

Background

The Workplace Incidents Consultative Committee (the Committee) is a Ministerially-appointed advisory body for people affected by a workplace incident involving death, serious injury or serious illness (affected persons) to drive system improvements to workplace health and safety in Victoria.

The Committee is established under the *Occupational Health and Safety Act 2004* (the Act) and Occupational Health and Safety Regulations 2017.

These Terms of Reference are to be read with the supporting Committee materials, including the Handbook, Reimbursement Guidelines, Families and Injured Workers' System Reform Fund Guidelines, and Conflict of Interest Policy.

Purpose

Members of the Committee will perform their functions under section 126A(2) of the Act to provide advice and make recommendations to the Minister for WorkSafe and the TAC (the Minister) about:

- a) the needs of persons affected by workplace incidents involving death, serious injury or illness; and
- b) the development, review and improvement of policies, practices, strategies and systems relating to affected persons and occupational health and safety more generally.

Specifically, members will draw on their lived experience to contribute to the Workplace Safety work program by:

- recommending system-level improvements to better support affected persons and prevent serious workplace incidents from occurring
- providing feedback on workplace safety reforms proposed by government
- proposing activities to be funded as part of the Families and Injured Workers' System Reform Fund (the Fund).

Membership

The Committee consists of the following members:

- **Government Co-chairperson**
- **Non-Government Co-Chairperson**
- **Deputy Non-Government Co-Chairperson**
- **Lived experience members**

A list of Committee members is at [Attachment A](#).

Roles and Responsibilities

The Government Co-Chairperson will:

- facilitate constructive and respectful discussion between members
- provide a direct link to government and support the Minister to deliver the reform agenda proposed by the families and affected workers
- support the lived experience co-chair, committee members and Secretariat to ensure legal and governance requirements are met and meetings function effectively.

The Non-Government Co-chairperson will:

- facilitate constructive and respectful discussion between members
- officially represent the committee's lived experience members, including raising issues on behalf of the Committee and guiding the Committee to deliver advice to the Minister
- help set meeting agendas and develop the Committee's workplan in consultation with other members.

The Deputy Non-Government Co-Chairperson will:

- support the non-government co-chairperson to carry out their duties
- act in the role of non-government co-chairperson for up to three consecutive meetings if they are absent or unable to perform their duties.

All lived experience members will:

- use their experience to identify system-level issues that are likely to impact affected persons
- help to develop, review and improve policy, practice and systems relating to government support for affected persons and occupational health and safety
- provide advice to the Minister on initiatives and reforms to support affected persons
- respect the sensitive nature of discussions, keep matters raised at meetings confidential, and not share private information gained from being on the Committee with others.

Regular attendees

The following people will be invited to attend meetings as regular attendees to support the delivery of actions arising from the Committee:

- Deputy Secretary, Economic, Department of Treasury and Finance (DTF)
- Executive Director, Regulation Group, DTF
- Director, Regulation Group, DTF
- Chief Executive, WorkSafe Victoria as required

Committee operating procedures

Term length

Lived experience members are appointed on a sessional basis for a term of three years. They are eligible to be reappointed for one additional term and may only be reappointed for subsequent additional terms under exceptional circumstances.

The Government Co-chairperson is appointed for the length of time they remain eligible under the Regulations or until their office becomes vacant.

Meeting length and frequency

The Committee is expected to meet a minimum four times per calendar year as set out in the Act. The Committee may also receive updates, provide advice, and make decisions out of session by email correspondence, as required.

The length of individual meetings is to be agreed by the co-chairpersons, with full day meetings (i.e. seven hours including breaks) being the standard.

Quorum

The quorum for the Committee is at least half of all members. If at least half of all members advise the Secretariat ahead of the meeting that they cannot attend, the meeting will be rescheduled to another time when more members can be present. If this is not possible or practical, the meeting shall go ahead, with any decisions to be held over until the next meeting where there is a quorum.

Committee workplan

With support from the Secretariat, the Committee will meet once every calendar year to set its annual forward agenda and workplan.

The workplan should propose a meeting timeline, outline priority areas for reform and the Committee's objectives for that year. It will be informed by the Government's priorities for addressing gaps in the system that impact affected persons.

Setting meeting agendas

The co-chairpersons will set meeting agendas in consultation with other members, who should let the co-chairpersons know if they have an item they would like to raise.

The co-chairpersons may also be contacted by external parties, such as government departments or agencies, wishing to consult the Committee on reform proposals. All external requests should first be sent to the Secretariat who will forward the request to the co-chairs. The co-chairs will determine if the request meets the Committee's scope and requirements.

Meeting papers

The Secretariat will send the agenda and any papers to all members at least seven business days before a meeting, if possible. Members will be able to access meeting papers and other resources on an online portal for easy access. Minutes will be circulated within one week of a meeting.

Electing the lived experience co-chairperson and deputy co-chairperson

Lived experience members will elect two members of the Committee to the roles of non-government co-chairperson and deputy non-government chairperson, in the event these roles become vacant.

Members will be given an opportunity to express interest in the positions and explain to other members why they should be considered. Members will then be given an opportunity to vote privately to elect members to the roles.

Families and Injured Workers' System Reform Fund

The Fund provides \$4 million over four years to support reforms and initiatives recommended by the Committee as part of its workplan.

Recommendations must support the Fund's objective to improve:

- support for those affected by serious workplace incidents
- health and safety outcomes at Victorian workplaces.

The Minister is responsible for deciding what activities will be funded, based on advice from the Committee and department. Information about the selection and approval process for the Fund is outlined in the Handbook.

Administration

Secretariat

Regulation Group, DTF, will provide Secretariat support to the Committee.

Pay and allowances

Lived experience members are entitled to pay and reimbursements for reasonable expenses incurred in the performance of official duties, as specified in their Instrument of Appointment.

Payment is provided in half day or full day sitting fees and includes reading and preparation time. Any activity undertaken for up to four hours is paid as a half day, and any activity over four hours is considered a full day.

The Government Co-Chairperson is not entitled to receive any pay or allowances in respect of their role.

Conflicts of interest

All members must avoid conflicts of interest. In addition, members must declare any actual, perceived, or potential conflicts of interest to the co-chairpersons or secretariat that arise during their appointment as soon as practical and work with the secretariat to manage the conflict.

Review of Terms of Reference

These Terms of Reference may be amended, varied or modified in writing after consultation with the Committee and with the majority agreement of members to do so.

Privacy and Confidentiality

The Committee's records and other documents provided to, prepared by, or for the purposes of the Committee (for example correspondence to and from attendees) must remain confidential and are not to be circulated or published without the prior written consent of DTF. Committee records will be maintained by the Secretariat and may be subject to the *Freedom of Information Act 1982 (Vic)*. Personal information will be treated in accordance with the *Privacy and Data Protection Act 2014 (Vic)*.

Attachment A – Membership List

Name	Position
Members	
Dr Lana Cormie	Non-Government Co-Chairperson and lived experience member
Ms Samantha Burns	Deputy Non-Government Co-Chairperson and lived experience member
Mr Dave Brownlee	Lived experience member
Mr Neil Kermeen	Lived experience member
Mr Francis Malek	Lived experience member
Mr Elvis Martin	Lived experience member
Mrs Bette Phillips-Campbell	Lived experience member
Ms Annmarie Saffin	Lived experience member
Mr Ralph Snider	Lived experience member
Mr Michael Stone	Lived experience member
Mr Brett Struhs	Lived experience member
Mr James Wood	Lived experience member