



**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 2022-204

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	N/A
6. Processing time (in working days)	65
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

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**From:** no-reply@act.gov.au  
**Sent:** Tuesday, 5 July 2022 11:22 AM  
**To:** CMTEDD FOI  
**Subject:** CMTEDDFOI 2022-204 - Freedom of Information request

**Caution:** This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe. [Learn why this is important](#)

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

Request for information

(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):

I seek access to any documents held by ACT WorkSafe in regards to Brindabella Christian Education Limited trading as Brindabella Christian College (collectively referred to as 'the school') between the period of 1 January 2021 and 5 July 2022. I seek documents which relate to any action taken by Work Safe under the WH&S Act including any investigation, enquiry, directive, notices, report or correspondence AND including the schools response(s) to these actions, in whatever shape or form that may be. Duplicate documents can be excluded.

I do not want to access the following documents in relation to my request:: No duplicate documents.

Thank you.  
Freedom of Information Coordinator



**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

Our ref: CMTEDDFOI 2022-204



## 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 5 July 2022, in which you sought access to:

- *Any documents held by ACT WorkSafe in regards to Brindabella Christian Education Limited trading as Brindabella Christian College (collectively referred to as 'the school') between the period of 1 January 2021 and 5 July 2022.*
- *Documents which relate to any action taken by Work Safe under the WH&S Act including any investigation, enquiry, directive, notices, report or correspondence AND including the schools response(s) to these actions, in whatever shape or form that may be (same date range).*

### 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 2 August 2022 however, following third party consultations, the due date is now 23 August 2022. I also note that on 18 August 2022 a relevant third party requested additional time to respond following an unexpected illness, and you refused to grant an extension.

### Decision on access

Searches were completed for relevant documents and 23 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 the documents that fall within the scope of your request and the access decision for those documents.

I have decided to grant access in full to four documents and partial access to 18 documents. I have decided to refuse access to one document as I consider it to be contrary to the public interest information under schedule 1 of the Act.

My access decisions are detailed further in the following statement of reasons in accordance with section 54(2) of the Act.

### **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 document and components of the documents are as follows:

#### Contrary to the public interest information under schedule 1 of the Act

The contemporaneous notes are composed of, or contains, information that is considered to be contrary to the public interest under schedule 1 of the Act. Specifically, Schedule 1 s1.14(f) of the Act states:

*f) prejudice the effectiveness of a lawful method or procedure for preventing, detecting, investigating or dealing with a contravention or possible contravention of the law.*

Releasing the methodology used by investigators has the potential to aid those who would flout regulations in avoid detection.

#### 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 interest 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 [public interest] 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 the documents is within the ‘public interest’.

Factors favouring disclosure in the public interest under schedule 2.1:

- (a) *disclosure of the information could reasonably be expected to do any of the following:*
- (ii) *contribute to positive and informed debate on important issues or matters of public interest.*

Having considered the factors identified as relevant in this matter, I consider that release of the information contained in the documents may contribute to debate in this matter, but I question as to whether it would be positive and informed and to what extent this is a matter of public interest.

Noting that the FOI Act has an express pro-disclosure bias which reflects the importance of public access to government information for the proper working of a representative democracy, I must consider the above factor for disclosure of the information, but I afford it little weight in my consideration.

Factors favouring nondisclosure in the public interest under schedule 2.2:

- (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.*

(xi) *prejudice trade secrets, business affairs or research of an agency or person.*

(b) *the information—*

v) *is about unsubstantiated allegations of misconduct or unlawful, negligent or improper conduct and disclosure of the information could prejudice the fair treatment of an individual.*

Having reviewed the documents, I consider that the protection of an individual's right to privacy, especially in the course of dealing with the ACT Government is a significant factor. Parties involved have provided their personal information for the purposes of working with the ACT Government in a regulatory manner and this, in my opinion, outweighs the benefit which may be derived from releasing the personal information of the individual's involved.

Individuals are entitled to expect that the personal information they have supplied as part of this process will be dealt with in a manner that protects their privacy. Considering the type of information to be withheld from release, I am satisfied that the factors in favour of release can still be met while protecting the personal information of the individuals involved. I therefore weight the factor for nondisclosure more highly than the factor in favour of release in this instance. As a result, I have decided that release of this information (names identifying details and names of individuals not employed by the ACT Public Service) could prejudice their right to privacy under the *Human Rights Act 2004*.

I have also considered the impact of disclosing information which relates to business affairs. In the case of *Re Mangan and The Treasury* [2005] AATA 898 the term 'business affairs' was interpreted as meaning 'the totality of the money-making affairs of an organisation or undertaking as distinct from its private or internal affairs'. Schedule 2

section 2.2(a)(xi) allows for government information to be withheld from release if disclosure of the information could reasonably be expected to prejudice the trade secrets, business affairs or research of an agency or person.

Additionally, I note that one of the complaints is anonymous and is an unsubstantiated allegation of wrongdoing with no corroborating evidence.

Having applied the test outlined in section 17 of the Act and deciding that release of personal information contained in the documents is not in the public interest to release, I have chosen to redact this specific information in accordance with section 50(2). Noting the pro-disclosure intent of the Act, I am satisfied that redacting 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.

#### **Access to documents**

Pursuant to section 38(6) of the Act, I am required to defer access to all the identified documents as an affected third party has objected to disclosure. This third party may apply for review of my release decision within 20 working days after my decision is published in CMTEDD disclosure log, or a longer period allowed by the Ombudsman. I will write to you to advise when access is no longer deferred.

#### **Charges**

Processing charges are not applicable for this request because the number of pages to be released to you is below the charging threshold of 50 pages.

#### **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 on the CMTEDD disclosure log 3 days after the date of my decision. Your personal contact details will not be published.

You may view CMTEDD disclosure log at <https://www.cmtedd.act.gov.au/functions/foi>.

#### **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:

The ACT Ombudsman  
GPO Box 442  
CANBERRA ACT 2601

Via email: [actfoi@ombudsman.gov.au](mailto: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:

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](mailto:CMTEDDFOI@act.gov.au).

Yours sincerely,



Katharine Stuart  
Information Officer  
Chief Minister, Treasury and Economic Development Directorate

23 August 2022



**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

## FREEDOM OF INFORMATION REQUEST SCHEDULE

### WHAT ARE THE PARAMETERS OF THE REQUEST

Reference NO.

Any documents held by ACT WorkSafe in regards to Brindabella Christian Education Limited trading as Brindabella Christian College (collectively referred to as 'the school') between the period of 1 January 2021 and 5 July 2022.

CMTEDDFOI 2022-204

Documents which relate to any action taken by Work Safe under the WH&S Act including any investigation, enquiry, directive, notices, report or correspondence AND including the schools response(s) to these actions, in whatever shape or form that may be (same date range).

Ref No	Page number	Description	Date	Status	Reason for Exemption	Online Release Status
1	1	Smartforms submission	12 Apr 2022	Full release		Yes
2	2-3	WorkSafe ACT Workplace concern form	12 Apr 2022	Partial release	Sch 2 s2.2 (a)(ii) Sch 2 s2.2 (b)(v)	Yes
3	4-7	WorkSafe ACT Workplace Visit form	15 Apr 2022	Partial release	Sch 2 s2.2 (a)(ii)	Yes
4	8	Email	14 Dec 2021	Partial release	Sch 2 s2.2 (a)(ii)	Yes
5	9-15	Email chain	13 Dec 2021	Partial release	Sch 2 s2.2 (a)(ii)	Yes
6	16-17	Email chain	30 Jan 2022	Partial release	Sch 2 s2.2 (a)(ii)	Yes
7	18	Email	31 Jan 2022	Partial release	Sch 2 s2.2 (a)(ii)	Yes
8	19-20	Email chain	31 Jan 2022	Partial release	Sch 2 s2.2 (a)(ii)	Yes
9	21	Email	8 Feb 2022	Partial release	Sch 2 s2.2 (a)(ii)	Yes
10	22	Email	8 Feb 2022	Partial release	Sch 2 s2.2 (a)(ii)	Yes
11	23-25	Brindabella Christian College Staff Handbook extract	2022	Full release	N/A	Yes
12	26	Email	22 Feb 2022	Partial release	Sch 2 s2.2 (a)(ii)	Yes



13	27-29	WorkSafe ACT Workplace Visit Report as attachment to above email	18 Feb 2022	Partial release	Sch 2 s2.2 (a)(ii)	Yes
14	30	Email	28 Feb 2022	Partial release	Sch 2 s2.2 (a)(ii)	Yes
15	31-33	Section 155(2) notice as attachment to above email	1 Mar 2022	Partial release	Sch 2 s2.2 (a)(ii) Sch 2 s2.2 (a)(xi)	Yes
16	34	Email	16 July 2022	Partial release	Sch 2 s2.2 (a)(ii)	Yes
17	35-37	WorkSafe ACT Improvement Notice	19 May 2021	Partial release	Sch 2 s2.2 (a)(ii)	Yes
18	38	Smartforms submission	9 July 2021	Full release	N/A	Yes
19	39-40	WorkSafe ACT Workplace concern form as attachment to above email	9 July 2021	Partial release	Sch 2 s2.2 (a)(ii)	Yes
20	41-43	WorkSafe ACT Workplace Visit Report	28 Apr 2021	Partial release	Sch 2 s2.2 (a)(ii)	Yes
21	44-45	WorkSafe ACT Workplace Visit Report	22 July 2021	Partial release	Sch 2 s2.2 (a)(ii)	Yes
22	46-47	WorkSafe ACT Workplace Visit Report	18 Mar 2022	Full release	N/A	Yes
23		Contemporaneous notes		Exempt	Schedule 1 s1.14(f)	Yes
<b>Total No of Docs</b>						
23						

**From:** smartforms@act.gov.au  
**Sent:** 12/04/2021 10:43 AM  
**To:** "WorkSafe" <WorkSafe@act.gov.au>  
**Subject:** Report a Workplace Concern or Issue, 7P9P8JBR, Bullying [SEC=UNCLASSIFIED, DLM=Sensitive: Personal]  
**Attachments:** 7P9P8JBR.pdf

## Report a Workplace Concern or Issue

### Form data summary

<b>WorkSafe category</b>	Bullying
<b>Workplace name</b>	Brindabella Christian College
<b>Submit anonymously</b>	true
<b>Reference code</b>	7P9P8JBR

For issues or questions relating to SmartForms please contact the Payment Services Integration Team on \*5 4607 or email [smartforms.admin@act.gov.au](mailto:smartforms.admin@act.gov.au) .

## Report a Workplace Concern or Issue - Submission confirmation

Your submission has been successful. Please keep a copy of this receipt for your records.

Date and time

Reference code

12 Apr 2021 10:41:19 AM

7P9P8JBR

WorkSafe ACT

PO Box 158  
Canberra ACT 2601

Phone: 13 22 81  
Email: [worksafe@act.gov.au](mailto:worksafe@act.gov.au)

## Report a Workplace Concern or Issue

### Concern/issue details

If this matter is a notifiable incident in accordance with sections 35 to 39 of the *Work Health and Safety Act 2011* and the *Work Health and Safety Regulations 2011* please complete the Notifiable Incident Report form (<https://form.act.gov.au/smartforms/landing.htm?formCode=1282>).

WorkSafe category \*

Workplace name \*

Brindabella Christian College

Please provide any additional information that may assist WorkSafe ACT in resolving your issue or answering your enquiry (for example: what, when, what you thought was wrong, who was involved) \*

Schedule 2.2(a)(ii), Schedule 2.2(b)(v)

Attach an image or other information to support your report or enquiry

### Workplace address (if known)

Enter the address or search/mark the location on the map

Address line 1

BRINDABELLA CHRISTIAN COLLEGE 136 BRIGALOW ST

Address line 2

Suburb

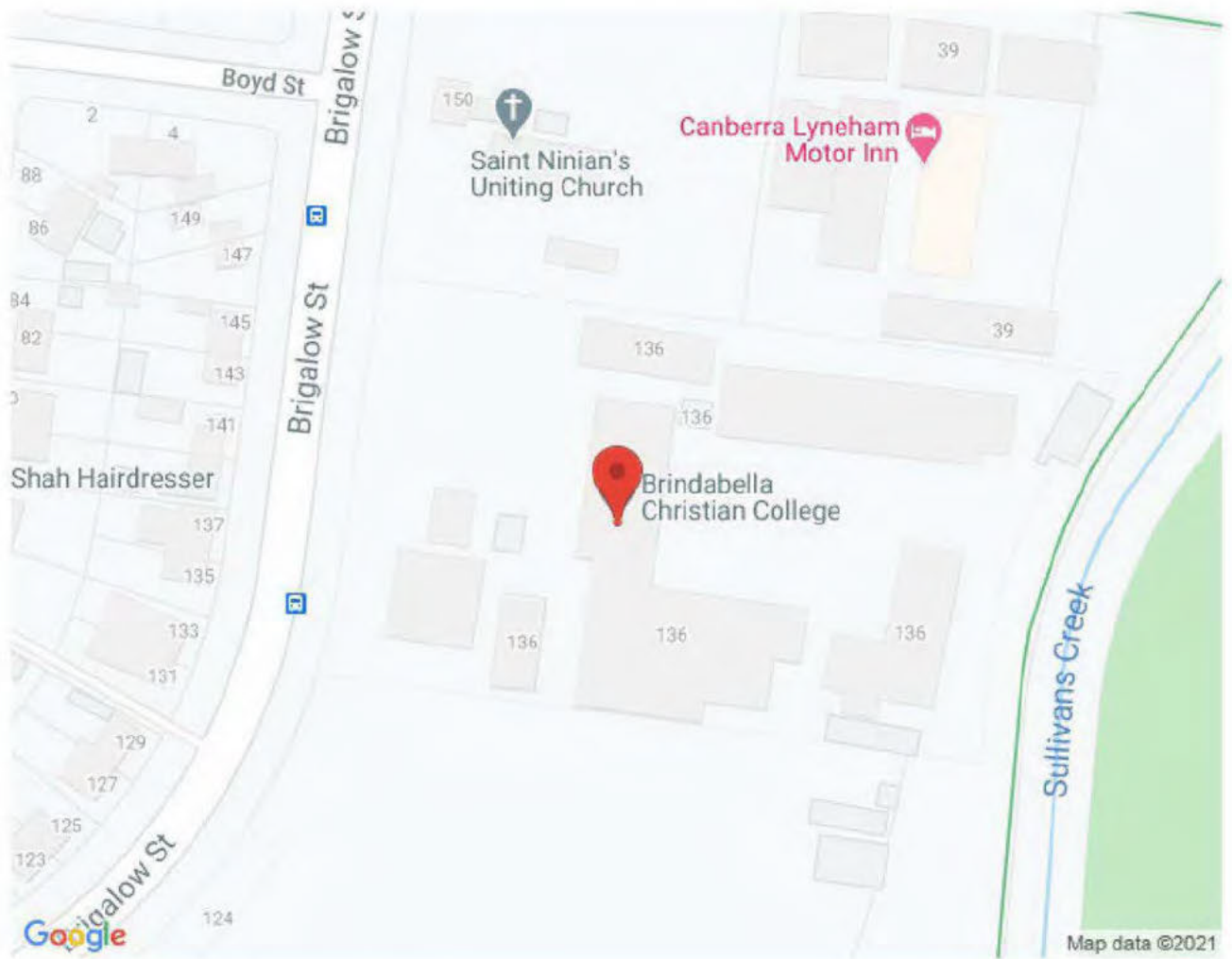
LYNEHAM

State

ACT

Postcode

2602



## Your contact information

Submit anonymously

## Initial information

Type of report \*

Workplace Visit

Inspector ID \*

P32662

Inspection number

WPV-P32662-X71IEH

Event number

Lead inspector \*

MattE Davis

Is there any accompanying inspectors \*

Yes  No

Date \*

15 Apr 2020

Time commenced \*

12:30

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

Name of individual or registered company \*

Brindabella Christian Education Limited

ABN

21100229669

ACN

Business or trading name (if different)

Brindabella Christian College

Registered company address

Address line 1 \*

136 Brigalow Street

Address line 2

Suburb \*

Lyneham

State \*

ACT

Postcode \*

2602

Contact name \*

Schedule 2.2(a)(ii)

Contact number \*

Schedule 2.2(a)(ii)

Email address \*

Schedule 2.2(a)(ii)@bcc.act.edu.au

## Workers compensation

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Is a compulsory Workers Compensation Policy maintained? \*

- Yes
- No
- Not applicable

## Details of inspection

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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 15 April 2020 at 12:30 Assistant Director Davis attended Brindabella Christian College (BCC) to confirm that BCC had complied with Improvement Notices issued by Inspector Woolgar on the 12 December 2019. Present at the meeting were

demonstrated how BCC were using the system to manage all aspects of their WHSMS.

The Notices related to BCC Work Health and Safety Management System, details of each notice and the action taken to comply are as follows:

1. IN-W-P39355-VMFEBE-1 – Complied with, the BCC Systems Improvement Consultant was able to demonstrate that BCC was transferring the physical and psychosocial hazards into the risk management module within Complispace. This include demonstrating how to report hazards and covered the different areas of the BCC.
  2. IN-W-P39355-VMFEBE-2 – Complied with, BCC has embedded their existing policies and procedures into Complispace including using that system to report Psychological hazards. BCC are using training and competency matrixes in the back end of the program for complaint handling and escalation.
  3. IN-W-P39355-VMFEBE-3 – Complied with, BCC use Complispace to manage who can respond to complaints, the system tracks and ensure these positions are trained to manage complaints. PeaceWise is used for complaint escalation and whistle blower support.
  4. IN-W-P39355-VMFEBE-4 – Complied with, BCC are using the functionality of Complispace to route safety information including communication of hazards, provision and tracking of WHS Induction. Workers have access through the portal so have readily available access to control measures.
  5. IN-W-P39355-VMFEBE-5 – Complied with, consultation has been set up through WHS Committees.
  6. IN-W-P39355-VMFEBE-6 – Complied with, BCC send the key duty holders on WHS training annually.
- WorkSafe ACT acknowledges that the Complispace system had only been active for 1 month before it was viewed by the inspector but I was satisfied that BCC have made significant headway shifting from a WHSMS that relied on corporate knowledge to a system that all workers/others at BCC have access to.

## Further action

Further action required? \*

Yes  No

Previous notice/s issued?

Yes  No

Notice number/s

1. IN-W-P39355-VMFEBE-1
2. IN-W-P39355-VMFEBE-2
3. IN-W-P39355-VMFEBE-3
4. IN-W-P39355-VMFEBE-4
5. IN-W-P39355-VMFEBE-5
6. IN-W-P39355-VMFEBE-6

# Finalisation details

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Photos

Other attachments (documents)

WPV for asbestos related issue \*

Yes  No

Industry group \*

Education and Training

Time finished \*

14:30

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 \*

MattE.Davis@act.gov.au

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

1

Email 1 \*

Schedule 2.2(a)(ii)@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.



**From:** Schedule 2.2(a)(ii) @bcc.act.edu.au>  
**Sent:** 14/12/2021 1:36 AM  
**To:** "Jeacocke, Joanne" <Joanne.Jeacocke@worksafe.act.gov.au>  
**Subject:** Accepted: WorkSafe ACT Inspection

**CAUTION:** This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.



The contents of this email are confidential and are intended only to be read or used by the named addressee. Any unauthorised use of the contents is expressly prohibited. If you receive this email in error, please notify the administrator on +61 2 6190 7300 and immediately delete it from your system. You must not disclose, copy or use any part of this email if you are not the intended recipient.

**From:** Schedule 2.2(a)(ii) @bcc.act.edu.au>  
**Sent:** 13/12/2021 11:45 PM  
**To:** "Jeacocke, Joanne" <Joanne.Jeacocke@worksafe.act.gov.au>  
**Subject:** RE: WorkSafe ACT - Psychosocial Inspection

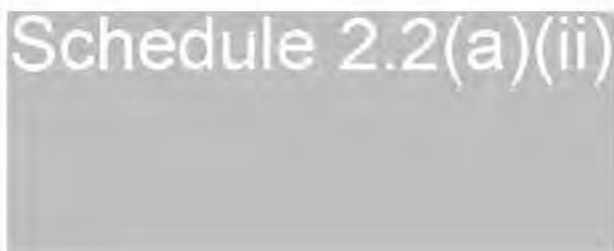
**CAUTION:** This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Joanne

Thanks for getting back to us and our BCC team fine with below proposed time

- 1:30pm -3:00pm, Monday 31 January 2022

Blessings,



---

**From:** Jeacocke, Joanne <Joanne.Jeacocke@worksafe.act.gov.au>  
**Sent:** Monday, 13 December 2021 1:04 PM  
**To:** Schedule 2.2(a)(ii) @bcc.act.edu.au>  
**Subject:** RE: WorkSafe ACT - Psychosocial Inspection

OFFICIAL

Hello [redacted]

Thank you for your phone call. Please find proposed times for the inspection:

- 10:30am-12:00pm, Tuesday 21 December 2021
- 1:30pm -3:00pm, Monday 31 January 2022

Could the following documents be provided as soon as possible:

1. Grievance handling policy/procedure (I believe this was reviewed following an improvement notice issued by Alexis Wray)
2. Bullying and harassment policy/procedure
3. Code of conduct policy/procedure
4. Complete incident report register that captures any/all reports of inappropriate behaviours (including bullying and harassment) from January 2019 to December 2021

Kind regards

Joanne Jeacocke | Inspector, Psychological Health and Safety  
P: 6205 9519 | E: [joanne.jeacocke@worksafe.act.gov.au](mailto:joanne.jeacocke@worksafe.act.gov.au)

## WORKSAFEACT



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:** Schedule 2.2(a)(ii) <[@bcc.act.edu.au](mailto:@bcc.act.edu.au)>  
**Sent:** Monday, 13 December 2021 11:59 AM  
**To:** Jeacocke, Joanne <[Joanne.Jeacocke@worksafe.act.gov.au](mailto:Joanne.Jeacocke@worksafe.act.gov.au)>  
**Subject:** RE: WorkSafe ACT - Psychosocial Inspection

**CAUTION:** This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Joanne

With reference to below, can you suggest another day after 14<sup>th</sup> or should we do it start of next year, let me know.


Blessings,

Schedule 2.2(a)(ii)



**From:** Jeacocke, Joanne <[Joanne.Jeacocke@worksafe.act.gov.au](mailto:Joanne.Jeacocke@worksafe.act.gov.au)>  
**Sent:** Friday, 3 December 2021 8:35 AM  
**To:** Schedule 2.2(a)(ii) <[@bcc.act.edu.au](mailto:@bcc.act.edu.au)>  
**Subject:** RE: WorkSafe ACT - Psychosocial Inspection

OFFICIAL

Good morning 

I am available on:

- Monday 13 December from 1.30pm onwards
- Tuesday 14 December from 1:30pm onwards

Kind regards

Joanne Jeacocke | Inspector, Psychological Health and Safety  
P: 6205 9519 | E: [joanne.jeacocke@worksafe.act.gov.au](mailto:joanne.jeacocke@worksafe.act.gov.au)

Office of the Work Health and Safety Commissioner  
GPO Box 158 Canberra ACT 2601

**WORKSAFEACT**



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.

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**From:** Schedule 2.2(a)(ii) <[@bcc.act.edu.au](mailto:@bcc.act.edu.au)>  
**Sent:** Thursday, 2 December 2021 10:17 AM  
**To:** Jeacocke, Joanne <[Joanne.Jeacocke@worksafe.act.gov.au](mailto:Joanne.Jeacocke@worksafe.act.gov.au)>  
**Subject:** RE: WorkSafe ACT - Psychosocial Inspection

**CAUTION:** This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Joanne

Thanks, please let us know your availability following week so I can arrange accordingly.

Blessings,

Schedule 2.2(a)(ii)

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**From:** Jeacocke, Joanne <[Joanne.Jeacocke@worksafe.act.gov.au](mailto:Joanne.Jeacocke@worksafe.act.gov.au)>  
**Sent:** Wednesday, 1 December 2021 4:09 PM  
**To:** Schedule 2.2(a)(ii) <[@bcc.act.edu.au](mailto:@bcc.act.edu.au)>  
**Subject:** RE: WorkSafe ACT - Psychosocial Inspection

OFFICIAL

Hello

Unfortunately I will be unavailable at time.

Please let me know if the inspection can be undertaken on Thursday 9 December 2021 or early the following week.

Kind regards

Joanne Jeacocke | Inspector, Psychological Health and Safety  
P: 6205 9519 | E: [joanne.jeacocke@worksafe.act.gov.au](mailto:joanne.jeacocke@worksafe.act.gov.au)

Office of the Work Health and Safety Commissioner  
GPO Box 158 Canberra ACT 2601

**WORKSAFEACT**



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:** Schedule 2.2(a)(ii) <[Schedule 2.2\(a\)\(ii\)@bcc.act.edu.au](mailto:Schedule 2.2(a)(ii)@bcc.act.edu.au)>  
**Sent:** Wednesday, 1 December 2021 3:57 PM  
**To:** Jeacocke, Joanne <[Joanne.Jeacocke@worksafe.act.gov.au](mailto:Joanne.Jeacocke@worksafe.act.gov.au)>  
**Cc:** Schedule 2.2(a)(ii)  
**Subject:** RE: WorkSafe ACT - Psychosocial Inspection

**CAUTION:** This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Joanne

Please note the best and suitable time for our team is 7<sup>th</sup> Dec 12-2pm and please let us know.

Blessings,

Schedule 2.2(a)(ii)

**From:** Schedule 2.2(a)(ii)  
**Sent:** Wednesday, 1 December 2021 12:10 PM  
**To:** Jeacocke, Joanne <[Joanne.Jeacocke@worksafe.act.gov.au](mailto:Joanne.Jeacocke@worksafe.act.gov.au)>  
**Subject:** RE: WorkSafe ACT - Psychosocial Inspection

Hi Joanne

Thank you so much

Blessings,

Schedule 2.2(a)(ii)

**From:** Jeacocke, Joanne <[Joanne.Jeacocke@worksafe.act.gov.au](mailto:Joanne.Jeacocke@worksafe.act.gov.au)>  
**Sent:** Wednesday, 1 December 2021 11:53 AM  
**To:** Schedule 2.2(a)(ii) <[Schedule 2.2\(a\)\(ii\)@bcc.act.edu.au](mailto:Schedule 2.2(a)(ii)@bcc.act.edu.au)>  
**Subject:** RE: WorkSafe ACT - Psychosocial Inspection

OFFICIAL

Hello [redacted]

This has been submitted as an anonymous complaint so I am unable to provide their details. It does relate to a junior campus.

Kind regards

Joanne Jeacocke | Inspector, Psychological Health and Safety

P: 6205 9519 | E: [joanne.jeacocke@worksafe.act.gov.au](mailto:joanne.jeacocke@worksafe.act.gov.au)

Office of the Work Health and Safety Commissioner

GPO Box 158 Canberra ACT 2601

**WORKSAFEACT**



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:** Schedule 2.2(a)(ii) <[\[redacted\]@bcc.act.edu.au](mailto:[redacted]@bcc.act.edu.au)>  
**Sent:** Wednesday, 1 December 2021 11:31 AM  
**To:** Jeacocke, Joanne <[Joanne.Jeacocke@worksafe.act.gov.au](mailto:Joanne.Jeacocke@worksafe.act.gov.au)>  
**Subject:** RE: WorkSafe ACT - Psychosocial Inspection

**CAUTION:** This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi Joanne

Thanks for getting back to me , could you tell us more details on which staff is this in relation to , so we can prepare required information for you for the same.

Blessings,

Schedule 2.2(a)(ii)

---

**From:** Jeacocke, Joanne <[Joanne.Jeacocke@worksafe.act.gov.au](mailto:Joanne.Jeacocke@worksafe.act.gov.au)>  
**Sent:** Wednesday, 1 December 2021 11:28 AM  
**To:** Schedule 2.2(a)(ii) <[\[redacted\]@bcc.act.edu.au](mailto:[redacted]@bcc.act.edu.au)>  
**Subject:** RE: WorkSafe ACT - Psychosocial Inspection

OFFICIAL

Hello [redacted]

Yes the morning of the Tuesday 7 December 2021 would suit me. I have other appointments in the afternoon.

The psychosocial hazard relates to bullying.

Kind regards

Joanne Jeacocke | Inspector, Psychological Health and Safety  
P: 6205 9519 | E: [joanne.jeacocke@worksafe.act.gov.au](mailto:joanne.jeacocke@worksafe.act.gov.au)

Office of the Work Health and Safety Commissioner  
GPO Box 158 Canberra ACT 2601

**WORKSAFEACT**



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:** Schedule 2.2(a)(ii) [@bcc.act.edu.au](mailto:@bcc.act.edu.au)

**Sent:** Tuesday, 30 November 2021 5:25 PM

**To:** Jeacocke, Joanne <[Joanne.Jeacocke@worksafe.act.gov.au](mailto:Joanne.Jeacocke@worksafe.act.gov.au)>

**Cc:** Schedule 2.2(a)(ii) [@bcc.act.edu.au](mailto:@bcc.act.edu.au); Schedule 2.2(a)(ii)

Schedule 2.2(a)(ii) [@bcc.act.edu.au](mailto:@bcc.act.edu.au)

**Subject:** RE: WorkSafe ACT - Psychosocial Inspection

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Hi Joanne and all

See below my apologies 7<sup>th</sup> Tuesday not 8<sup>th</sup>.

Blessings,

Schedule 2.2(a)(ii)



**From:** Schedule 2.2(a)(ii)

**Sent:** Tuesday, 30 November 2021 4:41 PM

**To:** Jeacocke, Joanne <[Joanne.Jeacocke@worksafe.act.gov.au](mailto:Joanne.Jeacocke@worksafe.act.gov.au)>

**Cc:** Schedule 2.2(a)(ii) [@bcc.act.edu.au](mailto:@bcc.act.edu.au); Schedule 2.2(a)(ii)

Schedule 2.2(a)(ii) [@bcc.act.edu.au](mailto:@bcc.act.edu.au)

**Subject:** RE: WorkSafe ACT - Psychosocial Inspection

Dear Joanne

Thanks for your inquiry , [Schedule 2.2\(a\)\(ii\)](#) for BCC and we have following staff/team assigned to manage the process as well.

1. WHS – Consultant – [\[redacted\]](#)
2. WHS – Officer – [\[redacted\]](#)
3. Complain officer [\[redacted\]](#)

I'm copying the above staff/team as well to keep them in the loop ,It would be great if you could tell us more about the nature of the psychosocial hazard has been raised with WorkSafe ACT , so we can look into the same as well.

Date = 8<sup>th</sup> Tuesday December would be the best for us , please let us know at your earliest.

Blessings,

[Schedule 2.2\(a\)\(ii\)](#)



---

**From:** Jeacocke, Joanne <[Joanne.Jeacocke@worksafe.act.gov.au](mailto:Joanne.Jeacocke@worksafe.act.gov.au)>  
**Sent:** Monday, 29 November 2021 11:50 AM  
**To:** [Schedule 2.2\(a\)\(ii\)](#) <[\[redacted\]@bcc.act.edu.au](mailto:[redacted]@bcc.act.edu.au)>  
**Subject:** WorkSafe ACT - Psychosocial Inspection

OFFICIAL

Good morning [\[redacted\]](#)

Reception advised me that you are responsible for WHS.

WHS concerns related to psychosocial hazard has been raised with WorkSafe ACT.

In response to this a WorkSafe inspection will be undertaken. Please call me to organise a suitable time for an inspection.

Kind regards

Joanne Jeacocke | Inspector, Psychological Health and Safety  
P: 6205 9519 | E: [joanne.jeacocke@worksafe.act.gov.au](mailto:joanne.jeacocke@worksafe.act.gov.au)

Office of the Work Health and Safety Commissioner  
GPO Box 158 Canberra ACT 2601

**WORKSAFEACT**



**From:** Schedule 2.2(a)(ii) @bcc.act.edu.au>  
**Sent:** 30/01/2022 8:50 AM  
**To:** "Jeacocke, Joanne" <Joanne.Jeacocke@worksafe.act.gov.au>  
**Subject:** RE: WorkSafe ACT - Psychosocial Inspection

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Dear Joanne

Hope all well , please note that we need to re schedule Tomorrow meeting at least by one week Schedule 2.2(a)(ii) and most of them will be available by next week , please let me know the date suitable to you and we will adjust it accordingly.my apologies for the late reply.

Blessings

Blessings,

Schedule 2.2(a)(ii)

---

**From:** Jeacocke, Joanne <Joanne.Jeacocke@worksafe.act.gov.au>  
**Sent:** Monday, 13 December 2021 1:04 PM  
**To:** Schedule 2.2(a)(ii) @bcc.act.edu.au>  
**Subject:** RE: WorkSafe ACT - Psychosocial Inspection

OFFICIAL

Hello

Thank you for your phone call. Please find proposed times for the inspection:

- 10:30am-12:00pm, Tuesday 21 December 2021
- 1:30pm -3:00pm, Monday 31 January 2022

Could the following documents be provided as soon as possible:

1. Grievance handling policy/procedure (I believe this was reviewed following an improvement notice issued by Alexis Wray)
2. Bullying and harassment policy/procedure
3. Code of conduct policy/procedure
4. Complete incident report register that captures any/all reports of inappropriate behaviours (including bullying and harassment) from January 2019 to December 2021

Kind regards

Joanne Jeacocke | Inspector, Psychological Health and Safety  
P: 6205 9519 | E: [joanne.jeacocke@worksafe.act.gov.au](mailto:joanne.jeacocke@worksafe.act.gov.au)

**Office of the Work Health and Safety Commissioner**

**From:** "Jeacocke, Joanne"  
**Sent:** 30/01/2022 9:37 PM  
**To:** 'Schedule 2.2(a)(ii) [REDACTED]@bcc.act.edu.au>  
**Subject:** WorkSafe ACT Inspection  
**Attachments:** RE: WorkSafe ACT - Psychosocial Inspection, image004.png, image002.png

Sorry did not see your message, have updated to next week.

Hi [REDACTED]

Apologies, I will need to reschedule today's inspection to Thursday. Please let me know if this time will be suitable.

In the interim could information that was previously requested (see attached) be provided prior to the meeting.

Kind regards

Joanne Jeacocke | Inspector, Psychological Health and Safety  
P: 6205 9519 | E: [joanne.jeacocke@worksafe.act.gov.au](mailto:joanne.jeacocke@worksafe.act.gov.au)

**Office of the Work Health and Safety Commissioner**  
GPO Box 158 Canberra ACT 2601

**WORKSAFEACT**



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:** "David Segrott" <dsegrott@webone.com.au>  
**Sent:** 31/01/2022 10:18 AM  
**To:** "Jeacocke, Joanne" <Joanne.Jeacocke@worksafe.act.gov.au>  
**Cc:** "Schedule 2.2(a)(ii) @bcc.act.edu.au"  
**Subject:** RE: WorkSafe ACT Inspection  
**Importance:** High

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Joanne,

I have moved another meeting so that I can attend this one with you regarding Brindabella Christian College.

Regards

## ***David Segrott***

**MBA, BA (Admin), Industrial Safety Certificate**

**FAIHS, COHSProf, Life Member AIHS**

**Principal Consultant**

**Segrott Safety Management Pty Ltd T/a**

**Australian Health and Safety Services**

**Telephone: 0417 252 215**

Website: [www.ahss.com.au](http://www.ahss.com.au)

email: [dsegrott@ahss.com.au](mailto:dsegrott@ahss.com.au)

### **Specialising in:**

Safety Reviews and Management Systems; Risk Identification and Assessment  
Risk Management Plans; Workers Compensation Advice; Claims Analysis;  
Claims Investigation; Return to Work Management



**AUSTRALIAN HEALTH AND  
SAFETY SERVICES**

"Making Australian workplaces safe - one workplace at a time"

-----Original Appointment-----

**From:** Jeacocke, Joanne [<mailto:Joanne.Jeacocke@worksafe.act.gov.au>]

**Sent:** Monday, 31 January 2022 9:47 AM

**To:** Jeacocke, Joanne; [Schedule 2 2\(a\)\(1\)](#) David Segrott

**Subject:** FW: WorkSafe ACT Inspection

**When:** Tuesday, 8 February 2022 1:30 PM-3:00 PM (UTC+10:00) Canberra, Melbourne, Sydney.

**Where:** Brindabella Christian College (136 Brigalow Street, Lyneham Australian Capital Territory)

Hi All

Good morning

Please note the WorkSafe meeting has been rescheduled to 8<sup>th</sup> Feb 1.30pm and please let me know your availability at your earliest.

Blessings

-----Original Appointment-----

**From:** Jeacocke, Joanne <[Joanne.Jeacocke@worksafe.act.gov.au](mailto:Joanne.Jeacocke@worksafe.act.gov.au)>

**Sent:** Monday, 31 January 2022 9:39 AM

**To:** Jeacocke, Joanne; [Schedule 2 2\(a\)\(1\)](#)

**Subject:** WorkSafe ACT Inspection

**When:** Tuesday, 8 February 2022 1:30 PM-3:00 PM (UTC+10:00) Canberra, Melbourne, Sydney.

**Where:** Brindabella Christian College (136 Brigalow Street, Lyneham Australian Capital Territory)

Sorry did not see your message, have updated to next week.

Hi [\[redacted\]](#)

Apologies, I will need to reschedule today's inspection to Thursday. Please let me know if this time will be suitable.

In the interim could information that was previously requested (see attached) be provided prior to the meeting.

Kind regards

Joanne Jeacocke | Inspector, Psychological Health and Safety

P: 6205 9519| E:

**Office of the Work Health and Safety Commissioner**

**GPO Box 158 Canberra ACT 2601**

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<< File: image002.png >> << File: image004.png >> << File: image002.png >> << File: image001.png >> << File: image003.jpg >> << File: image004.png >> << File: image002.png >> << Message: RE: WorkSafe ACT - Psychosocial Inspection (209 KB) >>

**From:** "Jeacocke, Joanne"  
**Sent:** 08/02/2022 3:09 AM  
**To:** 'Schedule 2.2(a)(ii) [REDACTED]@bcc.act.edu.au>  
**Cc:** Schedule 2.2(a)(ii) [REDACTED]  
**Subject:** WorkSafe ACT Inspection  
**Attachments:** RE: WorkSafe ACT - Psychosocial Inspection, image004.png, image002.png

Hi [REDACTED]

Rescheduled as discussed

In the interim could information that was previously requested (see attached) be provided prior to the meeting.

Kind regards

Joanne Jeacocke | Inspector, Psychological Health and Safety  
P: 6205 9519 | E: [joanne.jeacocke@worksafe.act.gov.au](mailto:joanne.jeacocke@worksafe.act.gov.au)

**Office of the Work Health and Safety Commissioner**  
**GPO Box 158 Canberra ACT 2601**

**WORKSAFEACT**



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:** Schedule 2.2(a)(ii) @bcc.act.edu.au>  
**Sent:** 08/02/2022 3:15 AM  
**To:** "Jeacocke, Joanne" <Joanne.Jeacocke@worksafe.act.gov.au>  
**Subject:** Accepted: WorkSafe ACT Inspection

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## Grievances/Reconciliation

The College follows the principles of Peacewise in all matters of grievance and reconciliation.

There is always the potential for disputes and grievances to arise in any community. The College aims to provide an environment that is characterised by openness, honesty, compassion, integrity and righteousness.

It is the desire of the College to see, whenever possible, that reconciliation between the parties is in accordance with Biblical teaching; for instance, *"If your brother sins against you, go and show him his fault, just between the two of you. If he listens to you, you have won your brother over."* (Matthew 18:15)

As a general rule, the following procedures will apply. It is intended that the process will be fair and equitable, efficient and not intimidating.

- Disputes between parties should first be resolved between the parties themselves whenever possible. This should be done with openness and equity, with both parties attempting to find reconciliation with their neighbour.
- Should it not be possible to resolve the matter at this level, the parties may bring their disagreement / dispute before their direct line manager. Either party may approach the direct line manager, but ideally the approach should be made jointly in recognition that both parties seek resolution and reconciliation.
- If this person is unable to resolve the matter, it may be taken to the Human Resources Coordinator (Mrs Lisa Willis).
- If this person is unable to resolve the matter, it will be taken to the Principal. The Principal is responsible for the leadership of the College community and its management in accordance with the policies of the Board.
- The Principal will attempt a reconciliation of the aggrieved parties, whenever possible, reaching an agreed outcome. However, at times, the requirements of serving the College's diverse needs as a Christian education community, including legislative and regulatory requirements, may mean that an aggrieved party is not satisfied with the outcome. Nonetheless, it is the aim of this policy that the aggrieved person recognises fairness and equity in the process that has been followed.
- If the complaint is against the Principal, the staff member may contact the College's Board directly, using the email [board@bcc.act.edu.au](mailto:board@bcc.act.edu.au)
- Staff may also lodge a personal complaint (internal grievance) using Complispace. This may be accessed via the Staff Only portal in Schoolbox or via PC School's homepage in the Quicklinks tab using the 'Click here for more quicklinks' hyperlink.

## Immunisation and Infectious Diseases

Any infectious disease at the College for which there is an immunisation program must be reported to the Principal. There are mandatory health requirements that must be carried out in these cases. There are set exclusion periods for people with infectious diseases and for those who are not immunised or who have no records of immunisation. Refer to the ACT Health Department for further information.



## Internal Grievance Resolution Procedure

<b>Purpose</b>	The purpose of Brindabella Christian College's Internal Grievance Resolution Procedure is to establish a consistent approach for dealing with conflicts in the workplace and internal staff grievances.  This procedure is designed to allow staff to lodge internal grievances knowing that there is a clear procedure to deal with grievances confidentially, transparently and quickly. This should prevent a minor grievance from turning into a major problem or leading to a formal complaint, victimisation, or unforeseen liabilities.
<b>What is a Grievance?</b>	A grievance is a statement by you about a work-related problem, concern or complaint. It may relate to an individual member of staff or a dispute between the staff member and our organisation.
<b>What This Policy Does Not Apply To</b>	This procedure does not apply to the following matters which are addressed in separate policies: <ul style="list-style-type: none"> <li>▪ student complaints</li> <li>▪ parent complaints</li> <li>▪ privacy complaints</li> <li>▪ matters relating to child protection</li> <li>▪ allegations of corruption (e.g. whistleblowing)</li> <li>▪ work health and safety incidents or returning to work after a workplace injury</li> <li>▪ disputes or grievances relating to an Award, Enterprise Agreement or the National Employment Standards</li> <li>▪ other matters for which specific policies apply.</li> </ul>
<b>Why Have a Process?</b>	<ul style="list-style-type: none"> <li>▪ Identify and deal with issues that arise in the workplace</li> <li>▪ Improve staff morale and organisational procedures</li> <li>▪ Obviate the need for escalation to external bodies or legal redress.</li> </ul>
<b>How to Lodge a Grievance</b>	The best way of resolving a grievance will depend on the circumstances. However, you are encouraged to act promptly once a grievance situation arises. This avoids unnecessary escalation of the problem. There are a number of options open to you and you should choose the option with which you are most comfortable.

### Option 1 - Speak to the Person Concerned

You may speak directly with the relevant person/s if you feel comfortable doing so. Sometimes speaking to the person involved, or writing to them, can put a stop to the situation. You should indicate the substance of your grievance and advise them that if the matter cannot be resolved you may lodge a formal grievance with your line manager (or lodge an internal grievance on CompliSpace). To lodge an internal grievance, click on the hyperlink found in the 'Staff Only' portal on Schoolbox.

### Option 2 - Lodge a Grievance with your Line Manager

You may lodge a grievance with your line manager. It is recommended that you provide the details of your grievance in writing. You should clearly set out the substance of your grievance, with as much detail as possible, including times and dates of relevant incidents and all relevant documents. If you do not feel comfortable lodging your grievance in writing, you can raise your grievance with your line manager in a face-to-face meeting.

### Option 3 - Human Resources Manager

If you are not comfortable raising the matter with the individual concerned or your line manager, or you have done so and are not satisfied with the response, you may lodge your grievance directly with the Human Resources Manager, Lisa Willis. It is recommended that you provide the details of your grievance in writing. You should clearly set out the substance of your grievance, with as much detail as possible, including times and dates of relevant incidents. If you do not feel comfortable lodging your grievance in writing, you may request a face-to-face meeting with the Human Resources Manager to raise your grievance. The Human Resources Manager may suggest you lodge an Internal Grievance on CompliSpace.

### Option 4 - Principal or Board of Directors

If you are not comfortable raising the matter with the individual concerned, or your line manager, or the Human Resources Manager, or you have done so and are not satisfied with the response, you may lodge your grievance directly with the Deputy Principal or the Principal. If it is not appropriate to raise it with the Principal, for example if the Principal is the source of your grievance, you may raise it with any member of Brindabella Christian College's Board of Directors at [board@bcc.act.edu.au](mailto:board@bcc.act.edu.au). Once again, it would be helpful if this complaint is put in writing. You should clearly set out the substance of your grievance, including times and dates of relevant incidents. If you do not feel comfortable with a written complaint, you may request a face-to-face meeting with any member of Brindabella Christian College's Board of Directors by emailing [board@bcc.act.edu.au](mailto:board@bcc.act.edu.au).

**Grievance Resolution Procedures** The College, in consultation with you, will determine the most appropriate process for dealing with your grievance. This may include conducting a conciliation or an investigation.

#### Conciliation or Investigation

##### Conciliation

Conciliation involves you and the person your grievance is about meeting in person in an attempt to achieve a best agreed outcome. The conciliation may be facilitated by a line manager, the Human Resources Manager, or an external mediator nominated by the person managing the grievance. You may also bring a support person.

The aim of the conciliation is to facilitate discussions and assist with negotiating an outcome in a less formal way without having to make a finding of fact or determine if the grievance is substantiated.

Where an outcome is agreed through conciliation, it should be documented and provided to all parties

##### Investigation

The person appointed to conduct the investigation may vary depending on the nature of the grievance and the identity of the person against whom the complaint has been made.

The investigation may involve interviewing the relevant parties, witnesses, and examining relevant documents.

The person against whom you have raised the grievance will be provided with all pertinent details of the complaint and will have the opportunity to respond to any allegations that have been raised against them.

#### Possible Outcomes

Based on the available information the College may:

- attempt to achieve resolution through further discussion or mediation
- reject the grievance and provide reasons for this rejection
- accept the grievance and suggest an appropriate remedy
- determine that a particular grievance is of such a serious nature that it must instead be dealt with under the relevant discipline and termination procedures for addressing allegations of misconduct or serious misconduct.

The College retains the right to implement corrective action where it believes the matter to be sufficiently serious. The College may determine that a particular grievance is of such a serious nature that it must instead be dealt with under the relevant discipline and termination procedures for addressing allegation of misconduct or serious misconduct.

The College will inform the parties of the outcome.

#### Normal Work Must Continue

During the investigation and resolution process normal work must continue, subject to addressing any risks to the health and safety of people involved in the process.

#### Principles

**Confidentiality:** Only the people directly involved in the grievance will have access to the information relevant to the grievance.

**Anonymity:** Anonymity of a complainant cannot be assured. Depending on the circumstances, the principles of natural justice may require disclosure of an employee's identity to the party against whom an allegation has been made.

**Victimisation:** Victimisation of a person who in good faith has raised a grievance, provided information in support of a grievance, or supported another employee to lodge a grievance, will not be tolerated and may result in disciplinary action.

**Timeliness:** Brindabella Christian College aims to deal with any grievance lodged promptly having regard to the circumstances of each grievance, including the nature of the grievance, operational requirements of the College and what procedures are required.

**Support:** During the grievance process, employees involved are encouraged to access the Employee Assistance Program if they would like additional support. All employees of Brindabella Christian College can access our Employee Assistance Program. Staff can self-refer and can access three free counselling sessions through Catholic Care. This service is completely confidential, and although the College pays for it, no names are provided. You may continue past three counselling sessions, but these sessions will then incur a fee. For more details, see: <https://catholiccare.cg.org.au/services/employee-assistance-program-eap/>

#### External Intervention

If you are not comfortable raising a grievance through the Internal Grievance Procedure or you have done so and are not satisfied with the outcome of the internal grievance resolution process, you may wish to lodge a complaint with an external body to act on your behalf.

**From:** "WorkSafe ACT" <worksafe@act.gov.au>  
**Sent:** 22/02/2022 10:17 PM  
**To:** Schedule 2.2(a)(ii) @bcc.act.edu.au  
**Cc:** "Jeacocke, Joanne" <Joanne.Jeacocke@worksafe.act.gov.au>  
**Subject:** Work Place Visit 00111318  
**Attachments:** Work\_Place\_Visit\_Report\_00111318.pdf

**CAUTION:** This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi,  
Please see attached PDFs to view a copy of your Work Order.

**Inspection number:** 00111318  
**Lead Inspector:** Joanne Jeacocke  
**Company Name:** BRINDABELLA CHRISTIAN EDUCATION LIMITED

For any further information please contact WorkSafe on:  
Telephone: (02) 6207 3000  
Facsimile: (02) 6205 0336  
Email: [worksafe@act.gov.au](mailto:worksafe@act.gov.au)

### Initial Information

Inspection Number: 00111318

Lead inspector: Joanne Jeacocke Inspector ID:

Is there any accompanying inspectors: No

Type of visit: Reactive

Date visit commenced: 18/02/2022

Legislation visit conducted under: WHS

Purpose of visit: Psychological hazards

### Entity information

Type of entity: Business Entity

Name of individual or registered company: BRINDABELLA CHRISTIAN EDUCATION LIMITED

Trading as: BRINDABELLA CHRISTIAN EDUCATION LIMITED

ACN: 100229669

ABN: 21100229669

Industry Group: Education

Address: 136 Brigalow Street Lyneham ACT 2602

Contact Name: Schedule 2.2(a)(i)

Contact Number:

Contact Email: Schedule 2.2(a)(ii)@bcc.act.edu.au

### Details of visit

Address: 136 Brigalow Street Lyneham ACT 2602

Notification of entry to (as required by s164): PCBU

Were any potential breaches of the legislation identified? No

### Inspector notes:

At 1:30pm on Friday 18/02/2022, I Inspector Joanne Jeacocke attended Brindabella Christian College, at 136 Brigalow St Lyneham 2602 and met with Schedule 2.2(a)(i)

I, Inspector Jeacocke advised that WorkSafe ACT was undertaking an inspection in response to a report received by WorkSafe ACT of psychosocial hazard relating to alleged bullying and harassment at Early Learning, Brindabella Christian College.

### ENQUIRIES

The following information was provided by Brindabella Christian College:

- background on other WorkSafe ACT inspectorate activity was provided by Schedule 2.2(a)(ii)
  - WHS, HR policies and procedures are being transitioned from manual paper system to digital system and to make it appropriate to Brindabella Christian College
  - Brindabella underwent an external review by [REDACTED] in 2021 which covered health and wellbeing – high ratings were achieved
  - Complyspace online complaint system used by Brindabella – system went live in August 2020
  - workflow of submitted Comply space reports
  - Early Learning is under a separate reporting line and HR system
  - Early Learning centres are under national quality regulations which requires reporting to the Australian Children's Education & Care Quality Authority portal which had restricted access
  - recently reports to the portal have changed to exclude internal bullying and harassment and workers have the option to report these in Complyspace
  - Early Learning centre staff undergo one of one induction. Induction includes IT processes which includes Complyspace
  - Early Learning is reviewing its policies and procedures including Bullying and Harassment (currently called ELC Workplace Bullying and Violence Prevention Policy), Grievance Policy. They also have a Performance Management Policy. The policies and procedures being reviewed will be revised to align with the Brindabella policies and procedures. Time frames for completion of review is outlines on a spreadsheet. Feedback from staff, parents, the Board is sought on all its policies and procedures
  - Schedule 2.2(a)(ii) advised she is not aware of any staff putting in a complaints of bullying and harassment
  - Complyspace Home Page provides links to HR documents and customisation to occur for Early Learning
  - Early Learning have a separate staff handbook
  - any bullying and harassment reports submitted in Complyspace for Early Learning will go to the ELC Coordinator of School Aged Care. If this is not appropriate, staff have alternatives to either send an email to Schedule 2.2(a)(ii) and/or to the Board directly.
  - the Board has an education subcommittee that looks after health and wellbeing
  - Worksafe ACT previously confirmed compliance of an improvement notice issued to Brindabella
- Documents provided:
- The following documents were provided at the completion of the inspection:
- Grievances/Reconciliation (page 34) from Brindabella Christian College Staff Handbook
  - Brindabella Christian College Internal Grievance Procedure page - HR Manager

At the completion of the inspection, I Inspector Jeacocke advised that copies of documents, additional information will be requested under a Section 155 notice. Schedule 2.2(a)(ii) requested that the Section 155 Notice be sent care of Schedule 2.2(a)(ii) Schedule 2.2(a)(ii).

*Disclaimer: The issues identified during this inspection are only indicative of compliance with the Work Health and Safety Act 2011, the Work Health and Safety Regulations 2011, the Dangerous Substances Act 2004 and the 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.*

### Previous action

Previous notice/s issued (either written or verbal)? Yes

Type of notice: Improvement

### Contacts

Lead inspector email address: joanne.jeacocke@act.gov.au

**Recipient/s of this form**

Email  @bcc.act.edu.au

Email 2:

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'Wlth) and Information Privacy Act 2014. WorkSafe ACT provides identifiable information which can be disclosed to other law enforcement agencies and authorised organisation that have legal authority to request information under prescribed circumstances.

**From:** "Jeacocke, Joanne"  
**Sent:** 28/02/2022 10:50 PM  
**To:** Schedule 2.2(a)(ii)  
**Subject:** Section 155 Notice - Brindabella Christian Education Limited  
**Attachments:** 20220301 S155 Brindabella Christian Education Limited.pdf

OFFICIAL

Good morning [REDACTED]

Please find attached the Section 155 Notice issued to Brindabella Christina College Education Limited.

I was advised to send this to Brindabella Christian College Education Limited care of yourself.

Kind regards

Joanne Jeacocke | Inspector, Psychological Health and Safety  
P: 6205 9519 | E: [joanne.jeacocke@worksafe.act.gov.au](mailto:joanne.jeacocke@worksafe.act.gov.au)

**Office of the Work Health and Safety Commissioner**  
GPO Box 158 Canberra ACT 2601

**WORKSAFEACT**



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.





## REQUIREMENT TO GIVE INFORMATION AND PROVIDE DOCUMENTS

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

To: The Relevant Officer(s) of Brindabella Christian Education Limited  
c/o Schedule 2.2(a)(xi)

**Schedule 2.2(a)(xi)**

**Re: The inquiry into alleged bullying and harassment at Early Learning, Brindabella Christian Education Limited**

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

I have reasonable grounds to believe that Brindabella Christian Education Limited, 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.

In regard to the information I require, the person responding to the below questions are required to be a competent officer of the corporation which includes a director or company secretary:

- (a) produce the documents set out in the attached Schedule 1 in accordance with this notice
- (b) produce the information 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

**MAIL**  
PO Box 158  
Canberra ACT 2601

**PHONE**  
02 6207 3000

**EMAIL**  
worksafe@act.gov.au

**FAX**  
02 6206 0336




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 documents are to be produced is by Tuesday 15 March 2022 at 5:00pm

The manner in which the information is to be provided and the documents produced is electronically via email to [joanne.jeacocke@worksafe.act.gov.au](mailto:joanne.jeacocke@worksafe.act.gov.au)

If you have any questions, you may contact me on 0262059519 or email [joanne.jeacocke@worksafe.act.gov.au](mailto:joanne.jeacocke@worksafe.act.gov.au)



Inspector Joanne Jeacocke

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

1/03/2022

### **Schedule 1: Documentation/records required to be given:**

1. The organisational structure and reporting lines for Brindabella Christian College and Early Learning (EL)
2. Copy of the findings/recommendations of the Genos review undertaken in 2021
3. Copy of currently endorsed EL Grievance Policy
4. Copy of current draft of reviewed EL Grievance Policy
5. Copy of currently endorsed EL Workplace Bullying and Violence Prevention Policy
6. Copy of current draft of EL Workplace Bullying and Violence Prevention Policy (being renamed Workplace Bullying and Harassment Policy)
7. Snip(s) of policy/procedure review matrix capturing any and all information related to the EL Grievance Policy and the EL Workplace Bullying and Violence Prevention Policy
8. Any and all Australian Children Education and Care Quality Authority (ACECQA) information/communication received by EL on changes to ACECQA portal reporting
9. Early Learning worker induction records from the 1 January 2021 to 1 March 2022
10. Early Learning professional development training records from 1 January 2021 to 1 March 2022
11. Any and all communication/information on Complispace provided to EL workers
12. Snip(s) of any and all Complispace portal pages accessible to EL workers
13. Copies of any and all reported EL incidents from 1 January 2021 to 1 March 2022

### **Schedule 2: Information required to be given:**

1. Has feedback been sought/consultation occurred with EL workers on the revised EL Grievance Procedure?
  - If yes please provide any and all information on the consultation of the revised EL Grievance Procedure
  - If not please provide the estimated time frame when this will occur
2. Has feedback been sought/consultation occurred with EL workers on the revised EL Workplace Bullying and Violence Prevention Policy?
  - If yes please provide any and all information on the consultation of the revised EL Workplace Bullying and Violence Prevention Policy?
  - If not please provide the estimated time frame when this will occur



Inspector Joanne Jeacocke

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

Date: 1/03/2022

**From:** "Davis, MattE" <MattE.Davis@worksafe.act.gov.au>  
**Sent:** 16/07/2021 2:41 AM  
**To:** "Wray, Alexis" <Alexis.Wray@worksafe.act.gov.au>  
**Cc:** "Grey, Brooke" <Brooke.Grey@worksafe.act.gov.au>  
**Subject:** Brindabella Christian College

OFFICIAL

Hi Alexis,

Can you please call Schedule 2.2(a)(ii) in relation to this matter.

Thanks  
Matt

Kind Regards  
Matt

**Matt Davis** | A/g Director – Enforcement and Compliance  
P: 02 6205 2618 | M: 0481 904324 | E: [Matte.Davis@worksafe.act.gov.au](mailto:Matte.Davis@worksafe.act.gov.au)  
**Office of the Work Health and Safety Commissioner**  
GPO Box 158 Canberra ACT 2601

**WORKSAFEACT**



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.



## IMPROVEMENT NOTICE

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

### Information

Notice number N-0000001446

Issued By: Alexis WRAY ID number: P12937

#### To whom this notice is issued

Name of registered company or Name of individual: BRINDABELLA CHRISTIAN EDUCATION LIMITED

ABN: 21100229669 ACN: 100229669

Site/workplace: 136 Brigalow Street Lyneham ACT 2602

Location within address of workplace: 136 Brigalow St Lyneham, ACT 2602

Served on: Method of service: Email Date of issue: 19/05/2021

Due date to remedy the contravention or likely contravention: 07/07/2021

### Description

#### 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 to be repeated; and

The provision that the inspector believes is being or has been contravened is **WHS Acts** Section number - **19**

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

On the 28 May 2021, I Inspector Wray and Inspector Eri undertook inspection (refer WPV 00069144) at Brindabella Christian Education Limited located at 136 Brigalow Street Lyneham. At the completion of the inspection at 12.17 pm on the 28 May 2021, I Inspector Wray formed a reasonable belief that Brindabella Christian Education Limited is contravening a provision of the Work Health and Safety Act 2011 (the WHS Act) Sec 19 (3) (c).

Workers may be at risk of psychological injury related to the inadequacy of Brindabella's current safe system for dealing with unreasonable behaviours (bullying) and/or grievance and is not in accordance / contravenes the legislative requirement to provide a safe system so far as is reasonably practicable.

During inspection it was identified that a gap exists in dealing with unreasonable behaviours (bullying) or grievance raised against the [redacted] which under the current complaints handling system (Complispace) are not managed impartially and confidentially as these positions are responsible for actioning and resolving complaints received.

The Work Health and Safety (Preventing and Responding to Bullying) Code of Practice (COP) 2012 made under the WHS Act specifies that the person in charge of an investigation or resolution process should never have been directly involved in the incident they are investigating or attempting to address (refer to 4.3 Principles page 12 COP). The process should ensure complaint confidentiality and also ensure confidentiality for other parties involved (refer to 4.3 Principles page 12 COP).

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 this notices relates.

The inspector directs you to:

On the 28 May 2021, I Inspector Wray undertook inspection (refer WPV 00069144) at Brindabella Christian Education Limited located at 136 Brigalow Street Lyneham.

At the completion of the inspection at 12.17 pm on the 28 May 2021, I Inspector Wray formed a reasonable belief that Brindabella Christian Education Limited is contravening a provision of the Work Health and Safety Act 2011 (the WHS Act) Sec 19 (3) (c).

Workers may be at risk of psychological injury related to the inadequacy of Brindabella's current safe system for dealing with unreasonable behaviours (bullying) and/or grievance and is not in accordance / contravenes the legislative requirement to provide a safe system so far as is reasonably practicable.

During inspection it was identified that a gap exists in dealing with unreasonable behaviours (bullying) or grievance raised against the **Schedule 2.2(n)(ii)** which under the current complaints handling system (Complispace) are not managed impartially and confidentially as these positions are responsible for actioning and resolving complaints received.

The Work Health and Safety (Preventing and Responding to Bullying) Code of Practice (COP) 2012 made under the WHS Act specifies that the person in charge of an investigation or resolution process should never have been directly involved in the incident they are investigating or attempting to address (refer to 4.3 Principles page 12 COP). The process should ensure complaint confidentiality and also ensure confidentiality for other parties involved (refer to 4.3 Principles page 12 COP).

The inspector recommends that you:

Refer to the following reference tools:

• Work Health and Safety (Preventing and Responding to Bullying) Code of Practice 2012 -

<https://www.legislation.act.gov.au/ni/2012-219/default.asp>

• Safe Work Australia Work-related psychological health and Safety – National Guidance -

<https://www.safeworkaustralia.gov.au/doc/work-related-psychological-health-and-safety-systematic-approach-meeting-your-duties>

See over for important information on your rights and responsibilities.

### 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 an improvement notice is issued must comply with the notice within the period specified in the notice.

Maximum penalty:

(a) in the case of an individual—\$50 000, or

(b) in the case of a body corporate—\$250 000

#### 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 (s208).

#### Privacy statement

WorkSafe ACT 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. WorkSafe ACT 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 WorkSafe ACT will collect, use, share, and store your personal information and how you can access and correct the information, please see the Privacy Statement at [www.act.gov.au/privacy](http://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](mailto: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, or in the case of an improvement notice within the compliance date period specified in the notice, whichever is lesser. 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 Work Health and Safety Commissioner WorkSafe ACT, GPO Box 158 Canberra City ACT 2601 or by email: [worksafe@act.gov.au](mailto: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](http://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](mailto:Worksafe_act.gov.au)

Phone: (02) 6207 3000

Fax: (02) 6205 0336.

#### **Translating and Interpreting Service**

Phone: 131 450

**From:** smartforms@act.gov.au  
**Sent:** 09/07/2021 12:43 PM  
**To:** "WorkSafe" <WorkSafe@worksafe.act.gov.au>  
**Subject:** Report a Workplace Concern or Issue, WB6DZDCT, Bullying [SEC=UNCLASSIFIED, DLM=Sensitive: Personal]  
**Attachments:** WB6DZDCT.pdf

## Report a Workplace Concern or Issue

### Form data summary

<b>WorkSafe category</b>	Bullying
<b>Workplace name</b>	n/a
<b>Reference code</b>	WB6DZDCT

For issues or questions relating to SmartForms please contact the Payment Services Integration Team on \*5 4607 or email [smartforms.admin@act.gov.au](mailto:smartforms.admin@act.gov.au) .

## Report a Workplace Concern or Issue - Submission confirmation

Your submission has been successful. Please keep a copy of this receipt for your records.

Date and time

Reference code

09 Jul 2021 12:41:47 PM

WB6DZDCT

WorkSafe ACT

PO Box 158  
Canberra ACT 2601

Phone: 13 22 81  
Email: [worksafe@act.gov.au](mailto:worksafe@act.gov.au)

## Report a Workplace Concern or Issue

### Concern/issue details

If this matter is a notifiable incident in accordance with sections 35 to 39 of the *Work Health and Safety Act 2011* and the *Work Health and Safety Regulations 2011* please complete the Notifiable Incident Report form (<https://form.act.gov.au/smartforms/landing.htm?formCode=1282>).

WorkSafe category \*

Bullying

Workplace name \*

n/a

Please provide any additional information that may assist WorkSafe ACT in resolving your issue or answering your enquiry (for example: what, when, what you thought was wrong, who was involved) \*

Caller reporting bullying and harassment at previous workplace.  
Unable to contact on call inspector - advised [REDACTED] someone will call her soon.  
Could someone please follow this up?

Attach an image or other information to support your report or enquiry

### Workplace address (if known)

Enter the address or search/mark the location on the map

Address line 1

Address line 2

Suburb

State

Postcode

ACT

### Your contact information



Submit anonymously

Title

Given name \*

Family name \*

Provide an email address and/or phone number: \*

Phone number

Email

Would you like to receive a response? \*

Yes

No

**Initial Information**

Inspection Number: 00069144

Lead inspector: Alexis WRAY Inspector ID: P12937

Is there any accompanying inspectors: Yes

Jeanne ERI

P05559

Type of visit: Reactive

Date of visit: 28/04/2021

Legislation visit conducted under: WHS

Purpose of visit: Psychological hazards

**Entity information**

Type of entity: Business Entity

Name of individual or registered company: Brindabella Christian College

Trading as: BRINDABELLA CHRISTIAN EDUCATION LIMITED

ACN:

ABN: 21100229

Industry Group: Education

Address: Lyneham ACT 2602

Contact Name: Schedule 2.2(a)(ii)

Contact Number:

Contact Email: Schedule 2.2(a)(ii)@bcc.act.edu.au

**Details of visit**

Address: 136 Brigalow Street Lyneham ACT 2602

Notification of entry to (as required by s164): PCBU

Were any potential breaches of the legislation identified? Yes

During visit procedural fairness and privacy issues were identified with system of reporting grievance against Deputy Principal and Principal.

**Inspector notes:**

Inspector Alexis Wray and Jeanne Eri attended 136 Brigalow Street, Lyneham and meet with the following Schedule 2.2(a)(ii)

via phone call. Later David Sergott from Australian Health and Safety Services and joined the meeting.

Purpose of site visit – compliance activity after WorkSafe ACT had received multiple complaints regarding the management and reviewing of safe systems in relation to psychological hazards.

The following items were raised during the meeting;

expressed that the Brindabella were consistent with the number of worker turnover for the Education industry within the ACT. However, there is no standardise figure on worker turnover for the industry that could be provided during meeting.

explained that exit interviews are conducted. Inspector Wray and Eri reviewed example of recent exit interview reports.

Inspector Wray enquiry into the operating system that was put in place after previous WorkSafe ACT compliance activity with Brindabella 'Complispace'. Brindabella is still using Complispace as it's work health and safety (WHS) operating system.

Brindabella still in transition period of using Complispace. Not all WHS policy and procedures and training modules have been uploaded into the system.

Currently only 2 modules – Duty of Care and Work Health and Safety are in the system at time of visit.

Complispace currently capturing physical hazards. Report of safety hazards ie, electrical leads – emails sent to hazard register and Maintenance Team. CFO reviews and actions items on the maintenance register.

Issues/Complaints (internal and external) are raised via the Complispace. The Deputy Principal reviews and action each complaint. The report is received for review by the Principal, once a week. Issues /complaints can also be received via hard copies; emails; external website workers are to then upload onto Complispace.

David Sergott – Australian Health and Safety Services – engaged as a Consultant (long term until project completion) on WHS matters and implementation. David is currently conducting a systematic review of all WHS policies and procedures and has completed visual audit of physical hazards of buildings and grounds. David and CFO meeting fortnightly; consultation to go through school; meeting with Senior Leadership Team – anticipate that the work to be completed by next 6 months. Report by David due in the next couple of weeks.

Inspector Wray asked if an example of consultation from David. Consultation of the modules are incomplete at this stage therefore unable to provide an example of the consultation. David, WHS consultant is currently focussing on physical hazards. Procedure for consultation yet to be implemented.

Inspector Wray asked how Brindabella managing the psychological hazards?

- o Access to EAP; Executive leadership meeting – welfare checks of attendees in staff meeting (responsibility of Executive year groups teachers); David (WHS Consultant) to provide the Professional Development (learning) to the school. Timeframe for completion: 2 weeks due to the school.

Inspector Wray asked how Brindabella identifying psychological hazards?

- o Brindabella recognises that increase stressors during report card times; there are high risk times (peak); student concerns – there is a risk assessment for child management. Staff can have a plan in place (one on one) – matrix however not used.

- o Welfare checks conducting during staff meetings – ad-hoc; pastoral care for younger year group teaching staff.

Request during meeting that the current Grievance policy and procedure to be email for review as during visit

could not be located. However still have not received policy and procedure.

During visit procedural fairness and privacy issues were identified with system of reporting grievance against Deputy Principal and Principal.

A number of photos were taken.

Inspector Wray and Eri conducted site inspection of the office area to review policies displayed on the walls and EAP posters.

Workplace Visit Concluded: 12:17pm 28/04/21

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#### **Further action**

Further action required: Yes

Previous notice/s issued (either written or verbal)?

#### **Contacts**

Lead inspector email address: alexis.wray@act.gov.au

#### **Recipient/s of this form**

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

Email 2: [REDACTED]@bcc.act.edu.au

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**Initial Information**

Inspection Number: 00082022

Lead inspector: Alexis WRAY Inspector ID: P12937

Is there any accompanying inspectors: No

Type of visit: Reactive

Date visit commenced: 22/07/2021

Legislation visit conducted under: WHS

Purpose of visit: Other

**Entity information**

Type of entity: Business Entity

Name of individual or registered company: BRINDABELLA CHRISTIAN EDUCATION LIMITED

Trading as: BRINDABELLA CHRISTIAN EDUCATION LIMITED

ACN: 100229669

ABN: 21100229669

Industry Group: Education

Address: 136 Brigalow Street Lyneham ACT 2602

Contact Name: Schedule 2.2(a)(ii)

Contact Number:

Contact Email: Schedule 2.2(a)(iii)@bcc.act.edu.au

**Details of visit**

Address: 136 Brigalow Street Lyneham ACT 2602

Notification of entry to (as required by s164): PCBU

Were any potential breaches of the legislation identified? No

**Inspector notes:**

Inspector Alexis Wray attended 136 Brigalow Street, Lyneham and meet with the following Schedule 2.2(a)(iii) and David Sergott from Australian Health and Safety Services.

Purpose of site visit – was to comply improvement notice (0000001446).

The following items were discussed during meeting;

Brindabella have remedied the issue raised in the improvement notice (0000001446) so that the person in charge of an investigation or resolution process have not been directly involved in the incident they are investigating or attempting to address.

Brindabella have communicated the update safe system with workers during staff meeting on 21/07/2021 and two weeks prior to my workplace visit.

**Recommended resources -**

People at Work can help your workplace comply with your health and safety duties, better manage work-related psychosocial hazards and factors and prevent psychological harm.

<https://www.peopleatwork.gov.au/>

*Disclaimer: The issues identified during this inspection are only indicative of compliance with the Work Health and Safety Act 2011, the Work Health and Safety Regulations 2011, the Dangerous Substances Act 2004 and the 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.*

**Further action**

Further action required: No

Previous notice/s issued (either written or verbal)? Yes

Type of notice: Improvement

**Contacts**

Lead inspector email address: alexis.wray@act.gov.au

**Recipient/s of this form**

Email [redacted]@bcc.act.edu.au

Email 2 [redacted]@bcc.act.edu.au

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**Initial Information**

Inspection Number: 00114735

Lead inspector: Jeffrey Beaver      Inspector ID:

Is there any accompanying inspectors: Yes

Jason Stegbauer

Type of visit: Proactive

Date visit commenced: 18/03/2022

Legislation visit conducted under: WHS

Purpose of visit: Other

**Entity information**

Type of entity: Business Entity

Name of individual or registered company: BRINDABELLA CHRISTIAN EDUCATION LIMITED

Trading as: BRINDABELLA CHRISTIAN EDUCATION LIMITED

ACN: 100229669

ABN: 21100229669

Industry Group: Education

Address: 136 Brigalow Street Lyneham ACT 2602

Contact Name:

Contact Number:

Contact Email:

**Details of visit**

Address: 136 Brigalow Street Lyneham ACT 2602

Notification of entry to (as required by s164): Other

Were any potential breaches of the legislation identified? No

Inspector notes:

On 18 March 2022, Senior Inspector Jeff Beaver and person assisting Jason Stegbauer attended Brindabella Christian College in relation to the complaint associated with traffic management and a near miss.

I observed minor construction works being undertaken at that same location, however did not observe any concerns in relation to traffic management.

No WHS contraventions detected.

WorkSafe ACT left that same location at around 12:30pm.

*Disclaimer: The issues identified during this inspection are only indicative of compliance with the Work Health and Safety Act 2011, the Work Health and Safety Regulations 2011, the Dangerous Substances Act 2004 and the 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.*

### **Previous action**

Previous notice/s issued (either written or verbal)? No

### **Contacts**

Lead inspector email address: jeffrey.beaver@act.gov.au

### **Recipient/s of this form**

Email: jeffrey.beaver@worksafe.act.gov.au

Email 2: jason.stegbauer@worksafe.act.gov.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'Wlth) and Information Privacy Act 2014. WorkSafe ACT provides identifiable information which can be disclosed to other law enforcement agencies and authorised organisation that have legal authority to request information under prescribed circumstances.