgar, Andrew"
Sent: 21/11/2019 11:50 PM
To: "Davis, MattE" <MattE.Davis@act.gov.au>
Subject: Draft Letter wording to a complainant - Brindabella Christian College
Attachments: Schedule 2.2(a)(ii)

UNCLASSIFIED

Mat,

Draft letter wording to one of the complainants against Brindabella Christian College

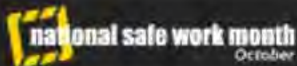
I look forward to your comments

Andrew J WOOLGAR | Inspector | WorkSafe ACT

Phone: 02 620 73989 | Mobile: 0468 544 028 | Email: andrew.woolgar@act.gov.au

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BE A SAFETY **CHAMPION**

#safetychampion
safeworkmonth.swa.gov.au

From: "Woolgar, Andrew"
Sent: 18/11/2019 9:00 PM
To: "Cummins, Bradley" <Bradley.Cummins@act.gov.au>
Cc: "Davis, MattE" <MattE.Davis@act.gov.au>
Subject: Improvement Notice wording
Attachments: Brindabella Draft Notice wording.docx

UNOFFICIAL

Gid day Brad,

Mat informed me you have draft improvement Notice wording which could assist me with my Brindabella Christian College case.

I have the attached draft wording I was thinking about using, but it may not cover the issue appropriately.

I am seeking assistance with wording for Improvement Notices on:

- Hazard Management Systems, and
- Risk Management System

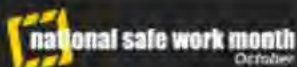
I look forward to your response

Andrew J WOOLGAR | Inspector | WorkSafe ACT

Phone: 02 620 73989 | Mobile: 0468 544 028 | Email: andrew.woolgar@act.gov.au

Access Canberra | Chief Minister Treasury and Economic Development Directorate | ACT Government

Dame Pattie Menzies House, 16 Challis St, Dickson | GPO Box 1908, Canberra ACT 2601 | www.act.gov.au/accesssCBR



BE A SAFETY CHAMPION

#safetychampion
safeworkmonth.swa.gov.au

From:"Davis, MattE" <MattE.Davis@act.gov.au>
Sent:08/11/2019 12:45 AM
To:"Woolgar, Andrew" <Andrew.Woolgar@act.gov.au>
Cc:"Wray, Alexis" <Alexis.Wray@act.gov.au>
Subject:Brindabella Meeting notes
Attachments:Brindabella Meeting notes.docx

Looks good, I added the other two references.

From:"Woolgar, Andrew" <andrew.woolgar@act.gov.au>
Sent:09/10/2019 2:03 PM
To:"Woolgar, Andrew" <Andrew.Woolgar@act.gov.au>
Subject:Your scan (Scan to My Email)
Attachments:scan_andrew woolgar_2019-10-09-14-03-26.pdf

Draft WPV for Brindabella College

On the 07/11/2019 at 13:30 Assistant Director Davis and Wray and Inspector Woolgar met with Greg Zwajgenberg, Board Chairman, Brindabella Christian Education Limited T/A Brindabella Christian College and Brandon Major, Acting/ Chief Financial Officer, Brindabella Christian College (BCC). The following are notes on these discussions:

- Currently in the process of updating system for accessing and automatically updating BCC policies and procedures
 - o Which will include a reporting process to monitor when workers and staff have read these polies and procedures during induction and/or refresher training
 - o There will be an internal on-line complaint system which has automatic reporting and monitoring processes for complaint submission and investigation
- There has been some consultation with the Health and Safety Committee regarding reviewing the current BCC policies and procedures
 - o The representatives on the Health and Safety Committee are made from the different work areas with BCC, and these representative self-nominate within their work areas
- It is believed there has been no formal complaint submitted to BBC regarding bullying and harassment
 - o There has been a complaint submitted to Fair Work regarding bullying and harassment
 - It was stated this claim was withdrawn by the complainant
- An assessment of the BCC Workplace Bullying and Violence Policy revealed:
 - o No record of workers/staff being inducted and/or trained in this policy
 - o No record of which workers/ staff had undertaken any refresher training in this policy
 - o Unable to outline what training has been provided to the Contact Officers
 - o Unable to outline the training provided to the officers who are tasked with undertaking any investigation under this policy
 - o Unable to outline the process for undertaking an investigation under this policy
 - o The policy was not displayed as required by the policy

The following documents were provided at this meeting:

- Work Health and Safety (Preventing and Responding to Bullying) Code of Practice 2012
- Who is an Officer? Safe Work Australia Guidance note
- Work Health and Safety consultation, cooperation and coordination Code of Practice May 2019

Organised to undertake another meeting on the 14/11/2019 at 13:30 between WorkSafe ACT Officers and relevant workers and staff of BCC who have more knowledge of the implementation, and reviewing and updating the current and future BCC policies and procedures

From:"Woolgar, Andrew"

Sent:04/10/2019 4:42 AM

To:"Benivento, Lloyd" <Lloyd.Benivento@act.gov.au>

Subject:Request for information to assist in investigation

Attachments:Request for information Worker Comp - Brindabella Christine College.docx

UNCLASSIFIED Sensitive

Gid day Lloyd,

I am seeking access to information to assist me with a WorkSafe ACT investigation (see attached letter).

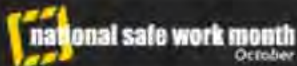
Please contact me if you require further information

Andrew J WOOLGAR | Inspector | WorkSafe ACT

Phone: 02 620 73989 | Mobile: 0468 544 028 | Email: andrew.woolgar@act.gov.au

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BE A SAFETY **CHAMPION**

#safetychampion
safeworkmonth.swa.gov.au

From: "Curtin, Daniel" <Daniel.Curtin@act.gov.au>
Sent: 04/10/2019 12:48 AM
To: "Woolgar, Andrew" <Andrew.Woolgar@act.gov.au>; "Alford, Robert" <Robert.Alford@act.gov.au>
Subject: RE: Seeking advice re Worker Comp investigation records
Attachments: Request for information Worker Comp - Brindabella Christine College.docx

UNCLASSIFIED

Hi Andrew

A couple of minor edits from me (and you need to add who it is from). Yes you do have delegation as an inspector as long as the purpose is within the privacy principles. However, if you feel it may be better sent from Bob or myself for the purpose of this. As the SOGB for my previous roles, I used to send these and refer back to the case officer.

Happy to go with your recommendation.

Dan

From: Woolgar, Andrew <Andrew.Woolgar@act.gov.au>
Sent: Friday, 4 October 2019 10:22 AM
To: Curtin, Daniel <Daniel.Curtin@act.gov.au>; Alford, Robert <Robert.Alford@act.gov.au>
Subject: RE: Seeking advice re Worker Comp investigation records

UNCLASSIFIED

Gid day Bob/ Dan,

I have used the information below to draft a letter to Workers Comp for relevant information to assist in the WorkSafe ACT investigation.

Please provide me with your comments on this document.

Also, do I have delegation to request this information?

I look forward to your comments

Andrew J WOOLGAR | Inspector | WorkSafe ACT
Phone: 02 620 73989 | Mobile: 0468 544 028 | Email: andrew.woolgar@act.gov.au
Access Canberra | Chief Minister Treasury and Economic Development Directorate | ACT Government
Dame Pattie Menzies House, 16 Challis St, Dickson | GPO Box 1908, Canberra ACT 2601 | www.act.gov.au/accessCBR



From: Curtin, Daniel <Daniel.Curtin@act.gov.au>
Sent: Friday, 4 October 2019 9:56 AM
To: Woolgar, Andrew <Andrew.Woolgar@act.gov.au>; Alford, Robert <Robert.Alford@act.gov.au>
Subject: RE: Seeking advice re Worker Comp investigation records

UNCLASSIFIED

This is the template I have used for the AFP and Liquor and gaming. I think the preference is to request the information from Workers Comp and not direct.

Happy to discuss.

Dear XXXXX,

INFORMATION SOUGHT FOR INVESTIGATIONS AND THE ENFORCEMENT OF ACT LAW

My purpose in writing to you on this occasion is to seek your assistance with regards to providing information for a current investigation. I understand (AREA/AGENCY) may have information relevant to our investigation relating to XXXXX.

I am requesting its release to (AGENCY).

The case officer for this particular matter, **Out of Scope**, seeks information which is reasonably necessary for the enforcement of an ACT Law and is related to alleged breaches of the following offences against a gaming law: acquiring a gaming machine without a licence and authorisation contrary to section 98 of the *Gaming Machine Act 2004* and the possession by a person of a gaming machine who is not authorised to possess the gaming machine contrary to section 103 of the *Gaming Machine Act 2004*. As such, I would appreciate your assistance in this matter.

In addition to any general information of relevance, Access Canberra is specifically seeking the following:

It is understood that any information disclosed may have been acquired from another agency and is provided in accordance with the *Information Privacy Act 2014 (ACT)* and the associated *Territory Privacy Principles*. It is understood that the information is not to be used or disclosed to a third party other than for the use for which it is provided. Successful information sharing is an important element to help ensure investigations are completed to the highest possible standards. Information sharing presents a valuable opportunity for Access Canberra and ACT Policing to build further on our existing relationship. We look forward to working with you further on this and future matters.

If there are policy issues you wish to discuss in relation to sharing this information please contact me on (02) 6205 0882. If you or your staff has questions as to the range and extent of the specific information sought, please contact the case officer, **Out of Scope** on (02) **Out of Scope** or via email on **Out of Scope**.

From: Woolgar, Andrew <Andrew.Woolgar@act.gov.au>

Sent: Friday, 4 October 2019 9:39 AM

To: Alford, Robert <Robert.Alford@act.gov.au>; Curtin, Daniel <Daniel.Curtin@act.gov.au>

Subject: Seeking advice re Worker Comp investigation records

UNCLASSIFIED

Gid day Bob/ Dan,

I am seeking your advice on the attached documents I have developed to formally request access to Worker Compensation investigation records in regards to Brindabella Christine College.

I am not sure which approach is the better to access this information.

I look forward to your comments

Andrew J WOOLGAR | Inspector | WorkSafe ACT

Phone: 02 620 73989 | Mobile: 0468 544 028 | Email: andrew.woolgar@act.gov.au

Access Canberra | Chief Minister Treasury and Economic Development Directorate | ACT Government

Dame Pattie Menzies House, 16 Challis St, Dickson | GPO Box 1908, Canberra ACT 2601 | www.act.gov.au/accessCBR





ACT
Government

Chief Minister, Treasury and
Economic Development

WORKSAFE ACT

CRM: 190724-002402
CRM 190910-000014
CRM: 190903-001611
CRM : 190829-000736
CRM: 190823-001637

Lloyd Benivento
Inspector
Workers Compensation
Chief Minister, Treasury and Economic Development Directorate

Dear Lloyd,

INFORMATION SOUGHT FOR INVESTIGATIONS AND THE ENFORCEMENT OF ACT LAW

My purpose in writing to you on this occasion is to seek your assistance with regards to providing information for a current investigation. I understand Workers Compensation, Chief Minister, Treasury and Economic Development Directorate may have information relevant to our investigation relating to Brindabella Christine College (owned by BRINDABELLA CHRISTIAN EDUCATION LIMITED).

I am requesting its release to WorkSafe ACT, Workplace Protection, Chief Minister, Treasury and Economic Development Directorate.

The case officer for this particular matter, Inspector Andrew Woolgar, seeks information which is reasonably necessary for the enforcement of an ACT Law and is related to alleged breaches of the following offences against Work Health and Safety Act: Primary duty of care - A person conducting a business or undertaking must ensure, so far as is reasonably practicable, the health and safety of - (a) workers engaged, or caused to be engaged, by the person; and (b) workers whose activities in carrying out work are influenced or directed by the person, while the workers are at work in the business or undertaking. As such, I would appreciate your assistance in this matter.

In addition to any general information of relevance, WorkSafe ACT is specifically seeking the following:

- Any and all investigation records and information, about:
 - Any Workers Compensation claim submitted by workers of Brindabella Christine College (owned by BRINDABELLA CHRISTIAN EDUCATION LIMITED) since January 2019

It is understood that any information disclosed may have been acquired from another agency and is provided in accordance with the *Information Privacy Act 2014 (ACT)* and the associated *Territory Privacy Principles*. It is understood that the information is not to be used or disclosed to a third party other than for the use for which it is provided. ~~Successful information sharing is an important element to help ensure investigations are completed to the highest possible standards. We look forward to working with you further on this and future matters.~~



ACT
Government

Chief Minister, Treasury and
Economic Development

WORKSAFE ACT

CRM: 190724-002402
CRM 190910-000014
CRM: 190903-001611
CRM : 190829-000736
CRM: 190823-001637

If there are policy issues you wish to discuss in relation to sharing this information or have questions as to the range and extent of the specific information sought, please contact the case officer, Inspector Andrew Woolgar on (02) 6207 3989 or via email on andrew.woolgar@act.gov.au



ACT
Government

Chief Minister, Treasury and
Economic Development

WORKSAFE ACT

CRM: 190724-002402
CRM 190910-000014
CRM: 190903-001611
CRM : 190829-000736
CRM: 190823-001637

Lloyd Benivento
Inspector
Workers Compensation
Chief Minister, Treasury and Economic Development Directorate

Dear Lloyd,

INFORMATION SOUGHT FOR INVESTIGATIONS AND THE ENFORCEMENT OF ACT LAW

My purpose in writing to you on this occasion is to seek your assistance with regards to providing information for a current investigation. I understand Workers Compensation, Chief Minister, Treasury and Economic Development Directorate may have information relevant to our investigation relating to Brindabella Christine College (owned by BRINDABELLA CHRISTIAN EDUCATION LIMITED).

I am requesting its release to WorkSafe ACT, Workplace Protection, Chief Minister, Treasury and Economic Development Directorate.

The case officer for this particular matter, Inspector Andrew Woolgar, seeks information which is reasonably necessary for the enforcement of an ACT Law and is related to alleged breaches of the following offences against Work Health and Safety Act: Primary duty of care - A person conducting a business or undertaking must ensure, so far as is reasonably practicable, the health and safety of - (a) workers engaged, or caused to be engaged, by the person; and (b) workers whose activities in carrying out work are influenced or directed by the person, while the workers are at work in the business or undertaking. As such, I would appreciate your assistance in this matter.

In addition to any general information of relevance, WorkSafe ACT is specifically seeking the following:

- Any and all investigation records and information, about:
 - Any Workers Compensation claim submitted by workers of Brindabella Christine College (owned by BRINDABELLA CHRISTIAN EDUCATION LIMITED) since January 2019

It is understood that any information disclosed may have been acquired from another agency and is provided in accordance with the *Information Privacy Act 2014 (ACT)* and the associated *Territory Privacy Principles*. It is understood that the information



ACT
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Chief Minister, Treasury and
Economic Development

WORKSAFE ACT

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CRM: 190823-001637

is not to be used or disclosed to a third party other than for the use for which it is provided. Successful information sharing is an important element to help ensure investigations are completed to the highest possible standards. We look forward to working with you further on this and future matters.

If there are policy issues you wish to discuss in relation to sharing this information or have questions as to the range and extent of the specific information sought, please contact the case officer, Inspector Andrew Woolgar on (02) 6207 3989 or via email on andrew.woolgar@act.gov.au



Help | Messages | Welcome: Lloyd Benivento ▾

Insurer ▾ [] Search

Home Insurers Submitted Data Reports

Claim Details


Insurer Name: QBE Insurance Australia Ltd	Worker Name: [REDACTED]
Policy Number: [REDACTED]	Employer Name: BRINDABELLA TRADING CHRISTIAN EDUCATION LIMITED
Coverage ID: [REDACTED]	Date of Occurrence: 10/5/2019
Claim Number: [REDACTED]	Total Time Lost (days) (A/R): 6 / 6
Claim Status: Accepted	Total Payments (A/R): [REDACTED]
Data Migration Record: <input type="checkbox"/>	Number of Current Data Issues: 0
Version: << First < Prev Version 10 (8/10/2019) ▾ Next > Last >>	Selected version: 10 (8/10/2019)

Claim Details

General Worker Incident & Injury Employment
Claim Management Injury Management

Describe how the injury or condition occurred

- (i) Give details of what happened, how it happened and what was involved READ AN EMAIL FROM CHAIRMAN
- (ii) What was /were the most serious type (s) of injury or disease caused by this occurrence? PANIC ATTACK
- (iii) What part of the body was most seriously affected by this occurrence? BRAIN

Mechanism (3.1): 84 Work pressure
 Agency (3.1): 9199 Non-physical agencies
 Breakdown Agency (3.1): 9199 Non-physical agencies
 Nature (3.1): 718 Other mental diseases, not elsewhere classified
 Body Location (3.1): 800 Psychological system in general
Address where injury or condition occurred? 136 BRIGALOW STREET LYNEHAM ACT 2602 
 Where did your injury or condition occur? At Work – at Normal Workplace
 Primary Provider Number: 4814268W
 Date claim form given to employer: 15/5/2019
 Date medical certificate received by employer: 17/5/2019

System Version 1.1.3 (5 Jun 2019)



Insurer ▾ Search

Home Insurers Submitted Data Reports

Claim Details

Insurer Name: QBE Insurance Australia Ltd
 Policy Number:
 Coverage ID:
 Claim Number:
 Claim Status: Accepted
 Data Migration Record:

Worker Name:
 Employer Trading Name: BRINDABELLA CHRISTIAN EDUCATION LIMITED
 Date of Occurrence: 10/5/2019
 Total Time Lost (days) (A/R): 6 / 6
 Total Payments (A/R): /
 Number of Current Data Issues: 0

Version: << First < Prev **Version 10 (8/10/2019)** Next > Last >> Selected version: 10 (8/10/2019)

Claim Details

General Worker Incident & Injury Employment Claim Management

Injury Management

Return to Work Plan Status: RTW Plan Completed
 Return To Work Plan Type: Same Employer - Same Job
 Injury Management Plan Status: Not in place
 Whole person impairment type: Nil
 Whole person impairment percentage:
 Date of determination:
 Percentage of deafness:

Date Work Status Changed:

Include Archived

External Reference	Change Date	Work Status Type	Is Archived
2154121	20/5/2019	Maintained at Work	<input type="checkbox"/>
2154120	10/5/2019	Not Working - Injury Related	<input type="checkbox"/>

Medical certificates:

Include Archived

Reference	Certificate	Date	Issuer	Provider No.	Capacity	To Work	Type	Is Archived
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Help | Messages | Welcome: Lloyd Benivento ▾

Insurer ▾ [] Search

Home Insurers Submitted Data Reports

Claim Details

Insurer Name:	QBE Insurance Australia Ltd	Worker Name:	[REDACTED]
Policy Number:	[REDACTED]	Employer Name:	BRINDABELLA TRADING CHRISTIAN EDUCATION LIMITED
Coverage ID:	[REDACTED]	Date of Occurrence:	5/7/2019
Claim Number:	[REDACTED]	Total Time Lost (days) (A/R):	0 / 0
Claim Status:	Accepted	Total Payments (A/R):	/ [REDACTED]
Data Migration Record:	<input type="checkbox"/>	Number of Current Data Issues:	0
Version:	<< First < Prev Version 10 (8/10/2019) ▾ Next > Last >>	Selected version:	10 (8/10/2019)


Claim Details

General Worker Incident & Injury Employment

Claim Management Injury Management

Describe how the injury or condition occurred

- (i) Give details of WORK RELATED STRESS what happened, how it happened and what was involved
- (ii) What was /were STRESS the most serious type (s) of injury or disease caused by this occurrence?
- (iii) What part of the PSYCHOLOGICAL body was most seriously affected by this occurrence?

Mechanism (3.1): 84 Work pressure
Agency (3.1): 9199 Non-physical agencies
Breakdown Agency (3.1): 9199 Non-physical agencies
Nature (3.1): 703 Anxiety/stress disorder
Body Location (3.1): 800 Psychological system in general
Address where injury or condition occurred? 5103
LYNEHAM ACT 2602 
Where did your injury or condition occur? At Work - at Normal Workplace
Primary Provider Number: 4158683J
Date claim form given to employer: 8/7/2019
Date medical certificate received by employer: 8/7/2019

System Version 1.1.3 (5 Jun 2019)



Help | Messages | Welcome: Lloyd Benivento

Insurer [dropdown] [input] Search

Home Insurers Submitted Data Reports

Claim Details

Insurer Name: QBE Insurance Australia Ltd
 Policy Number: [redacted]
 Coverage ID: [redacted]
 Claim Number: [redacted]
 Claim Status: Accepted
 Data Migration Record:
 Version: << First < Prev **Version 10 (8/10/2019)** Next > Last >> Selected version: 10 (8/10/2019)

Worker Name: [redacted]
 Employer Trading Name: BRINDABELLA CHRISTIAN EDUCATION LIMITED
 Date of Occurrence: 5/7/2019
 Total Time Lost (days) (A/R): 0 / 0
 Total Payments (A/R): / [redacted]
 Number of Current Data Issues: 0

Claim Details

General Worker Incident & Injury Employment Claim Management

Injury Management

Return to Work Plan Status: RTW Plan Agreed
 Return To Work Plan Type: Same Employer - Same Job
 Injury Management Plan Status: In place
 Whole person impairment type: Nil
 Whole person impairment percentage:
 Date of determination:
 Percentage of deafness:

Date Work Status Changed:

Include Archived

External Reference	Change Date	Work Status Type	Is Archived
2212656	9/8/2019	Maintained at Work	<input type="checkbox"/>
2188835	8/7/2019	Not Working - Injury Related	<input type="checkbox"/>

Medical certificates:

Include Archived

Reference	Certificate Date	Issuer	Provider No.	Capacity To Work	Type	Is Archived
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Help | Messages | Welcome: Lloyd Benivento

Insurer [dropdown] [input] Search

Home Insurers Submitted Data Reports

Claim Details

Insurer Name: QBE Insurance Australia Ltd	Worker Name: [redacted]
Policy Number: [redacted]	Employer Name: BRINDABELLA TRADING CHRISTIAN EDUCATION LIMITED
Coverage ID: [redacted]	Date of Occurrence: 17/4/2019
Claim Number: [redacted]	Total Time Lost (days) (A/R): 0 / 0
Claim Status: Accepted	Total Payments (A/R): [redacted]
Data Migration Record: <input type="checkbox"/>	Number of Current Data Issues: 0
Version: << First < Prev Version 10 (8/10/2019) [dropdown] Next > Last >>	Selected version: 10 (8/10/2019)


Claim Details

General Worker Incident & Injury Employment
Claim Management Injury Management

Describe how the injury or condition occurred

- (i) Give details of what happened, how it happened and what was involved **BULLYING/HARASSMENT AT WORK**
- (ii) What was /were the most serious type (s) of injury or disease caused by this occurrence? **STRESS, ADJUSTMENT DISORDER**
- (iii) What part of the body was most seriously affected by this occurrence? **PSYCHOLOGICAL**

Mechanism (3.1): 87 Work related harassment under/and or workplace bullying
 Agency (3.1): 9199 Non-physical agencies
 Breakdown Agency (3.1): 9199 Non-physical agencies
 Nature (3.1): 703 Anxiety/stress disorder
 Body Location (3.1): 800 Psychological system in general

Address where injury or condition occurred? 136 BRIGALOW CHRISTIAN COLLEGE LYNEHAM ACT 2602 

Where did your injury or condition occur? At Work – at Normal Workplace

Primary Provider Number: 253357WK

Date claim form given to employer 19/7/2019

Date medical certificate received by employer 19/7/2019

System Version 1.1.3 (5 Jun 2019)



Insurer ▾ Search

Home Insurers Submitted Data Reports

Claim Details

Insurer Name: QBE Insurance Australia Ltd
 Policy Number:
 Coverage ID:
 Claim Number:
 Claim Status: Accepted
 Data Migration Record:

Worker Name:
 Employer Trading Name: BRINDABELLA CHRISTIAN EDUCATION LIMITED
 Date of Occurrence: 17/4/2019
 Total Time Lost (days) (A/R): 0 / 0
 Total Payments (A/R):
 Number of Current Data Issues: 0

Version: << First < Prev **Version 10 (8/10/2019)** Next > Last >> Selected version: 10 (8/10/2019)

Claim Details

General Worker Incident & Injury Employment Claim Management Injury Management

Return to Work Plan Status: RTW Plan Agreed
 Return To Work Plan Type: New Employer – New Job
 Injury Management Plan Status: In place
 Whole person impairment type: Nil
 Whole person impairment percentage:
 Date of determination:
 Percentage of deafness:

Date Work Status Changed:

Include Archived

External Reference	Change Date	Work Status Type	Is Archived
2224045	12/9/2019	Not Working – Other Reason	<input type="checkbox"/>
2198642	19/7/2019	Return to Work – Full Hours	<input type="checkbox"/>

Medical certificates:

Include Archived

Reference	Certificate Date	Issuer	Provider No.	Capacity To Work Type	Is Archived
3522606	24/9/2019	253357WK		Fit for restricted return to work or for alternative duties.	<input type="checkbox"/>
3518394	12/9/2019	253357WK		Unfit for work.	<input type="checkbox"/>



Insurer [dropdown] [input] Search

Home Insurers Submitted Data Reports

Claim Details

Insurer Name: QBE Insurance Australia Ltd	Worker Name: [redacted]
Policy Number: [redacted]	Employer Name: BRINDABELLA TRADING CHRISTIAN EDUCATION LIMITED
Coverage ID: [redacted]	Date of Occurrence: 16/7/2019
Claim Number: [redacted]	Total Time Lost (days) (A/R): 0 / 0
Claim Status: Accepted	Total Payments (A/R): [redacted]
Data Migration Record: <input type="checkbox"/>	Number of Current Data Issues: 0
Version: << First < Prev Version 10 (8/10/2019) [dropdown] Next > Last >>	Selected version: 10 (8/10/2019)

Claim Details

General Worker Incident & Injury Employment
 Claim Management Injury Management

Describe how the injury or condition occurred

- (i) Give details of what happened, how it happened and what was involved: HARASSMENT, BULLYING AT WORK
- (ii) What was /were the most serious type (s) of injury or disease caused by this occurrence?: ANXIETY-- WORK RELATED STRESS
- (iii) What part of the body was most seriously affected by this occurrence?: PSYCHOLOGICAL


Mechanism (3.1): 87 Work related harassment under/and or workplace bullying

Agency (3.1): 9199 Non-physical agencies

Breakdown Agency (3.1): 9199 Non-physical agencies

Nature (3.1): 703 Anxiety/stress disorder

Body Location (3.1): 800 Psychological system in general

Address where injury or condition occurred? 136 BRIGALOW STREET LYNEHAM ACT 2602 

Where did your injury or condition occur? At Work – at Normal Workplace

Primary Provider Number: 0351785X

Date claim form given to employer 17/7/2019

Date medical certificate received by employer 16/7/2019

System Version 1.1.3 (5 Jun 2019)



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Insurer ▾ Search

Home Insurers Submitted Data Reports

Claim Details

Insurer Name: QBE Insurance Australia Ltd	Worker Name: <input type="text" value="2212655"/>
Policy Number: <input type="text"/>	Employer Trading Name: BRINDABELLA CHRISTIAN EDUCATION LIMITED
Coverage ID: <input type="text"/>	Date of Occurrence: 16/7/2019
Claim Number: <input type="text"/>	Total Time Lost (days) (A/R): 0 / 0
Claim Status: Accepted	Total Payments (A/R): <input type="text" value="Schedule 72(1)(B)"/>
Data Migration Record: <input type="checkbox"/>	Number of Current Data Issues: 0
Version: << First < Prev Version 10 (8/10/2019) Next > Last >>	Selected version: 10 (8/10/2019)

Claim Details

General Worker Incident & Injury Employment Claim Management Injury Management

Return to Work Plan Status: RTW Plan Agreed
 Return To Work Plan Type: New Employer – New Job
 Injury Management Plan Status: In place
 Whole person Impairment type: Nil
 Whole person Impairment percentage:
 Date of determination:
 Percentage of deafness:

Date Work Status Changed:

Include Archived

External Reference	Change Date	Work Status Type	Is Archived
2212655	28/8/2019	Return to Work – Full Hours	<input type="checkbox"/>
2194934	17/7/2019	Not Working – Injury Related	<input type="checkbox"/>

Medical certificates:

Include Archived

Reference	Certificate Date	Issuer	Provider No.	Capacity To Work	Type	Is Archived
3508633	28/8/2019	0351785X		Fit for pre-injury duties, including fit but requiring further treatment.		<input type="checkbox"/>

System Version: 1.1.3 (5 Jun 2019)



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Insurer [dropdown] [input] Search

Home Insurers Submitted Data Reports

Claim Details

Insurer Name:	QBE Insurance Australia Ltd	Worker Name:	[REDACTED]
Policy Number:	[REDACTED]	Employer Name:	BRINDABELLA TRADING CHRISTIAN EDUCATION LIMITED
Coverage ID:	[REDACTED] 1	Date of Occurrence:	30/7/2019
Claim Number:	[REDACTED]	Total Time Lost (days) (A/R):	0 / 0
Claim Status:	Accepted	Total Payments (A/R):	[REDACTED]
Data Migration Record:	<input type="checkbox"/>	Number of Current Data Issues:	0
Version:	<< First < Prev Version 2 (9/10/2019) [dropdown] Next > Last >>	Selected version:	2 (9/10/2019)

Claim Details

General Worker Incident & Injury Employment
Claim Management Injury Management

Describe how the injury or condition occurred

- (i) Give details of what happened, how it happened and what was involved
INCREASING WORK RELATED STRESS
- (ii) What was /were the most serious type (s) of injury or disease caused by this occurrence?
STRESS, ANXIETY, DEPRESSION
- (iii) What part of the body was most seriously affected by this occurrence?
PSYCHOLOGICAL

Mechanism (3.1): 84 Work pressure
 Agency (3.1): 9199 Non-physical agencies
 Breakdown Agency (3.1): 9199 Non-physical agencies
 Nature (3.1): 705 Anxiety/depression combined
 Body Location (3.1): 800 Psychological system in general
Address where injury or condition occurred? 136 BRIGALOW ST LYNEHAM ACT 2602 
 Where did your injury or condition occur? At Work – at Normal Workplace
 Primary Provider Number: 0383374H
 Date claim form given to employer 20/8/2019
 Date medical certificate received by employer 30/7/2019

System Version 1.1.3 (5 Jun 2019)



Insurer ▾ Search

Home Insurers Submitted Data Reports

Claim Details

Insurer Name: QBE Insurance Australia Ltd
 Policy Number:
 Coverage ID:
 Claim Number:
 Claim Status: Accepted
 Data Migration Record:

Worker Name: Schedule 2.2(a)(ii)
 Employer Trading Name: BRINDABELLA CHRISTIAN EDUCATION LIMITED
 Date of Occurrence: 30/7/2019
 Total Time Lost (days) (A/R): 0 / 0
 Total Payments (A/R): Schedule 2.2(a)(ii)
 Number of Current Data Issues: 0

Version: << First < Prev Version 2 (9/10/2019) ▾ Next > Last >> Selected version: 2 (9/10/2019)

Claim Details

General Worker Incident & Injury Employment Claim Management

Injury Management

Return to Work Plan Status: RTW Plan Agreed
 Return To Work Plan Type: Same Employer - Same Job
 Injury Management Plan Status: In place
 Whole person impairment type: Nil
 Whole person Impairment percentage:
 Date of determination:
 Percentage of deafness:

Date Work Status Changed:

Include Archived

External Reference	Change Date	Work Status Type	Is Archived
2216354	30/7/2019	Not Working - Injury Related	<input type="checkbox"/>

Medical certificates:

Include Archived

Reference	Certificate Date	Issuer	Provider No.	Capacity To Work	Type	Is Archived
3504291	15/8/2019			Unfit for work.		<input type="checkbox"/>



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Insurer ▾ Search

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Related Claims

Policy Number: [REDACTED]

Employer ABN: 21100229669

Insurer Name: QBE Insurance Australia Ltd

Employer Legal Name: BRINDABELLA CHRISTIAN EDUCATION LIMITED

Data Migration Record:

Number of Current Data Issues: 0

Related Claims

Insurer Name	Claim Number	Claim Status	Date Of Occurrence	Worker Name	Employer Legal Name	Employer Trading Name
QBE Insurance Australia Ltd	[REDACTED]	Accepted	23/6/2019	[REDACTED]	BRINDABELLA CHRISTIAN EDUCATION LIMITED	BRINDABELLA CHRISTIAN EDUCATION LIMITED
✓ QBE Insurance Australia Ltd	[REDACTED]	Accepted	30/7/2019	[REDACTED]	BRINDABELLA CHRISTIAN EDUCATION LIMITED	BRINDABELLA CHRISTIAN EDUCATION LIMITED
✓ QBE Insurance Australia Ltd	[REDACTED]	Accepted	16/7/2019	[REDACTED]	BRINDABELLA CHRISTIAN EDUCATION LIMITED	BRINDABELLA CHRISTIAN EDUCATION LIMITED
✓ QBE Insurance Australia Ltd	[REDACTED]	Accepted	17/4/2019	[REDACTED]	BRINDABELLA CHRISTIAN EDUCATION LIMITED	BRINDABELLA CHRISTIAN EDUCATION LIMITED
✓ QBE Insurance Australia Ltd	[REDACTED]	Accepted	5/7/2019	[REDACTED]	BRINDABELLA CHRISTIAN EDUCATION LIMITED	BRINDABELLA CHRISTIAN EDUCATION LIMITED
✓ QBE Insurance Australia Ltd	[REDACTED]	Accepted	10/5/2019	[REDACTED]	BRINDABELLA CHRISTIAN EDUCATION LIMITED	BRINDABELLA CHRISTIAN EDUCATION LIMITED

System Version 1.1.3 (5 Jun 2019)

**ACT**
GovernmentChief Minister, Treasury and
Economic Development**WORKSAFE ACT**

REQUIREMENT TO GIVE INFORMATION AND PROVIDE DOCUMENTS

(Section 155(2)(a) and (b) of the *Work Health and Safety Act 2011*)

To:

QBE Insurance,
220 Northbourne Avenue, Braddon ACT 2612

Re: Investigation into Bullying and harassment complaints against Brindabella Christine College, Lyneham and Charnwood

WorkSafe ACT File reference number: CRM: 190724-002402

I am a delegate of the regulator for the *Work Health and Safety Act 2011* (the Act).

I have reasonable grounds to believe that QBE Insurance, Braddon ACT is capable of giving information, providing documents or giving evidence in relation to a possible contravention of the Act and/or the *Work Health and Safety Regulation 2011* (the Regulation), or to assist the regulator to monitor or enforce compliance with the Act or Regulation.

I require you to:

- (a) give me the information of which QBE Insurance, Braddon ACT has knowledge as set out in the attached Schedule 1. The information must be provided in writing. It must be signed by an authorised officer of the company. It must be provided within the time and in the manner specified in this notice; and
- (b) produce the documents set out in the attached Schedule 2 in accordance with this notice.

I must inform you that:

1. this requirement is made under section 155 of the Act;
2. failure to comply with this requirement without reasonable excuse is an offence. The maximum penalty for this offence for an individual is \$10,000 and for a body corporate, \$50,000;
3. if your attendance is required, you may attend with a legal practitioner;
4. the effect of section 172 of the Act is that, in the event that the privilege against self-incrimination is available to you, you are not excused from providing information or a document on the ground that the information or document may tend to incriminate you or expose you to a penalty. However, the information, document or thing obtained, directly or indirectly, because of the production of the document is not admissible in evidence against you in a civil or criminal proceeding, other than a proceeding for an offence arising out of the false or misleading nature of the information or document; and

5. Section 269 of the Act does not require you to produce a document that would disclose information, or otherwise provide information, that is the subject of legal professional privilege.

The time within which the information is to be provided and the documents produced is immediately upon receipt of this notice.

The manner in which the information is to be provided and the documents produced is in person to the Inspector delivering the notice.

If you have any questions, you may contact me on 62072309 or email andrew.woolgar@act.gov.au .

Inspector Andrew Woolgar

WorkSafe ACT

Delegate of the regulator for the *Work Health and Safety Act 2011*

Date: 2019

Schedule 1: Information required to be given

The information you are required to produce is:

1. The number of bullying and harassment/ psychological claims against Brinadbeela Christine College since January 2019
2. The outcome of investigations into these bullying and harassment/ psychological claims against Brinadbeela Christine College since January 2019

Schedule 2: Documents required to be produced

The documents you are required to produce are:

1. A copy of any investigation report in bullying and harassment/ psychological claims against Brinadbeela Christine College since January 2019

Inspector Andrew Woolgar

WorkSafe ACT

Delegate of the regulator for the *Work Health and Safety Act 2011*

Date: , 2019



ACT
Government

Chief Minister, Treasury and
Economic Development

WORKSAFE ACT

CRM: 190724-002402
CRM 190910-000014
CRM: 190903-001611
CRM : 190829-000736
CRM: 190823-001637

Lloyd Benivento
Inspector
Workers Compensation
Chief Minister, Treasury and Economic Development Directorate

Re: Seeking a report under Territory Privacy Principle 6 : use or disclosure of personal information in regards to WorkSafe ACT investigations into Brindabella Christine College (owned by BRINDABELLA CHRISTIAN EDUCATION LIMITED)

WorkSafe ACT File reference number: CRM: 190724-002402, CRM: 190910-000014, CRM: 190903-001611, CRM: 190829-000736, CRM: 190823-001637

I am a delegate of the regulator for the *Work Health and Safety Act 2011* (the Act).

I have reasonable grounds to believe that Workers Compensation, Chief Minister, Treasury and Economic Development Directorate is capable of giving information, providing documents or giving evidence in relation to a possible contravention of the Act and/or the *Work Health and Safety Regulation 2011* (the Regulation), or to assist the regulator to monitor or enforce compliance with the Act or Regulation.

The documents you are required to produce are:

1. Any and all investigation records and information, about:
 - a. Any Workers Compensation claim submitted by workers of Brindabella Christine College (owned by BRINDABELLA CHRISTIAN EDUCATION LIMITED) since January 2019

Inspector Andrew Woolgar

WorkSafe ACT

Delegate of the regulator for the *Work Health and Safety Act 2011*

Date: 2019

From: "Alford, Robert" <Robert.Alford@act.gov.au>
Sent: 01/10/2019 11:02 PM
To: "Woolgar, Andrew" <Andrew.Woolgar@act.gov.au>
Cc: "Jones, Greg" <Greg.Jones@act.gov.au>; "Curtin, Daniel" <Daniel.Curtin@act.gov.au>
Subject: RE: Referral of Concerns - Brindabella Christian College

UNCLASSIFIED

Andrew

Can you please arrange for the details of these complaints and follow up with the parents and staff member as per the third complaint.

Can you also provide an outline of where the investigation is up to at the present time. Do you require any assistance to push this one along?

Thanks

Bob

From: Jones, Greg <Greg.Jones@act.gov.au>
Sent: Wednesday, 2 October 2019 8:33 AM
To: Alford, Robert <Robert.Alford@act.gov.au>; Curtin, Daniel <Daniel.Curtin@act.gov.au>; Woolgar, Andrew <Andrew.Woolgar@act.gov.au>
Subject: FW: Referral of Concerns - Brindabella Christian College

UNCLASSIFIED

Hi Bob, Andrew

Please note the information provided by the Education Directorate.

Please advise whether further contact/detail from the parents is required.

Regards

Greg

From: Krajina, Danielle <Danielle.Krajina@act.gov.au>
Sent: Tuesday, 1 October 2019 7:09 PM
To: Jones, Greg <Greg.Jones@act.gov.au>
Cc: EDU, EDBSD <EDBSD.EDU@act.gov.au>; Krajina, Danielle <Danielle.Krajina@act.gov.au>; Tooth, Lynda <Lynda.Tooth@act.gov.au>
Subject: Referral of Concerns - Brindabella Christian College

UNCLASSIFIED

Dear Greg

A number of parents from Brindabella Christian College have raised the following issues with our Minister, which we felt appropriate to refer to you in terms of employers meeting their obligations under the Work Health and Safety Act. The Minister will advise the parents that the directorate has referred this matter to your office. The following is an excerpt from the letter/s.

1. *Four recent workers compensation claims for psychological injury and abuse leave no room for doubt that staff are being harmed and we trust the current investigation by Worksafe ACT will shed light on the unsafe workplace experience by staff. The school staff are not only bullied but have regularly had various other adverse actions against them in the course of their employment but we will leave these issues to Fair Work Commission to investigate.*
2. *By any measure, the Board generally and the Chair of the board are specifically are in flagrant breach of the National Safe Schools Framework, with respect to staff, students and parents. Every one of the current workers compensation claims has sighted workplace bullying and harassment to be at the heart of the claim and each has named the Chairman specifically. These claims have been investigated by QBE insurance and determined to be valid.*
3. *The first incident relates the continued employment of someone who was previously removed after evidence of harassment of female staff members. I was shocked to learn that while the [REDACTED] employee had been re-deployed away from the school in April 2019, he appeared at the school again as a grounds-man last week. This caused understandable stress for the teacher who had previously had to have him physically removed from her classroom. The teacher developed a physical reaction to seeing the man back on the grounds. This attitude demonstrates disregard for teacher wellbeing and welfare, and also a lack of commitment to a culture of child safety. If this man behaves in such an inappropriate way to female staff, why would he be considered as suitable for employment in an environment with many young, vulnerable girls?*

These matters may have already been considered by Worksafe ACT. However, if you require further information, I am happy to contact the parents to seek their formal consent to provide their details as required.

Danielle

Executive Branch Manager, Governance and Community Liaison | Education | ACT Government
Senior Executive for Business Integrity Risk (SERBIR)
02 6207 2990 | Danielle.krajina@act.gov.au
Level 6 220 Northbourne Avenue Braddon | GPO Box 158 Canberra ACT 2601
www.education.act.gov.au | [Facebook](#) | [Twitter](#) | [Instagram](#) | [LinkedIn](#) | [Google+](#)



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From: "Jones, Greg" <Greg.Jones@act.gov.au>
Sent: 01/10/2019 10:39 PM
To: "Krajina, Danielle" <Danielle.Krajina@act.gov.au>
Cc: "EDU, EDBSD" <EDBSD.EDU@act.gov.au>; "Tooth, Lynda" <Lynda.Tooth@act.gov.au>; "Curtin, Daniel" <Daniel.Curtin@act.gov.au>; "Alford, Robert" <Robert.Alford@act.gov.au>; "Woolgar, Andrew" <Andrew.Woolgar@act.gov.au>
Subject: RE: Referral of Concerns - Brindabella Christian College

UNCLASSIFIED

Hi Danielle

Thank you for providing the additional information from some parents of Brindabella Christian College pupils.

I will let you know in due course if we need to seek further information from the parents.

Regards

Greg

From: Krajina, Danielle <Danielle.Krajina@act.gov.au>
Sent: Tuesday, 1 October 2019 7:09 PM
To: Jones, Greg <Greg.Jones@act.gov.au>
Cc: EDU, EDBSD <EDBSD.EDU@act.gov.au>; Krajina, Danielle <Danielle.Krajina@act.gov.au>; Tooth, Lynda <Lynda.Tooth@act.gov.au>
Subject: Referral of Concerns - Brindabella Christian College

UNCLASSIFIED

Dear Greg

A number of parents from Brindabella Christian College have raised the following issues with our Minister, which we felt appropriate to refer to you in terms of employers meeting their obligations under the Work Health and Safety Act. The Minister will advise the parents that the directorate has referred this matter to your office. The following is an excerpt from the letter/s.

- 1. Four recent workers compensation claims for psychological injury and abuse leave no room for doubt that staff are being harmed and we trust the current investigation by Worksafe ACT will shed light on the unsafe workplace experience by staff. The school staff are not only bullied but have regularly had various other adverse actions against them in the course of their employment but we will leave these issues to Fair Work Commission to investigate.*
- 2. By any measure, the Board generally and the Chair of the board are specifically in flagrant breach of the National Safe Schools Framework, with respect to staff, students and parents. Every one of the current workers compensation claims has sighted workplace bullying and harassment to be at the heart of the claim and each has named the Chairman specifically. These claims have been investigated by QBE insurance and determined to be valid.*
- 3. The first incident relates the continued employment of someone who was previously removed after evidence of harassment of female staff members. I was shocked to learn that while the [REDACTED] employee had been re-deployed away from the school in April 2019, he appeared at the school again as a grounds-man last week. This caused understandable stress for the teacher who had previously had to have him physically removed from her classroom. The teacher developed a physical reaction to seeing the*

man back on the grounds. This attitude demonstrates disregard for teacher wellbeing and welfare, and also a lack of commitment to a culture of child safety. If this man behaves in such an inappropriate way to female staff, why would he be considered as suitable for employment in an environment with many young, vulnerable girls?

These matters may have already been considered by Worksafe ACT. However, if you require further information, I am happy to contact the parents to seek their formal consent to provide their details as required.

Danielle

Executive Branch Manager, Governance and Community Liaison | Education | ACT Government
Senior Executive for Business Integrity Risk (SERBIR)
02 6207 2990 | Danielle.krajina@act.gov.au
Level 6 220 Northbourne Avenue Braddon | GPO Box 158 Canberra ACT 2601
www.education.act.gov.au | [Facebook](#) | [Twitter](#) | [Instagram](#) | [LinkedIn](#) | [Google+](#)



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From: "Alford, Robert" <Robert.Alford@act.gov.au>
Sent: 08/10/2019 3:53 AM
To: "Jones, Greg" <Greg.Jones@act.gov.au>
Cc: "Davis, MattE" <MattE.Davis@act.gov.au>
Subject: RE: MEDIA INTERVIEW REQUEST: Investigation into Brindabella Christian College

UNCLASSIFIED

Greg

The first notification was in October 2018. However a pattern did not emerge until we received an influx of complaints dated –

24 July 19
23, 29 & 30 August
3 & 10 September.

WorkSafe had commenced investigations already for the 24 July complaint when the media inquiries started.

The latter complaints came in immediately after the media releases.

Bob

From: Jones, Greg <Greg.Jones@act.gov.au>
Sent: Tuesday, 8 October 2019 1:52 PM
To: Alford, Robert <Robert.Alford@act.gov.au>; Curtin, Daniel <Daniel.Curtin@act.gov.au>
Subject: FW: MEDIA INTERVIEW REQUEST: Investigation into Brindabella Christian College

UNCLASSIFIED

Hi Bob

Could you please advise when our investigation into Brindabella commenced. This may have been when we received multiple complaints (if they were received close together) or the most recent complaint.

Thanks

Greg

From: CMTEDDMedia <CMTEDDMedia@act.gov.au>
Sent: Tuesday, 8 October 2019 1:46 PM
To: CMTEDDMedia <CMTEDDMedia@act.gov.au>; Jones, Greg <Greg.Jones@act.gov.au>
Cc: Francis, Michelle <Michelle.Francis@act.gov.au>; Linnane, Amy <Amy.Linnane@act.gov.au>; Alford, Robert <Robert.Alford@act.gov.au>
Subject: RE: MEDIA INTERVIEW REQUEST: Investigation into Brindabella Christian College

UNCLASSIFIED

We have now received the proposed questions, and I have paired them with existing talking points:

What is the investigation based on?

The investigation relates to allegations made to WorkSafe ACT in relation to bullying of staff at the school. WorkSafe's investigation into these allegations is on-going and includes working closely with the Brindabella Christian College management.

Why are WorkSafe investigating?

WorkSafe ACT has a focus on ensuring all workplaces are safe and healthy including being free from bullying and harassment. WorkSafe has a primary role of ensuring businesses comply with Work Health and Safety legislation and that employers protect their workers by taking their responsibilities seriously. WorkSafe engages with businesses including providing information on how to be compliant with their statutory responsibilities. It also takes regulatory action where it is appropriate to do so, such as if there is serious or significant legislative breaches.

When did the investigation start?

FYC

All the best,
Dion

From: CMTEDDMedia

Sent: Tuesday, 8 October 2019 1:38 PM

To: Jones, Greg <Greg.Jones@act.gov.au>

Cc: Francis, Michelle <Michelle.Francis@act.gov.au>; Linnane, Amy <Amy.Linnane@act.gov.au>; Alford, Robert <Robert.Alford@act.gov.au>

Subject: MEDIA INTERVIEW REQUEST: Investigation into Brindabella Christian College

Importance: High

UNCLASSIFIED

Good morning Greg,

We've had a request from Canberra FM (see below) regarding the story written about Brindabella Christian College in the Canberra Times.

I have sought a list of questions, and anticipate they will be along similar lines to those we received last month (see attached).

All the best,
Dion

Dion Pretorius | Content Director

E: dion.pretorius@act.gov.au | 24/7 CMTEDD Media Line: 0466 937 557

Communications and Engagement | Chief Minister, Treasury and Economic Development Directorate

ACT Government

Level 5, Canberra Nara Centre, 1 Constitution Avenue, Canberra City | GPO Box 158 Canberra City ACT 2601 | www.act.gov.au



I acknowledge the traditional custodians of the ACT the Ngunnawal people, and their continuing connection to land and community. I pay my respect to them, and to the Elders both past and present.



From: [REDACTED] <[\[REDACTED\]@canberra.com.au](mailto:[REDACTED]@canberra.com.au)>

Sent: Tuesday, 8 October 2019 1:10 PM

To: CMTEDDMedia <CMTEDDMedia@act.gov.au>

Cc: [REDACTED] <[\[REDACTED\]@canberra.com.au](mailto:[REDACTED]@canberra.com.au)>

Subject: Investigation into Brindabella Christian College

Hi there,

There's an article on the Canberra Times :

<https://www.canberratimes.com.au/story/6390600/enough-is-enough-private-school-board-under-fire-as-buried-review-surfaces/?cs=14225>




Stating that Work Safe ACT is investigating Brindabella Christian College.

Would it be possible to receive a statement from Work Safe ACT regarding the matter?

Cheers,




Casual - Canberra FM

-  +61241234198
-  55 Bellenden Street, Crace, ACT 2911
-  [@hit1047canberra](#) [@iHeartRadioAU](#)



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I acknowledge the traditional custodians of the ACT the Ngunnawal people, and their continuing connection to land and community. I pay my respect to them, and to the Elders both past and present.

From: [REDACTED]@abc.net.au
Sent: Thursday, 26 September 2019 3:41 PM
To: CMTEDDMedia <CMTEDDMedia@act.gov.au>
Subject: Re: ABC: media inquiry

Thanks Dion

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From: CMTEDDMedia <CMTEDDMedia@act.gov.au>
Sent: Thursday, September 26, 2019 3:34:17 PM
To: [REDACTED]@abc.net.au; CMTEDDMedia <CMTEDDMedia@act.gov.au>
Subject: RE: ABC: media inquiry

UNCLASSIFIED

Good afternoon [REDACTED]

Thanks for your email, I have begun to collect the information to answer your query. I will be in touch with any updates.

All the best,
Dion

From: [REDACTED]@abc.net.au
Sent: Thursday, 26 September 2019 12:16 PM
To: CMTEDDMedia <CMTEDDMedia@act.gov.au>
Subject: ABC: media inquiry

Hi media team,

ATTN: Worksafe.

I'm chasing up a tip that the WorkSafe is investigating Brindabella Christian College.

I understand WorkSafe has received information and had meetings with concerned parents on a number of issues, including bullying of staff and treatment of students.

Are you able to confirm the investigation and its scope?
Is WorkSafe concerned about the allegations coming out of the school?

Deadline: Friday, September 27. COB.



[REDACTED]
In depth reporter/producer, ABC Canberra

P +61 2 [REDACTED]@abc.net.au

M +61 [REDACTED]



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From: "Woolgar, Andrew"
Sent: 26/09/2019 6:21 AM
To: "Alford, Robert" <Robert.Alford@act.gov.au>
Subject: FW: Brindabella Christian College

UNCLASSIFIED

Bob,

Sorry missed a complaint so I have added it in below

Andrew J WOOLGAR | Inspector | WorkSafe ACT
Phone: 02 620 73989 | Mobile: 0468 544 028 | Email: andrew.woolgar@act.gov.au
Access Canberra | Chief Minister Treasury and Economic Development Directorate | ACT Government
Dame Pattie Menzies House, 16 Challis St, Dickson | GPO Box 1908, Canberra ACT 2601 | www.act.gov.au/accessCBR



From: Woolgar, Andrew
Sent: Thursday, 26 September 2019 4:18 PM
To: Alford, Robert <Robert.Alford@act.gov.au>
Subject: Brindabella Christian College

UNCLASSIFIED

Gid day Bob,

Background:

Worksafe ACT received:

- a complaint against Brindabella Christian College on the 27/07/2019 in regards to bullying and harassment of workers by the Board of Directors and/or Board Chairman
- a complaint against Brindabella Christian College on the 23/08/2019 in regards to bullying and harassment worker compensation claim from [Schedule 2.2\(a\),\(ii\)](#)
- a complaint against Brindabella Christian College on the 30/08/2019 in regards to bullying and harassment of a workers by the Board of Directors and/or Board Chairman
- a complaint against Brindabella Christian College on the 03/09/2019 in regards psychological harm and intimidation from the Board Chair and by association the Board directors
- a complaint against Brindabella Christian College on the 10/09/2019 in regards bully from the Board Chair
- Ms. Yvette Berry, ACT Deputy Chief Minister, Minister Education and Early Childhood Development received a complaint about the operation and governance arrangement of Brindabella Christian College

Issue:

On the 03/09/2019 Alexis Wray and myself met with [REDACTED] Brindabella Christian College and discussions and observation revealed:

- No bullying and harassment complaints have been submitted to the Brindabella Christian College
- Five open Worker Compensation claims have submitted and one relates to stress
 - Four of the five complainants have left the organisation
- The Brindabella Christian College is a privately owned school which has a Board which is made up of the four share holders
- A large number of workers (which include some of the complainants) have left the school this year
- Bullying and violence policy not available in staff room/ notice board as directed
- No current policy for investigating bullying and harassment complaints

- In the process of developing and introducing new Work Health and Safety and bullying and harassment policies and procedure with limited consultation with workers

Recommend the following Enforcement Action against Brindabella Christian College due to:

- a. Brindabella Christian College is a PCBU as per WHS Act 2011, S19 and S19(2) who on investigations of their Workplace Bullying and Violence Policy and Work Health and Safety Policy do not identify and manage the psychological hazard to workers and others who are put at risk from their work activity
- b. Brindabella Christian College is a PCBU as per WHS Act 2011, S19(3)(c) who on investigations of their Workplace Bullying and Violence Policy and Work Health and Safety Policy do not have a safe system of work and policy for dealing, were appropriate with the relevant psychological hazards for workers and others who submits a complaint
- c. Brindabella Christian College is a PCBU as per WHS Act 2011, S19(3)(c) who on investigations of their Workplace Bullying and Violence Policy do not have a safe system of work and policy for investigating bullying and harassment complaints against the different levels of the Brindabella Christian College management structure
- d. Brindabella Christian College is a PCBU as per WHS Reg. S 39 workers and other person are exposed to a risk to their psychological health and safety as the information, training and instruction provider to workers and other is unsuitable and inadequate to enable compliant investigations to be carried out safely
- e. Brindabella Christian College is a PCBU as per WHS Act 2011, S49 has not so far as is reasonably practicable consulted with workers at the workplace about the revision of the Workplace Bullying and Violence Policy and Work Health and Safety Policy

Please contact me if you require further information

Andrew J WOOLGAR | Inspector | WorkSafe ACT

Phone: 02 620 73989 | Mobile: 0468 544 028 | Email: andrew.woolgar@act.gov.au

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From:"Woolgar, Andrew"
Sent:18/09/2019 5:54 AM
To:"Wray, Alexis" <Alexis.Wray@act.gov.au>
Subject:Draft Improvement Notice words
Attachments:Brindabella.docx

UNCLASSIFIED

Gid day Alexis,

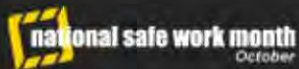
I am seeking your comments on the wording for Improvement Notices to address identified issues

Andrew J WOOLGAR | Inspector | WorkSafe ACT

Phone: 02 620 73989 | Mobile: 0468 544 028 | Email: andrew.woolgar@act.gov.au

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Brindabella Christian College

Recommend the following Enforcement Action against Brindabella Christian College due to:

- a. Brindabella Christian College is a PCBU as per WHS Act 2011, S19 and S19(2) who on investigations of their Workplace Bullying and Violence Policy and Work Health and Safety Policy do not identify and manage the psychological hazard to workers and others who are put at risk from their work activity
- b. Brindabella Christian College is a PCBU as per WHS Act 2011, S19(3)(c) who on investigations of their Workplace Bullying and Violence Policy and Work Health and Safety Policy do not have a safe system of work and policy for dealing, were appropriate with the relevant psychological hazards for workers and others who submits a complaint
- c. Brindabella Christian College is a PCBU as per WHS Act 2011, S19(3)(c) who on investigations of their Workplace Bullying and Violence Policy do not have a safe system of work and policy for investigating bullying and harassment complaints against the different levels of the Brindabella Christian College management structure
- d. Brindabella Christian College is a PCBU as per WHS Reg. S 39 workers and other person are exposed to a risk to their psychological health and safety as the information, training and instruction provider to workers and other is unsuitable and inadequate to enable compliant investigations to be carried out safely
- e. Brindabella Christian College is a PCBU as per WHS Act 2011, S49 has not so far as is reasonably practicable consulted with workers at the workplace about the revision of the Workplace Bullying and Violence Policy and Work Health and Safety Policy

Commented [WA1]: I do not know if use both or C Improvement Notice wording to address identified issues

From:"Woolgar, Andrew"

Sent:09/09/2019 9:28 PM

To:"Davis, MattE" <MattE.Davis@act.gov.au>

Subject:Accepted: Brindabella Christian College

From:"Woolgar, Andrew"

Sent:02/09/2019 6:08 AM

To:"Davis, MattE" <MattE.Davis@act.gov.au>;"Wray, Alexis" <Alexis.Wray@act.gov.au>

Subject:Brindabella Christian College

From:"Woolgar, Andrew"

Sent:02/09/2019 1:19 AM

To:"Davis, MattE" <MattE.Davis@act.gov.au>;"Wray, Alexis" <Alexis.Wray@act.gov.au>

Subject:Brindabella College

God Day Alexis

Booking for tomorrow

I have booked a car to get to the College

We need to have a chat with Matt about this. Matt is free about 13:30 today

Andrew J WOOLGAR | Inspector | WorkSafe ACT

Phone: 02 620 73989 | Mobile: 0468 544 028 | Email: andrew.woolgar@act.gov.au

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From:"Woolgar, Andrew"

Sent:02/09/2019 1:17 AM

To:"Wray, Alexis" <Alexis.Wray@act.gov.au>;"Davis, MattE" <MattE.Davis@act.gov.au>

Subject:Brindabella College

From: "Alford, Robert" <Robert.Alford@act.gov.au>
Sent: 09/10/2019 1:51 AM
To: "CMTEDD FOI" <CMTEDDFOI@act.gov.au>
Cc: "Leonard, Matt" <Matt.Leonard@act.gov.au>; "Curtin, Daniel" <Daniel.Curtin@act.gov.au>; "Jones, Greg" <Greg.Jones@act.gov.au>; "Woolgar, Andrew" <Andrew.Woolgar@act.gov.au>; "Davis, MattE" <MattE.Davis@act.gov.au>
Subject: RE: [REDACTED] FOI request - Brindabella Christian College

UNCLASSIFIED

Hi Matt

Please be advised this matter is under investigation. No information will be released until the investigation is completed.

Release of any information on hand at present by WorkSafe ACT will potentially be prejudice to any regulatory outcomes that may be considered.

Kind Regards

Bob Alford | A/Director - Enforcement & Compliance

Phone: 02 6205 4261 | Mobile: 0434 85 11 39 | Email: robert.alford@act.gov.au

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From: Leonard, Matt <Matt.Leonard@act.gov.au> **On Behalf Of** CMTEDD FOI
Sent: Wednesday, 9 October 2019 11:29 AM
To: Alford, Robert <Robert.Alford@act.gov.au>
Cc: Hotham, Emma <Emma.Hotham@act.gov.au>
Subject: FW: [REDACTED] FOI request - Brindabella Christian College

Good morning Bob,

Please see the emails from [REDACTED] and Emma Hotham at EDU below. Can you please confirm:

- A. If WorkSafe ACT has any documents that fall within scope and
- B. If they are able to be released or are part of an ongoing investigation.

Many thanks

Matt Leonard | Senior Freedom of Information Coordinator | Information Access Team

Ph: 02 6207 3417

Corporate | Chief Minister, Treasury and Economic Development Directorate | ACT Government

Level 2, Canberra Nara Centre | GPO Box 158 Canberra ACT 2601 | www.act.gov.au

From: Hotham, Emma <Emma.Hotham@act.gov.au>
Sent: Wednesday, 9 October 2019 10:47 AM
To: CMTEDD FOI <CMTEDDFOI@act.gov.au>
Subject: [REDACTED] FOI request - Brindabella Christian College

UNCLASSIFIED

Good morning

As discussed with Simon we have been working on this FOI for a while, as you can imagine there is a fair bit of material from multiple sources within Education Directorate which has taken some time to receive and collate. Having seen the Sherryn Groch Canberra Times article this morning which mentions WorkSafe, can you please have a look at the email below and advise if CMTEDD have anything for this one? Apologies – as we were not aware that CMTEDD may also have material.

FYI - EPSDD accepted a partial transfer some weeks back as they have a grant that is within scope.

Thanks
Emma

Emma Hotham | A/g Director Information Access
Phone: +61 2 6205 0720 | Email: emma.hotham@act.gov.au
Governance and Community Liaison | Education | ACT Government
L6, 220 Northbourne Avenue, Braddon, ACT 2601 | GPO Box 158 Canberra ACT 2601
www.education.act.gov.au | [Facebook](#) | [Twitter](#) | [Instagram](#) | [LinkedIn](#) | [Google+](#)

From: Nikolas, Lejla <Lejla.Nikolas@act.gov.au> **On Behalf Of** EDU Legal Liaison
Sent: Thursday, 5 September 2019 3:27 PM
To: Hotham, Emma <Emma.Hotham@act.gov.au>
Subject: FW: FOI request

UNCLASSIFIED

From: [REDACTED]
Sent: Thursday, 5 September 2019 2:53 PM
To: EDU Legal Liaison <EDULegalLiaison@act.gov.au>
Subject: FOI request

The FOI Coordinator
Governance and Legal Liaison
Governance and Community Liaison Branch
ACT Education Directorate

Good afternoon,

I write to request the following under the *Freedom of Information Act 2016* (FOI Act):

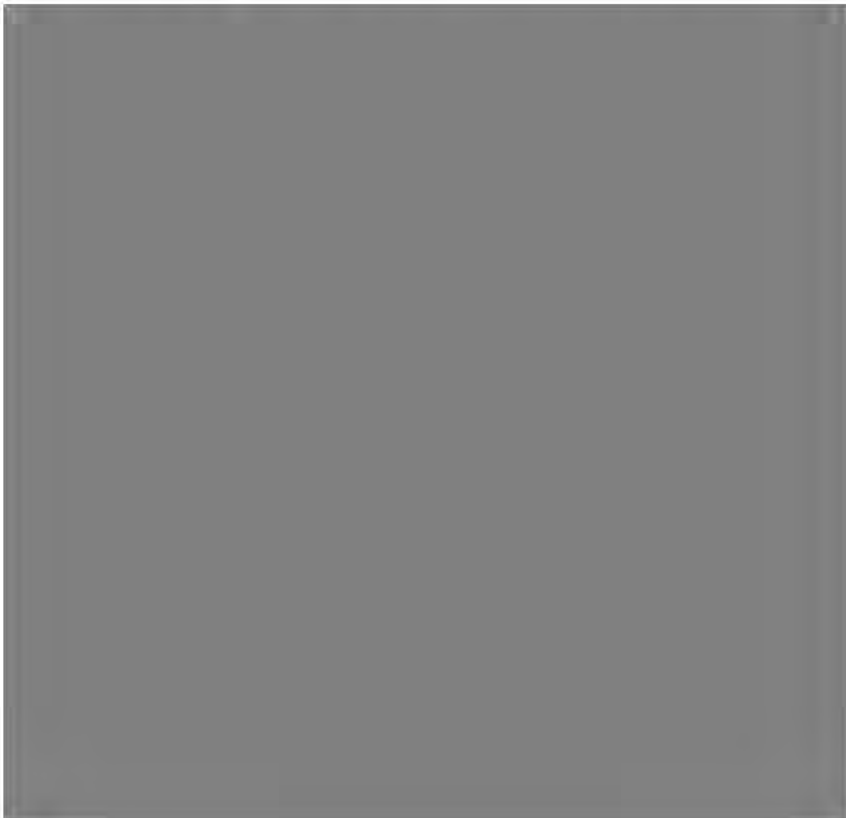
- 2018 audit by the ACT Government for Brindabella Christian College;
- Details of all ACT government grants received by Brindabella Christian College in the past 5 years; and
- Any communications sent/received by the ACT Government to Brindabella Christian College concerning:
 - Staff bullying and harassment allegations

- Board conduct in regards to hiring teachers, changing timetables, decision to recount the student election for college captain in 2012, lack of community consultation
- Governance and financial viability of Brindabella Christian College
- Alleged conflicts of interest in Board decisions, including the decision to use at least one government grant to purchase goods/services from a company owned by the Board Chair.

I make this request pursuant to section 30 of the FOI Act.



Should you require any further information or clarification about my request, please contact my office on



From:"Davis, MattE"

Sent:16/08/2019 1:54 AM

To:"Alford, Robert" <Robert.Alford@act.gov.au>

Cc:"Curtin, Daniel" <Daniel.Curtin@act.gov.au>

Subject:190816 Media enquiry Canberra Times WorkSafe Brindabella Christian Colle.._ [SEC=UNCLASSIFIED]

Attachments:190816 Media enquiry Canberra Times WorkSafe Brindabella Christian Colle.._.docx

Hi Bob,

As requested, early stages in our inquiries.

Cheers

Matt

Kind Regards

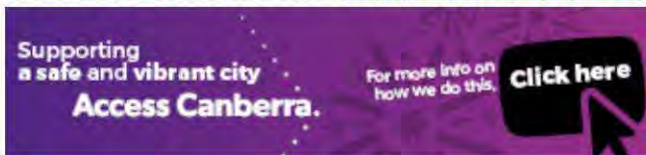
Matt

Matt Davis | Assistant Director - Workplace Safety Operations Team Manager

Phone: 02 6205 2618 | Mobile: 0481 904 324 | <mailto:matte.davis@act.gov.au>

Construction, Environment and Workplace Protection | Access Canberra | ACT Government

GPO Box 158 Canberra ACT 2601 | <http://www.act.gov.au/accesscbr>





Minister: Minister Stephen Smith
Date: 16 August 2019

Issue: Worksafe ACT and Brindabella Christian College
Journalist: [REDACTED]
Media outlet: Canberra Times
Contact: [REDACTED]
Deadline: COB Monday 19 August 2019

Enquiry:

- Q1. Is Worksafe investigating or weighing up investigating the school?
- Q2. Is it looking at the number of workers comp claims/fair work cases since 2015 – or anything else?
- Q3. Has the school received any notices or orders from WorkSafe in the past five years?

Response:

Q1. Worksafe ACT has made contact with the Human Resource Officer at Brindabella Christian College in order to obtain copies of policies, procedures and training/induction in relation to how the college manage bullying and harassment complaints within the school in relation to staff (workers). This was in responses to two separate complaints Worksafe has received and the inquiries at this stage are in the very early stages. Both complaints were made by anonymous complainants. A suite of documents has been provided by the college which WorkSafe ACT are now reviewing.

Q2. WorkSafe ACT does not look into, or consider Fair Work claims as part of its enquiries. Only one Workers Compensation case relating to bullying and harassment was identified, it is unknown if this is linked to the complaints due to their anonymity.

Q3. In the past five years Worksafe ACT has issued no orders or notices to Brindabella Christian College.

Action officer:

Cleared by (Business Unit Head):

Cleared by (DG or D/DG):

Date:

From: "Woolgar, Andrew"
Sent: 28/08/2019 9:52 PM
To: "Davis, MattE" <MattE.Davis@act.gov.au>
Subject: RE: Brindabella Christian College [SEC=UNCLASSIFIED]

Matt,

I believe Jeanne was allocated this file on about the 23/08/2019 and I only made aware of the file on the 27/08/2019.

We can talk about this at our PADP session today.

Andrew J WOOLGAR | Inspector | WorkSafe ACT
Phone: 02 620 73989 | Mobile: 0468 544 028 | Email: andrew.woolgar@act.gov.au
Access Canberra | Chief Minister Treasury and Economic Development Directorate | ACT Government
Dame Pattie Menzies House, 16 Challis St, Dickson | GPO Box 1908, Canberra ACT 2601 | www.act.gov.au/accessCBR



From: Davis, MattE
Sent: Wednesday, 28 August 2019 5:47 PM
To: Woolgar, Andrew <Andrew.Woolgar@act.gov.au>
Subject: Brindabella Christian College [SEC=UNCLASSIFIED]

Hey Andrew,

Have we made contact with [redacted]?

[redacted] rang wishing to speak to someone in Worksafe regarding the current workers compensation investigation held at Brindabella College. [redacted] would like to know why she wasn't informed regarding this investigation, which is in The Canberra Times on 23/08/19. [redacted]

Cheers
Matt

From:"Woolgar, Andrew"

Sent:28/08/2019 3:33 AM

To: [REDACTED]@bcc.act.edu.au" [REDACTED]@bcc.act.edu.au>

Cc:' [REDACTED]@bcc.act.edu.au>

Subject:Grievance Handling and Investigation Policy BCC [DLM=For-Official-Use-Only]

Gid day [REDACTED]

I am the WorkSafe ACT Inspector who has been tasked with investigating a bullying and harassment complaint linked to Brindabella Christian College and I am seeking to organise a time to meet with you to discuss this complaint.

I have been provided your contact details by [REDACTED] Brindabella Christian College due to you being the Contact Officer nominated by the College for these matters.

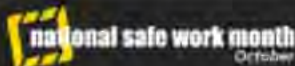
I look forward to your response.

Andrew J WOOLGAR | Inspector | WorkSafe ACT

Phone: 02 620 73989 | Mobile: 0468 544 028 | Email: andrew.woolgar@act.gov.au

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From: "Woolgar, Andrew" <Andrew.Woolgar@act.gov.au>
Sent: 12/08/2019 4:36 AM
To: "Wray, Alexis" <Alexis.Wray@act.gov.au>
Cc: "Davis, MattE" <MattE.Davis@act.gov.au>
Subject: FW: Seeking copies of Bullying and harassment policies, procedures and training [DLM=For-Official-Use-Only]
Attachments: BCC Complaints Policy.pdf, BCC Employee Code of Conduct.pdf, BCC Performance Management Misconduct and Disciplinary Action Policy.pdf, BCC Work Health and Safety Policy.pdf, BCC Workplace Bullying and Violence Policy.pdf, General_Staff_MEA_Final_130625.pdf, Teaching_Staff_MEA_160826 (APPROVED VERSION).pdf

Gid day Alexis,

Can you please provide me with your comments on these documents.

I have requested a copy of the Grievance Handling and Investigation Policy which is outlined in the section 7.2, Workplace Bullying and Violence Policy.

We can get together in a couple of days to discuss further and what are the next steps in this investigation

Andrew J WOOLGAR | Inspector | WorkSafe ACT

Phone: 02 620 73989 | Mobile: 0468 544 028 | Email: andrew.woolgar@act.gov.au

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From: [REDACTED]@bcc.act.edu.au
Sent: Monday, 12 August 2019 7:38 AM
To: Woolgar, Andrew <Andrew.Woolgar@act.gov.au>
Cc: [REDACTED]@bcc.act.edu.au; [REDACTED]@bcc.act.edu.au
Subject: Seeking copies of Bullying and harassment policies, procedures and training [DLM=For-Official-Use-Only]

Hi Andrew

Attached are documents as requested.

Brindabella Christian College's contact person is our acting [REDACTED]

Regards

[REDACTED]
Human Resources Officer
Business Services Team
Brindabella Christian College, Canberra
Monday - Thursday
p: 02 6247 4644
e: [REDACTED]@bcc.act.edu.au
[website](#) | [Facebook](#)



From: Woolgar, Andrew <Andrew.Woolgar@act.gov.au>

Sent: Thursday, 8 August 2019 9:35 AM

To: [REDACTED] <[\[REDACTED\]@bcc.act.edu.au](mailto:[REDACTED]@bcc.act.edu.au)>

Subject: FW: Seeking copies of Bullying and harassment policies, procedures and training [DLM=For-Official-Use-Only]

Gid day [REDACTED]

I am the WorkSafe ACT Inspector who has been tasked with investigating a bullying and harassment complaint linked to Brindabella Christian College.

Initially I would like copies of any bullying and harassment policies, procedures and training documentation provided to workers.

Once I have perusal these documents I will organise a meeting with the appropriate person to discuss this further.

Please contact me if you require further information

Andrew J WOOLGAR | Inspector | WorkSafe ACT

Phone: 02 620 73989 | Mobile: 0468 544 028 | Email: andrew.woolgar@act.gov.au

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From:"Woolgar, Andrew"

Sent:28/08/2019 3:21 AM

To:"Wray, Alexis" <Alexis.Wray@act.gov.au>

Subject:190724-002402 -T3 - Brindabella Christian College - Lyneham Campus 136 Brigalow Street Lyneham - Compliant - Bullying and harassment of workers (fA9075572) [DLM=For-Official-Use-Only]

Attachments:190724-002402 -T3 - Brindabella Christian College - Lyneham Campus 136 Brigalow Street Lyneham - Compliant - Bullying and harassment of workers.obr

Gid day Alexis,

The different documents are within a email in corrspotence

Let me know if cannot access

Andrew

Andrew Woolgar has sent you a link to "190724-002402 -T3 - Brindabella Christian College - Lyneham Campus 136 Brigalow Street Lyneham - Compliant - Bullying and harassment of workers" (fA9075572) from Objective.

Open in Navigator

Double click on the attachment

Open in ECM for Browser

<https://objective.act.gov.au:8443/#/documents/fA9075572/details>

Open in Your Browser

<https://objective.act.gov.au/id:fA9075572>

