

Senate Standing Committee on Education and Employment

QUESTIONS ON NOTICE Additional Estimates 2016 - 2017

Outcome 1 - Employment

Department of Employment Question No. EMSQ17-001592

Senator Marshall asked on 02 March 2017 on proof Hansard pages 138 and 140

Question

Public Liability Insurance

Ms Leon: It is not workers compensation; it is insurance taken out by the department specifically for people participating in those programs.

Senator MARSHALL: Well, is it at the same level as workers compensation in every jurisdiction, or is it at a lesser level?

Ms Leon: It is a different form of insurance. I think we have provided the insurance policy to estimates before. I am happy to provide it to you again, if you wish to see it.

Senator MARSHALL: Yes, all right—if you could..... ..

Senator MARSHALL: Hence they are probably not worried about it. Where does public liability insurance leave participants?

Mr Hehir: Our insurance covers public liability.

Senator MARSHALL: To what level? Is it a no-fault system?

Mr Manning: It is to \$20 million—capped at the maximum limit per occurrence. I am not sure of the details; I will have to take that on notice.

Senator MARSHALL: Are you absolutely sure that there is no circumstance which could exceed \$20 million?

Mr Manning: I am not, and I will have to take that on notice to give you a considered answer.

Answer

The Department has two Combined Liability insurance policies:

- A policy that covers job seekers' liability arising from their negligence that causes personal injury to third parties or damage to third parties' property while participating in approved activities.
- A policy that covers owners and land lease holders of private property and farms where their own public liability insurance does not provide for circumstances involving job seekers participating in Work for the Dole – Community Support Projects.

These are at fault policies which mean it will need to be proven that the incident occurred due to the actions or negligence of a party before any payments can be made.

The combined public and products liability limit in the two policies is \$20 million for any one occurrence and in the aggregate during the period of insurance in respect to products liability.

The liability limits applied to the policies were established on the advice of the whole-of-government insurance broker.

The policies also provide for additional payments including payment of legal costs associated with claims for compensation and expenses incurred for medical and other therapeutic services to others.

A copy of the insurance policies is attached.