



# Privacy Policy

**Last updated: June 2022**

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## 1. Introduction

WorkSafe Victoria ("**WorkSafe**", "**we**", "**us**", "**our**",) is the statutory body responsible for enforcing Victoria's occupational health and safety laws, managing the workers' compensation scheme and helping injured workers return to the workforce. This Privacy Policy (**Policy**) outlines how WorkSafe manages personal and health information, how we may use or disclose that information and how to make a privacy complaint.

You can learn more about WorkSafe by:

- Visiting the WorkSafe website at: [www.worksafe.vic.gov.au](http://www.worksafe.vic.gov.au)
- Calling WorkSafe for general enquiries on: 03 9641 1555
- Emailing any questions to us at: [info@worksafe.vic.gov.au](mailto:info@worksafe.vic.gov.au)

This Policy should be read in conjunction with WorkSafe's Website Privacy Statement, which can be accessed via our website. The Website Privacy Statement explains our policy for handling personal information which you may provide to us when you access and interact with our website.

### Victoria's privacy laws

Victoria's privacy laws regulate how Victorian government bodies use and disclose personal information. WorkSafe manages personal and health information in accordance with the:

- *Privacy and Data Protection Act 2014* (Vic) and its Information Privacy Principles; and
- *Health Records Act 2001* (Vic) and its Health Privacy Principles.

The privacy laws provide for the collection, use, disclosure, transfer, access, correction and disposal of personal and health information. WorkSafe is bound by these laws, and other laws such as the *Freedom of Information Act 1982* (Vic) (**FOI Act**) and the *Workplace Injury Rehabilitation and Compensation Act 2013* (Vic) (**WIRC Act**), when handling any personal and health information. WorkSafe also generally requires its contracted service providers to comply with these privacy laws.

In addition, WorkSafe is under a mandatory obligation to report data breaches involving tax file number information to the Office of the Australian Information Commissioner.

### Types of information

Privacy laws protect:

**Personal information**, which is 'information or an opinion (including information or an opinion forming part of a database), that is recorded in any form and whether true or not, about an individual whose identity is apparent, or can reasonably be ascertained, from the information or opinion, but does not include information of a kind to which the Health Records Act applies';

**Health information**, which is a type of personal information that relates to the health or disability of an individual, the provision of health services to the individual or the individual's expressed wishes about the provision of health services. It also includes information collected in providing a health service or in connection with organ donation; and

**Sensitive information**, which is a special category of personal information. It includes information about a person's racial or ethnic origin, political opinions, membership of a political association, religious beliefs or affiliations, philosophical beliefs, membership of a professional or trade association or trade union, sexual preferences or practices and criminal record.

An example of personal information is name, address, contact details and date of birth, and an example of health information is a worker's injury claim.

### References

In this Policy:

- references to "personal information" include "sensitive information";
- references to "personal and health information" means personal information and health information, and a reference to "personal or health information" means either personal information or health information;
- references to "WorkSafe", "we" or "us" also include WorkSafe Agents where they are collecting, holding, using or disclosing personal information on behalf of WorkSafe (for instance, injury claim management under the accident compensation scheme).

WorkSafe Agents are organisations appointed by WorkSafe to manage employers' WorkCover insurance and injured workers' compensation claims. These organisations perform most of the functions associated with premium and claims management. They also provide advice to help injured workers return to work.

## 2. Collection, anonymity and unique identifiers

We collect personal and health information where necessary for us to carry out our functions or activities. This includes the management of Victoria's WorkSafe Injury Insurance scheme, occupational rehabilitation and workplace health and safety systems.

### Collection of personal and health information

We may collect personal or health information about an individual in a number of situations, including (but not limited to):

- employee relations and human resources activities, including pre-employment selection and checks;
- processing payments, leave, taxation and superannuation contributions;
- receipt, processing, assessment and management of a worker's injury claim made under Victorian injury, rehabilitation and compensation laws (you can request a copy of our *Worker's Injury Claim Form*);
- applications for, or to obtain, an authorisation or licence under Victorian workplace health and safety laws and regulations;
- incident notifications by employers and other persons;
- visits, inspections and reports on incidents and/or accidents in workplaces;
- provision of services and benefits to injured workers and/or employers;
- assessment of insurance requirements or premiums for employers;
- receiving or handling of complaints, reports and requests for information from members of the public, other government department or agencies, or the Minister;
- handling general correspondence and information about workers' compensation or occupational health and safety;
- receiving or processing requests for access to information made under Victorian injury, rehabilitation and compensation laws and freedom of information laws;
- the supply of products or services;
- applications for a job or employment with WorkSafe;
- response to surveys, participation in focus groups, events or research undertaken by or on behalf of WorkSafe;
- referrals from other agencies or authorities; and
- visiting WorkSafe's website or communicating with WorkSafe, including online.

Information may be collected by WorkSafe directly from an individual, by its agents or by a contracted service provider acting on behalf of WorkSafe. WorkSafe takes reasonable steps to ensure that contracted service providers comply with the privacy laws.

WorkSafe collects personal and health information that an individual provides via various forms, including worker's injury claim forms, authorisation and licence applications as well as by phone, SMS and email.

### Collection from other bodies

Collection directly from the individual is not always practicable. We may collect personal or health information from employers (current and previous), other government agencies, credit reporting agencies, health service providers and other persons or organisations who can provide information required for us to perform our functions. We may also collect personal and health information about individuals from solicitors, private investigators and others including:

- the worker's employer at the time of their injury, or previous and subsequent employers;
- return to work officers and other workplace related support officers;
- WorkSafe Agents and contracted service providers, including Independent Medical Examiners, Occupational Rehabilitation and other approved service providers;
- other government and regulatory agencies (e.g. Centrelink, Medicare), and other WorkCover authorities;
- General Practitioners, hospitals, ambulance services, rehabilitation and return to work service providers and other service providers;
- Private investigators, including surveillance; and
- other persons (including other claimants) and/or organisations who hold information relevant to our functions, including detecting and preventing fraud, improper or unlawful claims and applications, and improper billing or invoices for the provision or delivery of services or products.

### Collection statement

When WorkSafe collects personal and health information about individuals, we take reasonable steps to provide them with (or otherwise ensure that they are made aware of) information about:

- WorkSafe's contact details;
- the purposes for which the personal and health information is collected;
- the types of persons and organisations to which such information would usually be disclosed;
- any law that requires, authorises or permits its collection;
- any consequences if the information is not provided; and
- the person's rights of access to that information.

This information is set out in a collection statement, which is included on relevant forms, including registration forms and any other document or mechanism used to collect personal or health information.

## Anonymity

Where practicable and lawful, individuals may choose to remain anonymous when contacting WorkSafe e.g. when making general inquiries about services or notifying WorkSafe of a health and safety risk at a workplace. In some cases, if individuals wish to maintain anonymity, WorkSafe may not be able to provide services, respond to complaints, or investigate incidents.

When contacting WorkSafe, individuals should consider whether they wish to remain anonymous, or provide their personal details and/or whether they seek confidentiality in respect to their complaint. WorkSafe generally treats all complaints and reports as confidential, unless stated otherwise. However, WorkSafe does not warrant or promise it can maintain absolute confidentiality due to other legal obligations and/or prevailing public interests.

## Unique identifiers

WorkSafe does not assign unique identifiers to individuals unless it is necessary to perform our functions efficiently. For example, where it is necessary for WorkSafe to manage claims, licences, and the injury support and health and safety schemes effectively, efficiently and economically.

## Exceptions

There are some exceptions in the Information Privacy Principles and Health Privacy Principles where non-compliance is permitted. This includes where WorkSafe is acting as a law enforcement agency and believes on reasonable grounds that non-compliance is necessary for its law enforcement functions and activities.

### 3. Use and disclosure

Personal and health information is used and/or disclosed by WorkSafe for the primary purpose for which it was collected, and any secondary purposes permitted by law.

In particular, WorkSafe uses/discloses personal and health information in connection with the administration or enforcement of the WIRC Act, the *Occupational Health and Safety Act 2004* (Vic) and associated laws and regulations.

For example, WorkSafe may use/disclose personal or health information when:

- the secondary purpose relates to the primary purpose of collection (or directly relates to the primary purpose in the case of sensitive and health information) and an individual would reasonably expect WorkSafe to use or disclose it in this way;
- the individual to whom the information is about has given consent for the use and/or disclosure;
- WorkSafe is required, authorised or permitted by or under law to use or disclose the information.

#### Use

Potential uses of personal information include, but are not limited to:

- assisting workers and employers with occupational rehabilitation and return to work services, including planning, assessments, support and obligations;
- assessing claims and verifying information to ensure the appropriate entitlements and benefits are provided to injured workers, including clinical or independent reviews of injury treatment or other services and support for workers receiving benefits;
- managing the accident compensation scheme as effectively and efficiently and economically as is possible;
- preventing fraud and detecting improper or unlawful claims and invoices for the provision or delivery of services or products;
- evaluating and improving injury claim processes and delivery of injury services and support generally;
- undertaking research, including through WorkSafe's Institute for Safety, Compensation and Recovery Research (ISCRR) upon approval by a Human Research and Ethics Committee to conduct the research in accordance with the National Standard on Ethical Conduct in Research Involving Humans published by the National Health and Medical Research Council and relevant guidelines of the Health Complaints Commissioner (**HCC**);
- processing, assessing and managing applications, licences and/or registrations required under law;
- visiting and inspecting (or investigating) workplaces on issues arising out of a claim or accident, or following up from a complaint or incident notification;
- uses for, or in connection with, compliance and law enforcement functions, including in legal proceedings;
- preparing responses to parliamentary questions or inquiries, independent regulators, or ministerial correspondence;
- purposes required, authorised or permitted by law (e.g. taxation, Centrelink, courts); and
- other purposes expressly or impliedly authorised/consented by the individual themselves.



## Disclosure

Personal information collected by WorkSafe may be disclosed to others, including to:

- WorkSafe Agents or self-insurers relevant to the claim;
- approved service providers, consultants, contracted service providers, including private investigators engaged by WorkSafe;
- the worker's or licence holder's current, past or future employers;
- employers and/or their representatives, employee representative organisations and others, as necessary and relevant to perform duties and exercise functions in connection with visits, inspections or investigations of workplace health and safety incidents, risks, complaints or reports;
- lawyers and other professional advisers engaged by WorkSafe;
- courts or tribunals, the Accident Compensation Conciliation Service, commissions and other regulatory authorities (in Victoria or interstate) e.g. Ombudsman Victoria, Auditor General, Commissioners;
- medical services, including independent medical examiners, health and occupational rehabilitation service providers under the legislation administered by WorkSafe;
- Commonwealth and other state accident compensation and health and safety agencies, along with other public or regulatory authorities that request information relevant to a benefit or a claim or a matter. These include the Transport Accident Commission (**TAC**), Centrelink, Medicare, Child Support Agency, the Australian Taxation Office, emergency or law enforcement agencies;
- government agencies and private organisations that can assist WorkSafe to detect improper or unlawful claims and invoices for the provision or delivery of services or products, and also to prevent fraud;
- WorkSafe's Institute for Safety, Compensation and Recovery Research (**ISCR**) or other research institutes which have Human Research and Ethics Committee approval to conduct research in accordance with the National Standard on Ethical Conduct in Research Involving Humans, published by the National Health and Medical Research Council and also relevant guidelines of the HCC;
- publishing (including on the Internet) prosecution outcomes to highlight, educate, deter non-compliance of health and safety and accident compensation laws (WorkSafe's General Prosecution Guidelines are available at [www.Worksafe.vic.gov.au](http://www.Worksafe.vic.gov.au));
- other third parties, with the consent of the individual, including health insurance and financial institutions or superannuation funds; and
- professional bodies regulating practitioners (e.g. Medical Boards, Australian Health Practitioners Regulation Agency, and the Legal Services Commissioner).

Personal information may also be disclosed:

- for the purposes of responding to parliament, independent regulators, ministerial correspondence or others;
- where required, authorised or permitted by law (e.g. freedom of information (FOI) laws, subpoena, notice to produce, etc);
- for other purposes where authorised by the individual themselves.

This list is not exhaustive and the above uses/disclosures are not mutually exclusive. Ultimately, the context including the background and surrounding circumstances of each case is important in determining whether use or disclosure is lawful or in compliant with the privacy laws.

#### Use and disclosure when managing an injury claim, worker's rehabilitation or return to work

As part of managing an injury claim, a worker's rehabilitation or return to work, WorkSafe Agents may disclose information from an Independent Medical Examiner (**IME**) or other health reports to Occupational Rehabilitation (**OR**) providers as part of a worker's assessment and rehabilitation services or plan. Although the entire report might, at times, be relevant and necessary to provide to an OR Provider, generally this is achieved by agents providing an extract or a summary of a report, without compromising their ability to perform their function as an approved provider or agent managing an injury claim.

Some of the factors that our agents consider when determining what information to disclose to approved providers, include the nature of injury, content of the report, the OR's professional background and expertise, the particular circumstances involved (including previous communications or explanation provided to workers), the workers' reasonable expectations and whether the disclosure is authorised or permitted under the WIRC Act (including the return to work provisions of that, or any other legislation).

#### Disclosure to a private investigator

In processing and determining a claim, WorkSafe or its agents may disclose personal or health information to a private investigator in order for them to carry out investigations or surveillance and make other inquiries about individuals as part of processing or managing a claim, or the payment of benefits, or the provision of support services. Private investigators and contracted service providers are required to comply with privacy laws and any other applicable laws. We take steps to ensure that private investigators comply with surveillance laws and WorkSafe's Code of Practice for Private Investigators, which is available on our website.

#### Reporting health and safety risks at a workplace

WorkSafe, its inspectors and investigators do not generally disclose the personal details of individuals who report health and safety risks at a workplace, including their own. WorkSafe does not warrant, and may not agree to (or be able to) maintain absolute confidentiality due to other legal requirements and other considerations, such as the prevailing public interest. Individuals should understand that, depending on the facts and circumstances of a complaint or report, employers, organisations or others may themselves identify, or assume the identity of a complainant, even where WorkSafe had not disclosed any identified or identifiable details about the complainant. This is particularly likely in small workplace environments.

### Information disclosed outside Victoria

WorkSafe may also disclose personal information or health information outside Victoria if it is necessary to perform its functions and activities and in a manner consistent with this policy and Victorian privacy laws. This may include, for example, where you have consented to the transfer, or where we reasonably believe that the recipient of your information is subject to a law, binding scheme or contract which provides for the fair handling of your information in a manner that is substantially similar to applicable privacy principles under Victorian privacy laws.

### Collaboration or shared services arrangements

In order to achieve its objectives, to better perform its functions, and to deliver more efficient and effective services to workers, employers and the community, WorkSafe may enter into collaborative arrangements or shared services with other public agencies. These may include the TAC, the State Revenue Office and other welfare, health and safety agencies, or agencies with law enforcement functions.

These arrangements assist us with activities such as data analysis and matching, auditing and investigating individuals, employers, providers and others, and the disclosure of personal or health information to relevant authorities and/or courts (where permitted by law).

The aims of these arrangements include:

- ensuring that injured workers who are eligible to receive compensation from WorkSafe and/or agencies such as the TAC, have access to efficient and effective health care, disability and return to work services;
- detecting and preventing fraud regarding improper or unlawful claims or applications;
- detecting and preventing fraud regarding improper billing of health or non-health services or products;
- detecting and preventing risks to the health, safety and welfare of individuals and the public from unsafe workplace practices;
- conducting joint investigations and prosecutions with other agencies;
- improving the process and management of injury claims and applications in general; and
- monitoring, evaluating and improving programs and services.

### Exceptions

There are some exceptions in the Information Privacy Principles and Health Privacy Principles where non-compliance is permitted. This includes where WorkSafe is acting as a law enforcement agency and believes on reasonable grounds that non-compliance is necessary for its law enforcement functions and activities.

#### **4. Data quality and security**

WorkSafe takes reasonable steps to ensure that personal and health information held by WorkSafe is accurate, complete and up-to-date. WorkSafe relies on individuals to provide accurate and current information in the first instance, and to inform WorkSafe of changes to their details or circumstances, which are relevant to the services provided under the schemes administered by WorkSafe.

Personal and health information is stored and retained in accordance with the applicable records retention and disposal schedule (see the Public Records Office of Victoria at [www.prov.vic.gov.au](http://www.prov.vic.gov.au) or call 9348 5600 or email [enquiries@prov.vic.gov.au](mailto:enquiries@prov.vic.gov.au)). Some records are maintained for short periods after a matter has been finalised, while other records (for example, claim files) are held for longer periods, as they are likely to be required in relation to the ongoing assessment and management of a claim and the provision of entitlements and services under law, or in relation to future entitlements, disputes or legal proceedings.

WorkSafe takes reasonable steps to protect the personal information it holds from misuse, loss, unauthorised access, modification and disclosure. What amounts to reasonable security measures will vary according to the circumstances. WorkSafe manages information in accordance with its Information Security Policy and any standards issued by the Office of the Victorian Information Commissioner (including the Protective Data Security Standards under the *Privacy and Data Protection Act 2014* (Vic)).

You may choose to communicate with us and to receive your personal and health information by email or SMS. Email is a quick, convenient and more consistent method of communication, but you should understand that it is not 100% secure and there is a risk that emails can be intercepted, read or modified by others or sent to an incorrect address. SMS messages are normally encrypted and you should ensure that the messaging service you use to communicate with us is encrypted and you provide us with the correct mobile number.

#### **5. Accessing or correcting your personal or health information**

Requests for access to, or correction of, documents held by WorkSafe are processed under:

- the WIRC Act for requests from injured workers for information in relation to their claim;
- the FOI Act for requests to access or correct information held by WorkSafe.

The FOI Act sets out the process for seeking access to documents or the correction of documents obtained under the FOI Act. Disclosure of documents under the FOI Act is subject to certain exemptions. For example, if providing access would involve unreasonable disclosure of the personal affairs of another person, documents may be withheld. Detailed information about the FOI process, timeframes, application forms, fees and charges are available online at the WorkSafe website ([www.worksafe.vic.gov.au](http://www.worksafe.vic.gov.au)).

Workers seeking access to, or correction of, their personal information relating to their injury claim should first contact the WorkSafe Agent managing their claim. For a list of contact details for all of WorkSafe Agents, visit the WorkSafe website ([www.worksafe.vic.gov.au](http://www.worksafe.vic.gov.au)).

Workers who wish to access or correct medical or occupational rehabilitation reports prepared by an Independent Medical Examiner (**IME**) or Occupational Rehabilitation (**OR**) Provider should, seek access directly from the relevant IME/OR provider who prepared the report.

All other requests should be made in writing to the FOI and Privacy Team, WorkSafe Victoria, 1 Malop Street, Geelong 3220 VIC.

Alternatively, please contact us by e-mail:

- General FOI queries – [foi@worksafe.vic.gov.au](mailto:foi@worksafe.vic.gov.au).
- General Privacy queries – [privacy@worksafe.vic.gov.au](mailto:privacy@worksafe.vic.gov.au).

## 6. Website and e-mail

WorkSafe owns and operates a website under the domain name 'www.worksafe.vic.gov.au' (**our Website**).

We encourage people to use our Website to find out information about us and to contact us. Information about the protection of the privacy of people who visit our website, add or transmit information through our website and across the internet, or who send us information via email, is set out in **WorkSafe's Website Privacy Statement**, which can be accessed via our Website.

WorkSafe takes reasonable steps to protect information held by it from misuse, loss, unauthorised access, modification or disclosure. If you are concerned about providing sensitive material to us via the internet, you can contact us by telephone or by mail.

Please note that there are risks associated with transmitting information via the internet. While WorkSafe endeavours to protect personal information, it cannot provide any warranty regarding the security of information transmitted to WorkSafe online and individuals provide such information via the internet at their own risk.

WorkSafe does not endorse or accept any responsibility for any damage sustained from accessing external third party sites available via WorkSafe's website.

## 7. Facebook and Twitter

WorkSafe is a registered user of Facebook and Twitter, and operates WorkSafe branded pages and accounts on these platforms (**WorkSafe's social networking sites**). WorkSafe has agreed to the terms of service of these platforms, but has no relationship or contract with either Facebook or Twitter, other than being a registered user.

We use Facebook or Twitter to communicate with the public. We may collect any personal information provided via WorkSafe's social networking sites for the purposes of engaging and consulting with the public, and may use and disclose it for this purpose and other related or lawful purposes.

The WorkSafe social networking sites are not intended for the receipt of enquiries, complaints, or reports about workplace health and safety risk or accident compensation matters, all of which can be lodged via other methods specified on our Website ([www.worksafe.vic.gov.au](http://www.worksafe.vic.gov.au)).

Any information or messages submitted on WorkSafe's social networking sites is publicly available. WorkSafe recommends that you exercise discretion in deciding what information to share and that you utilise applicable privacy settings.

Messages or replies on WorkSafe's social networking sites that contain confidential or personal details (e.g. in relation to a possible complaint or injury claim) will not be responded to publicly. In those instances, the user should direct their complaint or enquiry to WorkSafe via a more secure method, such as those described on our Website ([www.worksafe.vic.gov.au](http://www.worksafe.vic.gov.au)).

If you visit, "like" or "follow" WorkSafe on any of its social networking sites, you may receive messages or "tweets". These may cover some or all of the following types of information:

- information regarding workplace health and safety risks or incidents and return to work matters;
- notification regarding new content on our website (new guidance materials, publication of newsletters etc);
- information about events which WorkSafe co-ordinates, participates in, or promotes;
- re-tweets from other Twitter users which are relevant to WorkSafe activities;
- links to news stories which concern issues relating to WorkSafe's functions; and
- links to the activities of other authorities with functions similar to those of WorkSafe.

If you follow [@worksafe\\_Vic](https://twitter.com/worksafe_Vic) on Twitter, WorkSafe may not automatically follow you back. WorkSafe discourages the use of direct messaging and aims to prevent electronic spam. WorkSafe may follow other Twitter users at its sole discretion. If your Twitter (or any other person's) account is followed by [@worksafe\\_Vic](https://twitter.com/worksafe_Vic), this does not imply endorsement of any kind.

WorkSafe's Facebook page, [facebook.com/worksafevictoria](https://facebook.com/worksafevictoria) and Twitter account, [@worksafe\\_Vic](https://twitter.com/worksafe_Vic) are monitored and maintained during business office hours only (Monday to Friday). They may occasionally be unavailable. WorkSafe does not accept responsibility for lack of service due to downtime.

We welcome feedback and may join in conversations on WorkSafe's social networking sites at our sole discretion. WorkSafe is not able to, and will not reply individually to all messages received via WorkSafe's social networking sites, and makes no guarantee or representation to do so.

When you visit or use WorkSafe's social networking sites, you choose your own name and your participation is voluntary and may be anonymous. When using any of WorkSafe's social networking sites, WorkSafe may collect your personal information if you reply to its "tweets", or if you send a direct message and your account name or display name is not anonymous. Personal information about you or other people may also be contained in your "tweet". All personal information will be managed in accordance with this Policy.

Where permitted by law, personal information that is collected about you via your use of WorkSafe's social networking sites may be used for:

- promoting and making public statements about workplace health and safety;
- receiving and inviting representations from members of the public on any matter affecting WorkSafe's functions; or
- gathering information that will assist WorkSafe to carry its functions and achieve its obligations and statutory objectives.



## **8. Enquiries about privacy and changes to this policy**

If you wish to know more about privacy, please refer to WorkSafe's privacy section online at our Website, or visit the websites of:

- the Office of the Victorian Information Commissioner at [www.ovic.vic.gov.au](http://www.ovic.vic.gov.au); or
- the Health Complaints Commissioner at [www.hcc.vic.gov.au](http://www.hcc.vic.gov.au).

This Policy is subject to review and may be updated at any time without prior notice.

## 9. Making a privacy complaint

If you believe that WorkSafe or a WorkSafe Agent has handled your personal information in a manner that is inconsistent with this Policy, the requirements of an applicable privacy law or Privacy Principle, you can complain to:

- The Privacy Officer at the relevant agency. For officer contact details, visit [www.worksafe.vic.gov.au](http://www.worksafe.vic.gov.au); or
- WorkSafe's Privacy Team via [privacy@worksafe.vic.gov.au](mailto:privacy@worksafe.vic.gov.au).

Complaints submitted to WorkSafe regarding the actions of a WorkSafe Agent (or a third party, such as an IME or OR) will be referred to the relevant WorkSafe Agent (or third party) for response.

WorkSafe aims to respond to privacy complaints as soon as practicable, but in any event, within 28 days of receipt, or within 28 days from when the necessary/relevant information requested by WorkSafe has been provided.

This timeframe does not apply to:

- complaints about, or in connection with, approved service providers (e.g. IMEs, ORs), investigators or inspectors; or
- allegations of offences against accident compensation or occupational health and safety laws.

Such complaints are dealt with via the respective complaint handling processes. For more information, visit our website or contact WorkSafe's Advisory Services team.

Where possible, WorkSafe permits individuals to remain anonymous where it is lawful and practicable to do so. However, it may not always be practicable or possible to provide complainants with the option to remain anonymous, or to provide assurances of confidentiality in relation to service requests or compliant handling. WorkSafe may need to disclose a complainant's identity and details of their allegations and communications (in full or in part) to a relevant person, organisation, or service provider to enable them to provide a proper response, or defend allegations made against them.

This may be the case, for example, where a complaint specifically involves:

- the complainant's own injury claim management and return to work or injury treatment;
- an allegation against individuals at the complainant's workplace (e.g. bullying);
- an assessment by an IME, OR, or another service provider; or
- the way the complainant has been treated by a WorkSafe employee or service provider.
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If you are not satisfied with the response to your complaint, you may contact:

- the Office of the Victorian Information Commissioner, for complaints relating to personal information and sensitive information, other than health information – see [www.ovic.vic.gov.au](http://www.ovic.vic.gov.au); or
- the Health Complaints Commissioner, for complaints relating to health information – see [www.health.vic.gov.au/hsc](http://www.health.vic.gov.au/hsc).