

**Senate Finance and Public Administration Legislation Committee**

**ANSWERS TO QUESTIONS ON NOTICE**

Budget Estimates Hearing 27 May-6 June 2013

Prime Minister and Cabinet Portfolio

**Department/Agency:** Department of the Prime Minister and Cabinet

**Outcome/Program:** 1.1 Prime Minister and Cabinet

**Topic:** Comcare case of former Lodge employee

**Senator:** Senator the Hon Abetz

**Question reference number:** 7

**Type of Question:** FPA, Monday 27 May 2013, Page 52

**Date set by the committee for the return of answer:** 12 July 2013

**Number of pages:** 2

**Question:**

Senator ABETZ: Right. So what was the view of the department?

Ms Leon: I said that it is not the department's role to form a view as to whether an injury is compensable or not, but that we would provide Comcare, in any case affecting the department, with all of the information we had available about the circumstances in which the injury was said to have occurred. We certainly would not throw our hands up and say, "We don't know," but it is not our role to form a view and the department does not form views that it has no statutory role to form. I do not have with me the paperwork for the Comcare claim for the employee that I think you are referring to, but I am happy to take on notice to confirm my expectation that, in relation to any such claim, we would have provided all of the information that was available to us. I will come back to you to confirm, or otherwise, that we provided such information as we had.

Senator ABETZ: Yes, if you could do so, because one would imagine that if this person kept on undertaking certain tasks at the Lodge after the dates or between the dates asserted, then that might have helped Comcare make its determination. I dare say that information would have indicated the department's view as well. It is quite a simple issue and I look forward to getting a proper answer, thank you.

**Answer:**

PM&C completes claim forms for workers' compensation in consultation with the employee, the employee's manager, and human resources. The claim form requires factual information from the employer to assist Comcare to determine liability. PM&C would also include statements of fact, typically prepared by the employee's manager, relating to the employee's role and any incidents attributed to the employee's injury or illness. It is not usual practice for these statements to include

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opinions or the views of any individual or the Department, except in cases where they relate to conflicting accounts between two or more individuals.