

INQUIRY INTO WORK HEALTH AND SAFETY AMENDMENT (INFORMATION EXCHANGE) BILL 2020

Organisation: icare
Date Received: 13 August 2020

13 August 2020

The Hon Wes Fang MLC
Committee Chair
Law and Justice Committee
Legislative Council
Parliament of New South Wales

By email law@parliament.nsw.gov.au

Dear Mr Fang

Re: Inquiry into the Work Health and Safety Amendment (Information Exchange) Bill 2020

Thank you for your email of 10 August 2020 inviting icare to provide a submission and give evidence at this Inquiry.

icare supports Government initiatives for reducing the rates of silicosis and improving outcomes for workers with this condition and other medical conditions reported under Part 4 of the *Public Health Act 2010*. We understand that the information disclosure arrangements proposed in the Bill will support such initiatives.

We note that Bill seeks to strike a balance between the vital existing legislative protections for workers' private and personal information, and the need for the regulators of the Work, Health and Safety Scheme to have access to information about serious public health risks. We consider that by limiting the Secretary's authority to disclose protected information to such information that is necessary (in the Secretary's opinion) for the regulators to perform their statutory functions, the Bill appropriately balances these two public interests.

In case it is of relevance to the Inquiry, we confirm that icare is also subject to the NSW legislative framework regarding the protection and disclosure of workers' personal and private information. In some cases, this framework legally obliges icare to provide protected personal information to the work, health and safety regulators to support scheme improvements or for compliance purposes. icare complies with such requests in accordance with its legislative obligations.

We appreciate the opportunity to provide our perspective to the Committee, but we do not think that there is anything further that we could add to the information we have provided in this letter that would be of assistance to the Committee. Accordingly, we do not wish to be heard or give evidence at the Inquiry.

Yours sincerely

Dr Chris Colquhoun
Chief Medical Officer
icare