

STANDING COMMITTEE ON PUBLIC ADMINISTRATION

INQUIRY INTO WORKSAFE



TRANSCRIPT OF EVIDENCE
TAKEN AT PERTH
MONDAY, 9 OCTOBER 2017

SESSION TWO

Members

Hon Adele Farina (Chair)
Hon Jacqui Boydell (Deputy Chair)
Hon Ken Baston
Hon Kyle McGinn
Hon Darren West

Hearing commenced at 1.45 pm

Ms TONI WALKINGTON

Branch Secretary, Community and Public Sector Union—Civil Service Association of WA, sworn and examined:

The CHAIR: On behalf of the committee, I would like to welcome you to the meeting. Before we begin, I must ask you to take either the oath or the affirmation.

[Witness took the affirmation.]

The CHAIR: You will have signed a document entitled “Information for Witnesses”. Have you read and understood that document?

Ms WALKINGTON: I have.

The CHAIR: These proceedings are being recorded by Hansard and broadcast on the internet. A transcript of your evidence will be provided to you. To assist the committee and Hansard, please quote the full title of any document you refer to during the course of this hearing for the record and please be aware of the microphones. Speak into the microphones and do not cover them with paper. I remind you that your transcript will become a matter for the public record. If for some reason you wish to make a confidential statement during today’s proceedings, you should request that the evidence be taken in closed session. If the committee grants your request, any public and media in attendance will be excluded from the hearing. You need to state that upfront, and we need to make a decision. Please note that until such time as a transcript of your public evidence is finalised, it should not be made public. I advise you that the publication or disclosure of the uncorrected transcript of evidence may constitute a contempt of Parliament and may mean that material published or disclosed is not subject to parliamentary privilege.

I would like to invite you to make an opening statement to the committee if you would like to.

Ms WALKINGTON: There are a couple of things that I wanted to summarise in terms of the matters that we provided in our written submission. Firstly, just to acknowledge and thank the committee for the flexibility that has been provided to our members to enable them to provide evidence if they wish to in the circumstances that we have outlined in our submission. I just acknowledge and thank you very much for that.

The CHAIR: Our pleasure.

Ms WALKINGTON: Also, an overriding theme that was often repeated by our members in this process was that they are very concerned that their capacity to work on prevention strategies and work in preventing injury or preventing death has been hampered by various things like job cuts and funding cuts. Again and again we heard that as an issue that inevitably what happens when they are involved in investigations of an accident that has caused injury or death, that is all-consuming and it takes them off the prevention work and that becomes a cycle, if you like—a vicious cycle. One thing that they had clearly implored us in our representations is if we could stress to the committee that that was a matter that was becoming increasingly onerous—to find the space to do prevention. Also, people talked a lot about wanting to work across the organisation and wanting to be able to communicate and work together with the different teams in the organisation. People felt that they had got good teams and they got on well within teams but trying to work across teams

because they almost have to go up hill and down dale to be able to work because of the way the structure works and that was preventing, in effect, timely communication and good outcomes.

The CHAIR: Toni, do you mind just explaining to the committee whether your union covers all the workers in WorkSafe who are union members or are there different unions that also might cut across?

[1.50 pm]

Ms WALKINGTON: We have coverage of all employees. Some employees will join either an additional union or an alternate union if they are in a specialised area, such as nursing or media. Sometimes people involved in media will join media alliance in addition to us or instead of us depending on their personal finances and that type of thing.

The CHAIR: The CPSU expresses concern in its submission about an email sent by Lex McCullough to employees of WorkSafe. Why did the CPSU have those concerns?

Ms WALKINGTON: We received communication from some of our members that they were concerned that this would limit their ability to provide evidence or provide us with information and were concerned that should they do that, they would be judged as being in breach of codes of conduct or not being compliant with lawful directions or directions from their employer.

Hon DARREN WEST: Is that your view that should they have defied that email, would they be in breach of the code of conduct?

Ms WALKINGTON: Our view is that as public servants, if they are called before a committee, they are then obliged to provide evidence. However, the grey area is how does the committee know to call people or to get evidence from people, given that there are ways of putting things and you can outline somebody's obligations or rights and entitlements and emphasise whether they are to be limited or whether you want to facilitate the provision of information?

Hon DARREN WEST: By providing a submission or asking to appear before an inquiry or a hearing, as opposed to being summonsed of course, does that in your view constitute a breach of any code of conduct?

Ms WALKINGTON: No, it does not.

The CHAIR: On page 4 of your submission, the CPSU states that employees in higher level executive positions have been appointed without appropriate merit selection processes, and without qualifications or experience in occupational health and safety. Can you provide the committee with examples and expand on this statement?

Ms WALKINGTON: I would prefer to be able to provide that as supplementary information.

The CHAIR: Are you saying that you would like to take it as a question on notice, or would you prefer to answer it in closed session.

Ms WALKINGTON: In a closed session.

The CHAIR: I will come back to that in a closed session, then. This may be the case with all of the questions, so can you just indicate? The CPSU states that WorkSafe has an autocratic management system that fails to achieve good outcomes for the community. Can you provide the committee with examples, and expand on this statement?

Ms WALKINGTON: Again, we would prefer to provide that not necessarily in closed session, but as supplementary evidence.

The CHAIR: Members, at this stage, because this might be the case for all of the questions that get asked, if you do not mind, I would like to adjourn this public hearing to have a discussion with the

witness, and then a separate discussion with the committee members just to clarify how best to proceed forthwith. We will adjourn the public hearing now. We will ask the witness some questions first, and then the committee will meet.

Proceedings suspended from 1.55 to 2.14 pm

The CHAIR: Toni, just so that we are all clear on how we are going to proceed, we think that the best way to provide protection to your members for us to proceed in private session and I will ask you the questions that we have. If, at the end of asking the question, you feel that that is a question you can answer in public, then you can just indicate, "Look, I can answer that in public session", and then we will not take the answer while we are in private session and then at the conclusion of the private session we will reconvene the public session and we will put those questions to you in public session because I think that is the best way to do it. Are you clear on that?

Ms WALKINGTON: Yes.

The CHAIR: If you have any questions at any time, just ask. It is a bit confusing. Otherwise, we have to open and close all the sessions.

Just in terms of the broadcasting, we are going to go into private session. We will let you know when we go into public session. No broadcasting, thank you.

[The committee took evidence in private]
