

Section 22

From: STRACHAN, Niki
Sent: Monday, 1 May 2023 10:26 AM
To: Section 22; PULKO, Lisa; LEATHEM, Sian
Cc: Section 22
Subject: RE: Comcare application for internal review [SEC=OFFICIAL]

Hello again team

Apologies, I am not keeping pace with email this morning.

Two thoughts that are not be for this document / this stage of the process, but perhaps worth keeping in mind for the future.

Section 47E(d)

[Redacted]

[Redacted]

Niki

Section 22

From: PULKO, Lisa <Lisa.PULKO@ndiscommission.gov.au>
Sent: Monday, 1 May 2023 9:12 AM
To: LEATHEM, Sian <Sian.LEATHEM@ndiscommission.gov.au>; Section 22
[Redacted] STRACHAN, Niki
<Niki.STRACHAN@ndiscommission.gov.au>
Subject: RE: Comcare application for internal review [SEC=OFFICIAL]

Thanks Sian,
Updated version attached with your additional information included.

Lisa

From: LEATHEM, Sian <Sian.LEATHEM@ndiscommission.gov.au>

Sent: Monday, 1 May 2023 8:48 AM

To: PULKO, Lisa <Lisa.PULKO@ndiscommission.gov.au>; Section 22
>; STRACHAN, Niki

<Niki.STRACHAN@ndiscommission.gov.au>

Subject: Re: Comcare application for internal review [SEC=OFFICIAL]

Hi Lisa and Section 22

My only suggestion is we might almost raise (e)1, which references the changes to the complaints function but says there's no evidence it was implemented or how it would be monitored/evaluated.

This information could have been provided immediately if we'd been asked. (The new structure was implemented on 20 February 2023 and is being actively monitored through the newly developed complaints dashboard, fortnightly leadership group meetings and on an individual level by team leaders conducting weekly file reviews with staff).

Thanks

Sian

From: PULKO, Lisa <Lisa.PULKO@ndiscommission.gov.au>

Date: 1 May 2023 at 12:34:26 am AEST

To: Section 22
>, STRACHAN, Niki

<Niki.STRACHAN@ndiscommission.gov.au>, LEATHEM, Sian

<Sian.LEATHEM@ndiscommission.gov.au>

Subject: Comcare application for internal review [SEC=OFFICIAL]

Hi Section 22

Please find attached three documents, the first is the review application form, the second the attachment to that form setting out the reasons for seeking the review, and third the notice itself. I know you already have this but I thought it might be easier for you to have them all together.

Could you please, first thing Monday morning, review the application and the attachment to ensure that I have covered the appropriate components. Please feel free to track changes directly in the attachment as you see fit, and add anything you feel is relevant. If there is anything incorrect in the application form I will probably have to make the changes as it is a PDF document.

If possible, I would like to get this out the door by 10am. If you want to talk, call my mobile, I will make myself available.

Section 22 for your info and review/feedback if you have time.

Regards,
Lisa

Lisa Pulko
Chief Operating Officer (COO)

I sometimes send emails after hours as it works well for me. There is no expectation that people receiving emails will respond out of hours.



Section 47F | E: Lisa.PULKO@ndiscommission.gov.au
www.ndiscommission.gov.au



The NDIS Quality and Safeguards Commission acknowledges the traditional owners of country throughout Australia and their continuing connection to land, sea and community. We pay our respects to them and their cultures, and to elders both past and present.

Section 22

From: STRACHAN, Niki
Sent: Monday, 1 May 2023 9:41 AM
To: PULKO, Lisa; Section 22; LEATHEM, Sian
Cc: Section 22
Subject: RE: Comcare application for internal review [SEC=OFFICIAL]

Good morning team

Thank you for the update.

Section 47E(c)/47E(d)

[Redacted]

[Redacted]

[Redacted]

I am ready when you are ready to move again on the comms – thank you for keeping me in the loop.

Warm regards

Niki

From: PULKO, Lisa <Lisa.PULKO@ndiscommission.gov.au>
Sent: Monday, 1 May 2023 9:31 AM
To: Section 22; LEATHEM, Sian <Sian.LEATHEM@ndiscommission.gov.au>
Cc: Section 22; .gov.au>; STRACHAN, Niki <Niki.STRACHAN@ndiscommission.gov.au>
Subject: RE: Comcare application for internal review [SEC=OFFICIAL]

Thanks [Redacted],
As discussed, please submit with the most recent version of the attachment saved as a PDF please.
Also, I note that you have advised that we do not need to display the notice until we have an outcome from the review, nor do we need to advise our staff of the notice.
Regards,
Lisa

Section 22

Section 22

From: PULKO, Lisa <Lisa.PULKO@ndiscommission.gov.au>
Sent: Monday, 1 May 2023 9:12 AM
To: LEATHEM, Sian <Sian.LEATHEM@ndiscommission.gov.au>; Section 22
<[REDACTED]>; STRACHAN, Niki
<Niki.STRACHAN@ndiscommission.gov.au>
Subject: RE: Comcare application for internal review [SEC=OFFICIAL]

Thanks Sian,
Updated version attached with your additional information included.
Lisa

From: LEATHEM, Sian <Sian.LEATHEM@ndiscommission.gov.au>
Sent: Monday, 1 May 2023 8:48 AM
To: PULKO, Lisa <Lisa.PULKO@ndiscommission.gov.au>; Section 22
<[REDACTED]>; STRACHAN, Niki
<Niki.STRACHAN@ndiscommission.gov.au>
Subject: Re: Comcare application for internal review [SEC=OFFICIAL]

Hi Lisa and Section 22,

My only suggestion is we might almost raise (e)1, which references the changes to the complaints function but says there's no evidence it was implemented or how it would be monitored/evaluated.

This information could have been provided immediately if we'd been asked. (The new structure was implemented on 20 February 2023 and is being actively monitored through the newly developed complaints dashboard, fortnightly leadership group meetings and on an individual level by team leaders conducting weekly file reviews with staff).

Thanks

Sian

From: PULKO, Lisa <Lisa.PULKO@ndiscommission.gov.au>
Date: 1 May 2023 at 12:34:26 am AEST
To: Section 22
<[REDACTED]> STRACHAN, Niki
<Niki.STRACHAN@ndiscommission.gov.au>, LEATHEM, Sian
<Sian.LEATHEM@ndiscommission.gov.au>
Subject: Comcare application for internal review [SEC=OFFICIAL]

H Section 22

Please find attached three documents, the first is the review application form, the second the attachment to that form setting out the reasons for seeking the review, and third the notice itself. I know you already have this but I thought it might be easier for you to have them all together.

Could you please, first thing Monday morning, review the application and the attachment to ensure that I have covered the appropriate components. Please feel free to track changes directly in the attachment as you see fit, and

add anything you feel is relevant. If there is anything incorrect in the application form I will probably have to make the changes as it is a PDF document.

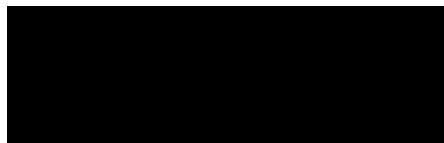
If possible, I would like to get this out the door by 10am. If you want to talk, call my mobile, I will make myself available.

Section 22 for your info and review/feedback if you have time.

Regards,
Lisa

Lisa Pulko
Chief Operating Officer (COO)

I sometimes send emails after hours as it works well for me. There is no expectation that people receiving emails will respond out of hours.



Section 47F | E: Lisa.PULKO@ndiscommission.gov.au
www.ndiscommission.gov.au



The NDIS Quality and Safeguards Commission acknowledges the traditional owners of country throughout Australia and their continuing connection to land, sea and community. We pay our respects to them and their cultures, and to elders both past and present.

Section 22

Section 22

From: MYERS, Catherine <Catherine.MYERS@ndiscommission.gov.au>
Date: 5 May 2023 at 11:40:02 am AEST
To: LEATHEM, Sian <Sian.LEATHEM@ndiscommission.gov.au>, STRACHAN, Niki <Niki.STRACHAN@ndiscommission.gov.au>
Cc: PULKO, Lisa <Lisa.PULKO@ndiscommission.gov.au>, Section 22

Subject: RE: M354 - Canberra Times - ComCare Improvement Notice - Deadline Noon Friday 5 May [SEC=OFFICIAL]

I'm comfortable with the response.

From: LEATHEM, Sian <Sian.LEATHEM@ndiscommission.gov.au>
Sent: Friday, 5 May 2023 10:53 AM
To: STRACHAN, Niki <Niki.STRACHAN@ndiscommission.gov.au>; MYERS, Catherine <Catherine.MYERS@ndiscommission.gov.au>
Cc: PULKO, Lisa <Lisa.PULKO@ndiscommission.gov.au>; Section 22

Subject: RE: M354 - Canberra Times - ComCare Improvement Notice - Deadline Noon Friday 5 May [SEC=OFFICIAL]

Looks good to me, thanks Niki

From: STRACHAN, Niki <Niki.STRACHAN@ndiscommission.gov.au>
Sent: Friday, 5 May 2023 10:33 AM
To: MYERS, Catherine <Catherine.MYERS@ndiscommission.gov.au>; LEATHEM, Sian <Sian.LEATHEM@ndiscommission.gov.au>
Cc: PULKO, Lisa <Lisa.PULKO@ndiscommission.gov.au>; Section 22

Subject: RE: M354 - Canberra Times - ComCare Improvement Notice - Deadline Noon Friday 5 May [SEC=OFFICIAL]

Good morning Catherine and Sian

The Canberra Times approached the Commission this morning for a response in relation to the Comcare Improvement Notice. The response was drafted with Lisa, Section 22 noting Lisa is on leave. It is possible this may be cleared through Section 22.

Would you kindly offer your thoughts / clearance so we can progress the response to **Section 22** consideration against the backdrop of your work areas being mentioned in the response.

Warm regards

Niki

Section 22

Section 22

Disability regulator put on notice by Comcare

Miriam Webber

THE workplace health and safety regulator has issued a notice to the NDIS Quality and Safeguards Commission to address unsafe workloads and demands on the government agency's staff.

Comcare issued an improvement notice to the agency charged with monitoring the safety of National Disability Insurance Scheme recipients on April 21.

The notice would mean the commission must act to rectify safety issues identified, understood to be caused by understaffing and intense workloads, but the agency has requested an internal review of the notice.

A Comcare spokesperson confirmed the notice had been issued, adding: "The notice is currently under internal review at the request of the commission. This is an ongoing inquiry and we can't comment further," they said.

The Community and Public Sector Union urged the Albanese government to lift staffing levels at the commission which has been constricted by a cap tying it to 2006 employment levels.

The measure introduced by the Coalition government in the 2015-16 federal budget has kept the agency reliant on temporary labour. The commission employed 367 APS staff at the end of

the 2022 financial year, and 163 contractors, spending \$17.5 million.

"Workloads are unmanageable, there is a huge overreliance on labour-hire staff including a large recent intake, and the NDIS commission has fallen severely behind on doing the job it is there to do," CPSU deputy secretary Beth Vincent-Pietsch said in a statement.

"CPSU members have very real concerns about the delays to investigations into serious incidents that exist because of their out-of-control workloads."

Ms Vincent-Pietsch said staff "care deeply" about the work of the commission, which fields complaints and regulates disability providers.

The union has highlighted issues hindering the agency, and raised it with NDIS Minister Bill Shorten, she said.

"But the time for conversations is now over, it is time for action."

The NDIS commission was contacted for comment, but did not respond by time of publication.

Section 22

From: MYERS, Catherine
Sent: Monday, 8 May 2023 10:50 AM
To: PULKO, Lisa
Subject: FW: Comcare article [SEC=OFFICIAL]
Attachments: Image.jpg

Hi Lisa

My concern is that we need to have consistent messaging around this matter.

Please see what Section 22 sent and yes, there are some good messages.

Catherine

Section 22

Section 22

Section 22

Section 22

Section 22

From:

Section 22/Section 47E(c)

Section 22/Section 47E(c)

From: MYERS, Catherine <Catherine.MYERS@ndiscommission.gov.au>

Date: 9 May 2023 at 3:35:39 pm AEST

Section 22

Cc: PULKO, Lisa <Lisa.PULKO@ndiscommission.gov.au>, NDISCommissioner

<NDISCommissioner@ndiscommission.gov.au>

Subject: RE: Comcare Notice. [SEC=OFFICIAL]

Colleagues

I understand many of you are fielding enquiries from staff regarding the article about Comcare.

As an FYI, Tracy has asked that all future enquiries are to be directed to her office or to Lisa Pulko. I understand the CPSU has put something out to its members which is factually incorrect. The Commissioner is looking to have it addressed.

Thanks

Catherine

From: Section 22
Sent: Tuesday, 9 May 2023 9:37 AM
To: MYERS, Catherine <Catherine.MYERS@ndiscommission.gov.au>
Subject: FW: Comcare Notice. [SEC=OFFICIAL]

FYI – below was Section 22 re' the ComCare PIN status.

Cheers

Section 22

Section 22

Section 22

Section 22

Section 22

Section 22

From: PULKO, Lisa
Sent: Tuesday, 9 May 2023 10:05 AM
To: MYERS, Catherine
Subject: RE: Comcare Notice. [SEC=OFFICIAL]

Thanks Catherine,
Working on it now.
Lisa

From: MYERS, Catherine <Catherine.MYERS@ndiscommission.gov.au>
Sent: Tuesday, 9 May 2023 9:44 AM
To: **Section 22** PULKO, Lisa
<Lisa.PULKO@ndiscommission.gov.au>
Subject: FW: Comcare Notice. [SEC=OFFICIAL]

Section 22

Just keeping the Commissioner's office in the loop as I raised this at the ELT meeting yesterday.

We need some internal communication or key messages that we can cascade.

Thanks

Catherine

Section 22

Sent: Tuesday, 9 May 2023 9:37 AM
To: MYERS, Catherine <[x@xx](#)>
Subject: FW: Comcare Notice. [SEC=OFFICIAL]

FYI – below was **Section 22** advice to **Section 22** re' the ComCare PIN status.

Cheers

Section 22

Section 22

Section 22

Section 22

From: Section 22
Sent: Wednesday, 26 April 2023 4:56 PM
To: PULKO, Lisa
Cc: Section 22
Subject: Comcare Improvement Notice - NDIS QSC (MC00028634) [SEC=OFFICIAL]
Attachments: Improvement Notice - MC00028634 -NT03 - NDIS Quality and Safeguards Commission (2).pdf

Follow Up Flag: Follow up
Flag Status: Flagged

OFFICIAL

Good afternoon Lisa,

RE: Comcare Improvement Notice – NDIS QSC – MC00028634-NT03

Thank you for your time on the phone earlier.

As discussed, please find the Improvement Notice attached (MC00028634-NT03). This notice is issued with directions and recommendations to assist NDIS QSC to manage the psychosocial risks of work demands.

In summary, the additional information that was provided by NDIS QSC, has not changed Senior Inspector [redacted] reasonable belief that NDIS QSC are failing to manage the risks to workers arising from the psychosocial hazards of work demands as per requirements of the WHS legislation.

An Improvement Notice is an administrative measure, taken on the basis of an Inspector’s reasonable belief based on information available at a particular point in time. Its objectives are remedial and preventative.

Please note that section 210 of the WHS Act requires that a person to whom an improvement notice is issued must, as soon as possible display a copy of the notice in a prominent place, at or near the workplace or part of the workplace, at which work is being carried out that is affected by the notice.

I understand that you are currently at home and therefore intend to display the notice at the workplace when you attend tomorrow morning.

Please note that [redacted] has commenced leave for approximately 6 weeks, therefore in the interim I will be the point of contact for any questions or concerns.

Regards

Section 22

Comcare
GPO Box 1993, Canberra, ACT 2601

NOTICE:

This e-mail message and attachments may contain confidential information. If you are not the intended recipient you should not use or disclose any information in the message or attachments. If received in error, please notify the sender by return e-mail immediately. Comcare does not waive any confidentiality or privilege.



Please consider the environment before printing this email

NOTICE: This e-mail message and attachments may contain confidential, personal or legally privileged information. If you are not the intended recipient you should not use or disclose any information in the message or attachments. If received in error, please notify the sender by return email immediately, if possible, or Enquiries.General@comcare.gov.au. Comcare does not waive any confidentiality or privilege. For information about how we handle personal information, please visit www.comcare.gov.au/privacy or contact us on 1300 366 979 and request a copy of our Privacy Policy

Section 22

Section 22

From: Section 22
Sent: Friday, 28 April 2023 4:31 PM
To: PULKO, Lisa <Lisa.PULKO@ndiscommission.gov.au>
Cc: Section 22
COO (NDIS Commission) <COO@ndiscommission.gov.au>; Section 22
Subject: RE: Comcare Improvement Notice - NDIS QSC (MC00028634-NT03-C1) [SEC=OFFICIAL]

OFFICIAL

Good afternoon Lisa,

RE: Comcare Improvement Notice – NDIS QSC – MC00028634-NT03-C1

Thank you for your time on the phone yesterday and your brief call just now.

I acknowledge your agreement with the overall intent of Improvement Notice MC00028634-NT03. I also note your request to amend the Address Line for Service and to remove paragraph 4e(i) from the brief description section.

Please find Improvement Notice (MC00028634-NT03-C1) attached which has been amended to reflect the appropriate address change to the previously issued Improvement Notice in address lines 1 and 2. The notice remains the same in all other respects.

As outlined during our call, paragraph 4e(i) has not been removed as this is relevant to the Inspectors reasonable belief at a specific time.

Inspector Section 22 determined there was a sufficient basis to reasonably form a belief of a contravention of the WHS Act and a decision was made to issue an Improvement Notice. Inspectors are required to (in writing), briefly state, how the provision is being, or has been, contravened. Paragraph 4e(i) of the Improvement Notice is based on information that was provided by NQSC on 11 April 2023. The decision was made at a point in time on the information provided.

I acknowledge your concerns around the delay from date of issue to delivery. Please note that the WHS Act, s194 allows for the extension of time for compliance with improvement notices. An improvement notice is a mechanism to require a person to do something, therefore Comcare expects NQSC to have an action plan / timeline before considering any extension to the current compliance date.

The inspector's decision to issue an improvement is reviewable under the WHS Act, Part 12. For further details please refer to the Internal Review of Decision section on the last page of the Improvement Notice.

Finally, in response to your concerns around the difference between the issue date on the original Notice and today's date when the Notice address has been changed, you could consider an all staff message to provide context to the issue.

Regards

Section 22

Comcare

GPO Box 1993, Canberra, ACT 2601
1300 366 979 | www.comcare.gov.au

NOTICE:

This e-mail message and attachments may contain confidential information. If you are not the intended recipient you should not use or disclose any information in the message or attachments. If received in error, please notify the sender by return e-mail immediately. Comcare does not waive any confidentiality or privilege.



From: PULKO, Lisa <Lisa.PULKO@ndiscommission.gov.au>
Sent: Thursday, 27 April 2023 2:04 PM
To: Section 22
Cc: Section 22
Subject: RE: Comcare Improvement Notice - NDIS QSC (MC00028634) [SEC=OFFICIAL]

Hi Section 22

As discussed, the Improvement Notice is addressed C/o Department of Social Services. We are a completely separate entity and as such, the notice needs to be addressed to us. The address to use (our head office) is:

PO Box 210, Penrith NSW 2750

Additionally, could you please have a look at the following:

Section 47C/47E(d)

[Redacted]

[Redacted]

Section 47C/47E(d) [Redacted]

[Redacted]

[Redacted]

[Redacted]

Section 47C/47E(d) [Redacted]

Section 47C/47E(d) [Redacted]

Section 47C/47E(d) [Redacted]

I am happy to discuss if any part of this is confusing or unclear. I also apologise, but I didn't catch Section 22 last name so I haven't been able to copy her in.

Regards,
Lisa

Lisa Pulko
Chief Operating Officer (COO)

I sometimes send emails after hours as it works well for me. There is no expectation that people receiving emails will respond out of hours.

[Redacted]

Section 47F [Redacted] | E: Lisa.PULKO@ndiscommission.gov.au
www.ndiscommission.gov.au

 The NDIS Quality and Safeguards Commission acknowledges the traditional owners of country throughout Australia and their continuing connection to land, sea and community. We pay our respects to them and their cultures, and to elders both past and present.

From: Section 22
Sent: Wednesday, 26 April 2023 4:56 PM
To: PULKO, Lisa <xxxx.xxxxx@xxxxxxxxxxxxxxxx.xxx.xx >
Cc: Section 22
Subject: Comcare Improvement Notice - NDIS QSC (MC00028634) [SEC=OFFICIAL]

OFFICIAL

Good afternoon Lisa,

RE: Comcare Improvement Notice – NDIS QSC – MC00028634-NT03

Thank you for your time on the phone earlier.

As discussed, please find the Improvement Notice attached (MC00028634-NT03). This notice is issued with directions and recommendations to assist NDIS QSC to manage the psychosocial risks of work demands.

In summary, the additional information that was provided by NDIS QSC, has not changed Senior Inspector Section 22's reasonable belief that NDIS QSC are failing to manage the risks to workers arising from the psychosocial hazards of work demands as per requirements of the WHS legislation.

An Improvement Notice is an administrative measure, taken on the basis of an Inspector's reasonable belief based on information available at a particular point in time. Its objectives are remedial and preventative.

Please note that section 210 of the WHS Act requires that a person to whom an improvement notice is issued must, as soon as possible display a copy of the notice in a prominent place, at or near the workplace or part of the workplace, at which work is being carried out that is affected by the notice.

I understand that you are currently at home and therefore intend to display the notice at the workplace when you attend tomorrow morning.

Please note that Section 22 has commenced leave for approximately 6 weeks, therefore in the interim I will be the point of contact for any questions or concerns.

Regards

Section 22

Comcare
GPO Box 1993, Canberra, ACT 2601
1300 366 979 | www.comcare.gov.au

NOTICE:
This e-mail message and attachments may contain confidential information. If you are not the intended recipient you should not use or disclose any information in the message or attachments. If received in error, please notify the sender by return e-mail immediately. Comcare does not waive any



NOTICE: This e-mail message and attachments may contain confidential, personal or legally privileged information. If you are not the intended recipient you should not use or disclose any information in the message or attachments. If received in error, please notify the sender by return email immediately, if possible, or xxx@xxx. Comcare does not waive any confidentiality or privilege.

For information about how we handle personal information, please visit www.comcare.gov.au/privacy or contact us on 1300 366 979 and request a copy of our Privacy Policy

NOTICE: This e-mail message and attachments may contain confidential, personal or legally privileged information. If you are not the intended recipient you should not use or disclose any information in the message or attachments. If received in error, please notify the sender by return email immediately, if possible, or xxx@xxx. Comcare does not waive any confidentiality or privilege.

For information about how we handle personal information, please visit www.comcare.gov.au/privacy or contact us on 1300 366 979 and request a copy of our Privacy Policy

Section 22

From: PULKO, Lisa
Sent: Monday, 8 May 2023 7:45 PM
To: **Section 22**; KRISHNA, Mahashini
Subject: FW: Comcare Improvement Notice - NDIS QSC (MC00028634-NT03-C1) [SEC=OFFICIAL]
Attachments: Improvement_Notice-MC00028634 -NT03-C1 - NDIS Quality and Safeguards Commission Amended Address (1).pdf

Hi Ladies,

For clarity, this is the timeline for the Improvement Notice:

- Notice signed and dated 21 April 2023, not delivered to the Commission on this day.
- Notice issued to the Commission on 26 April 2023 via email. Had the wrong address (DSS address).
- COO spoke to and emailed Comcare on 27 April noting that the notice needed to be re-issued due to address issue and pointing out other inconsistencies between the information provided by the Commission and the Investigator's notice.
- Notice re-issued to Commission with address corrected on Friday 28 May 2023. This is in accordance with s194 of the WHS Act as noted by **Section 22** in the email below. No other changes made.
- Internal Review sought by Commission, email dated 1 May 2023.
- Internal Review request acknowledged by Comcare on 4 May 2023.

Regards,
Lisa

From: **Section 22**
Sent: Friday, 28 April 2023 4:31 PM
To: PULKO, Lisa <Lisa.PULKO@ndiscommission.gov.au>
Cc: **Section 22**
Subject: RE: Comcare Improvement Notice - NDIS QSC (MC00028634-NT03-C1) [SEC=OFFICIAL]

OFFICIAL

Good afternoon Lisa,

RE: Comcare Improvement Notice – NDIS QSC – MC00028634-NT03-C1

Thank you for your time on the phone yesterday and your brief call just now.

I acknowledge your agreement with the overall intent of Improvement Notice MC00028634-NT03. I also note your request to amend the Address Line for Service and to remove paragraph 4e(i) from the brief description section.

Please find Improvement Notice (MC00028634-NT03-C1) attached which has been amended to reflect the appropriate address change to the previously issued Improvement Notice in address lines 1 and 2. The notice remains the same in all other respects.

As outlined during our call, paragraph 4e(i) has not been removed as this is relevant to the Inspectors reasonable belief at a specific time.

Inspector ^{Section 22} [redacted] determined there was a sufficient basis to reasonably form a belief of a contravention of the WHS Act and a decision was made to issue an Improvement Notice. Inspectors are required to (in writing), briefly state, how the provision is being, or has been, contravened. Paragraph 4e(i) of the Improvement Notice is based on information that was provided by NQSC on 11 April 2023. The decision was made at a point in time on the information provided.

I acknowledge your concerns around the delay from date of issue to delivery. Please note that the WHS Act, s194 allows for the extension of time for compliance with improvement notices. An improvement notice is a mechanism to require a person to do something, therefore Comcare expects NQSC to have an action plan / timeline before considering any extension to the current compliance date.

The inspector's decision to issue an improvement is reviewable under the WHS Act, Part 12. For further details please refer to the Internal Review of Decision section on the last page of the Improvement Notice.

Finally, in response to your concerns around the difference between the issue date on the original Notice and today's date when the Notice address has been changed, you could consider an all staff message to provide context to the issue.

Regards



Comcare
GPO Box 1993, Canberra, ACT 2601
1300 366 979 | www.comcare.gov.au

NOTICE:
This e-mail message and attachments may contain confidential information. If you are not the intended recipient you should not use or disclose any information in the message or attachments. If received in error, please notify the sender by return e-mail immediately. Comcare does not waive any confidentiality or privilege.



From: PULKO, Lisa <Lisa.PULKO@ndiscommission.gov.au>
Sent: Thursday, 27 April 2023 2:04 PM
To: ^{Section 22} [redacted]
Cc: **Section 22** [redacted]
Subject: RE: Comcare Improvement Notice - NDIS QSC (MC00028634) [SEC=OFFICIAL]

Hi ^{Section 22} [redacted],

As discussed, the Improvement Notice is addressed C/o Department of Social Services. We are a completely separate entity and as such, the notice needs to be addressed to us. The address to use (our head office) is:

PO Box 210, Penrith NSW 2750

Additionally, could you please have a look at the following:

Section 47C/47E(d)

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Section 47C

[Redacted]

Section 47C

[Redacted]

Section 47C

[Redacted]

I am happy to discuss if any part of this is confusing or unclear. I also apologise, but I didn't catch [Section 22](#)'s last name so I haven't been able to copy her in.

Regards,
Lisa

Lisa Pulko

Chief Operating Officer (COO)

I sometimes send emails after hours as it works well for me. There is no expectation that people receiving emails will respond out of hours.



Section 47F | E: Lisa.PULKO@ndiscommission.gov.au
www.ndiscommission.gov.au



The NDIS Quality and Safeguards Commission acknowledges the traditional owners of country throughout Australia and their continuing connection to land, sea and community. We pay our respects to them and their cultures, and to elders both past and present.

From: Section 22
Sent: Wednesday, 26 April 2023 4:56 PM
To: PULKO, Lisa <xxxx.xxxxx@xxxxxxxxxxxxxxxxx.xxx.xx>
Cc: Section 22
Subject: Comcare Improvement Notice - NDIS QSC (MC00028634) [SEC=OFFICIAL]

OFFICIAL

Good afternoon Lisa,

RE: Comcare Improvement Notice – NDIS QSC – MC00028634-NT03

Thank you for your time on the phone earlier.

As discussed, please find the Improvement Notice attached (MC00028634-NT03). This notice is issued with directions and recommendations to assist NDIS QSC to manage the psychosocial risks of work demands.

In summary, the additional information that was provided by NDIS QSC, has not changed Senior Inspector Section 22 reasonable belief that NDIS QSC are failing to manage the risks to workers arising from the psychosocial hazards of work demands as per requirements of the WHS legislation.

An Improvement Notice is an administrative measure, taken on the basis of an Inspector’s reasonable belief based on information available at a particular point in time. Its objectives are remedial and preventative.

Please note that section 210 of the WHS Act requires that a person to whom an improvement notice is issued must, as soon as possible display a copy of the notice in a prominent place, at or near the workplace or part of the workplace, at which work is being carried out that is affected by the notice.

I understand that you are currently at home and therefore intend to display the notice at the workplace when you attend tomorrow morning.

Please note that Section 22 has commenced leave for approximately 6 weeks, therefore in the interim I will be the point of contact for any questions or concerns.

Regards

Section 22

Section 22

Comcare

GPO Box 1993, Canberra, ACT 2601
1300 366 979 | www.comcare.gov.au

NOTICE:

This e-mail message and attachments may contain confidential information. If you are not the intended recipient you should not use or disclose any information in the message or attachments. If received in error, please notify the sender by return e-mail immediately. Comcare does not waive any confidentiality or privilege.



Please consider the environment before printing this email

NOTICE: This e-mail message and attachments may contain confidential, personal or legally privileged information. If you are not the intended recipient you should not use or disclose any information in the message or attachments. If received in error, please notify the sender by return email immediately, if possible, or xxx@xxx. Comcare does not waive any confidentiality or privilege. For information about how we handle personal information, please visit www.comcare.gov.au/privacy or contact us on 1300 366 979 and request a copy of our Privacy Policy

NOTICE: This e-mail message and attachments may contain confidential, personal or legally privileged information. If you are not the intended recipient you should not use or disclose any information in the message or attachments. If received in error, please notify the sender by return email immediately, if possible, or xxx@xxx. Comcare does not waive any confidentiality or privilege. For information about how we handle personal information, please visit www.comcare.gov.au/privacy or contact us on 1300 366 979 and request a copy of our Privacy Policy

Section 22

From: Section 22
Sent: Friday, 28 April 2023 4:31 PM
To: PULKO, Lisa
Cc: Section 22; Section 22
Subject: RE: Comcare Improvement Notice - NDIS QSC (MC00028634-NT03-C1) [SEC=OFFICIAL]
Attachments: Improvement_Notice-MC00028634 -NT03-C1 - NDIS Quality and Safeguards Commission Amended Address (1).pdf

OFFICIAL

Good afternoon Lisa,

RE: Comcare Improvement Notice – NDIS QSC – MC00028634-NT03-C1

Thank you for your time on the phone yesterday and your brief call just now.

I acknowledge your agreement with the overall intent of Improvement Notice MC00028634-NT03. I also note your request to amend the Address Line for Service and to remove paragraph 4e(i) from the brief description section.

Please find Improvement Notice (MC00028634-NT03-C1) attached which has been amended to reflect the appropriate address change to the previously issued Improvement Notice in address lines 1 and 2. The notice remains the same in all other respects.

As outlined during our call, paragraph 4e(i) has not been removed as this is relevant to the Inspectors reasonable belief at a specific time.

Inspector Section 22 determined there was a sufficient basis to reasonably form a belief of a contravention of the WHS Act and a decision was made to issue an Improvement Notice. Inspectors are required to (in writing), briefly state, how the provision is being, or has been, contravened. Paragraph 4e(i) of the Improvement Notice is based on information that was provided by NQSC on 11 April 2023. The decision was made at a point in time on the information provided.

I acknowledge your concerns around the delay from date of issue to delivery. Please note that the WHS Act, s194 allows for the extension of time for compliance with improvement notices. An improvement notice is a mechanism to require a person to do something, therefore Comcare expects NQSC to have an action plan / timeline before considering any extension to the current compliance date.

The inspector's decision to issue an improvement is reviewable under the WHS Act, Part 12. For further details please refer to the Internal Review of Decision section on the last page of the Improvement Notice.

Finally, in response to your concerns around the difference between the issue date on the original Notice and today's date when the Notice address has been changed, you could consider an all staff message to provide context to the issue.

Regards

Section 22

Section 22

Comcare

GPO Box 1993, Canberra, ACT 2601
1300 366 979 | www.comcare.gov.au

NOTICE:

This e-mail message and attachments may contain confidential information. If you are not the intended recipient you should not use or disclose any information in the message or attachments. If received in error, please notify the sender by return e-mail immediately. Comcare does not waive any confidentiality or privilege.



From: PULKO, Lisa <Lisa.PULKO@ndiscommission.gov.au>
Sent: Thursday, 27 April 2023 2:04 PM
To: Section 22
Cc: Section 22
Subject: RE: Comcare Improvement Notice - NDIS QSC (MC00028634) [SEC=OFFICIAL]

Hi Section 22

As discussed, the Improvement Notice is addressed C/o Department of Social Services. We are a completely separate entity and as such, the notice needs to be addressed to us. The address to use (our head office) is:

PO Box 210, Penrith NSW 2750

Additionally, could you please have a look at the following:

Section 47C/47E(d)

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Section 47C/47E(d) [Redacted]

Section 47C/47E(d) [Redacted]

Section 47C/47E(d) [Redacted]

Section 47C/47E(d) [Redacted]

I am happy to discuss if any part of this is confusing or unclear. I also apologise, but I didn't catch ^{Section 22} [Redacted] s last name so I haven't been able to copy her in.


Regards,
Lisa

Lisa Pulko
Chief Operating Officer (COO)

I sometimes send emails after hours as it works well for me. There is no expectation that people receiving emails will respond out of hours.

[Redacted]

Section 47F [Redacted] | E: Lisa.PULKO@ndiscommission.gov.au
www.ndiscommission.gov.au

 The NDIS Quality and Safeguards Commission acknowledges the traditional owners of country throughout Australia and their continuing connection to land, sea and community. We pay our respects to them and their cultures, and to elders both past and present.

From ^{Section 22} [Redacted]
Sent: Wednesday, 26 April 2023 4:56 PM
To: PULKO, Lisa <xxxx.xxxxx@xxxxxxxxxxxxxxx.xxx.xx >
Cc: **Section 22** [Redacted]
Subject: Comcare Improvement Notice - NDIS QSC (MC00028634) [SEC=OFFICIAL]

OFFICIAL

Good afternoon Lisa,

RE: Comcare Improvement Notice – NDIS QSC – MC00028634-NT03

Thank you for your time on the phone earlier.

As discussed, please find the Improvement Notice attached (MC00028634-NT03). This notice is issued with directions and recommendations to assist NDIS QSC to manage the psychosocial risks of work demands.

In summary, the additional information that was provided by NDIS QSC, has not changed Senior Inspector Section 22's reasonable belief that NDIS QSC are failing to manage the risks to workers arising from the psychosocial hazards of work demands as per requirements of the WHS legislation.

An Improvement Notice is an administrative measure, taken on the basis of an Inspector's reasonable belief based on information available at a particular point in time. Its objectives are remedial and preventative.

Please note that section 210 of the WHS Act requires that a person to whom an improvement notice is issued must, as soon as possible display a copy of the notice in a prominent place, at or near the workplace or part of the workplace, at which work is being carried out that is affected by the notice.

I understand that you are currently at home and therefore intend to display the notice at the workplace when you attend tomorrow morning.

Please note that Section 22 has commenced leave for approximately 6 weeks, therefore in the interim I will be the point of contact for any questions or concerns.

Regards



Comcare

GPO Box 1993, Canberra, ACT 2601
1300 366 979 | www.comcare.gov.au

NOTICE:

This e-mail message and attachments may contain confidential information. If you are not the intended recipient you should not use or disclose any information in the message or attachments. If received in error, please notify the sender by return e-mail immediately. Comcare does not waive any confidentiality or privilege.



Please consider the environment before printing this email

NOTICE: This e-mail message and attachments may contain confidential, personal or legally privileged information. If you are not the intended recipient you should not use or disclose any information in the message or attachments. If received in error, please notify the sender by return email immediately, if possible, or xx@xxx. Comcare does not waive any confidentiality or privilege. For information about how we handle personal information, please visit www.comcare.gov.au/privacy or contact us on 1300 366 979 and request a copy of our Privacy Policy

NOTICE: This e-mail message and attachments may contain confidential, personal or legally privileged information. If you are not the intended recipient you should not use or disclose any information in the

message or attachments. If received in error, please notify the sender by return email immediately, if possible, or Enquiries.General@comcare.gov.au. Comcare does not waive any confidentiality or privilege. For information about how we handle personal information, please visit www.comcare.gov.au/privacy or contact us on 1300 366 979 and request a copy of our Privacy Policy

Section 22

From: PULKO, Lisa
Sent: Thursday, 27 April 2023 10:28 AM
To: Section 22
Cc: Section 22
Subject: RE: Comcare Improvement Notice - NDIS QSC (MC00028634) [SEC=OFFICIAL]

Hi Section 22

I am stuck in meetings for another little while, but am keen to speak with you about the PIN. I will call your mobile as soon as I am free.

Regards,
Lisa

From: Section 22
Sent: Wednesday, 26 April 2023 4:56 PM
To: PULKO, Lisa <Lisa.PULKO@ndiscommission.gov.au>
Cc: Section 22
Subject: Comcare Improvement Notice - NDIS QSC (MC00028634) [SEC=OFFICIAL]

OFFICIAL

Good afternoon Lisa,

RE: Comcare Improvement Notice – NDIS QSC – MC00028634-NT03

Thank you for your time on the phone earlier.

As discussed, please find the Improvement Notice attached (MC00028634-NT03). This notice is issued with directions and recommendations to assist NDIS QSC to manage the psychosocial risks of work demands.

In summary, the additional information that was provided by NDIS QSC, has not changed Senior Inspector Section 22's reasonable belief that NDIS QSC are failing to manage the risks to workers arising from the psychosocial hazards of work demands as per requirements of the WHS legislation.

An Improvement Notice is an administrative measure, taken on the basis of an Inspector's reasonable belief based on information available at a particular point in time. Its objectives are remedial and preventative.

Please note that section 210 of the WHS Act requires that a person to whom an improvement notice is issued must, as soon as possible display a copy of the notice in a prominent place, at or near the workplace or part of the workplace, at which work is being carried out that is affected by the notice.

I understand that you are currently at home and therefore intend to display the notice at the workplace when you attend tomorrow morning.

Please note that Section 22 has commenced leave for approximately 6 weeks, therefore in the interim I will be the point of contact for any questions or concerns.

Regards

Section 22

Section 22

Comcare

GPO Box 1993, Canberra, ACT 2601

1300 366 979 | www.comcare.gov.au

NOTICE:

This e-mail message and attachments may contain confidential information. If you are not the intended recipient you should not use or disclose any information in the message or attachments. If received in error, please notify the sender by return e-mail immediately. Comcare does not waive any confidentiality or privilege.



Please consider the environment before printing this email

NOTICE: This e-mail message and attachments may contain confidential, personal or legally privileged information. If you are not the intended recipient you should not use or disclose any information in the message or attachments. If received in error, please notify the sender by return email immediately, if possible, or xxx@xxx. Comcare does not waive any confidentiality or privilege. For information about how we handle personal information, please visit www.comcare.gov.au/privacy or contact us on 1300 366 979 and request a copy of our Privacy Policy

Section 22

From: STRACHAN, Niki
Sent: Thursday, 27 April 2023 9:29 PM
To: PULKO, Lisa
Subject: FW: Internal Comms - Comcare Improvement Notice - 2023 04 27 [SEC=OFFICIAL]
Attachments: Internal Comms - Comcare Improvement Notice - 2023 04 27.docx

Hello Lisa

Attached is the the comms and the feedback from .

Warm regards

Niki

Section 22

Section 22

Section 22



Internal Communication

Comcare Improvement Notice

Thursday 27 April 2023

The Commission acknowledges the **Comcare Improvement Notice** (the Notice) that was issued to the Commission today. The Notice requires the Commission to make improvements to the identification and management of psychosocial risks and hazards in the workplace.

The Commission made a start on improving to the way in which psychosocial hazards are identified and managed prior to the Notice being issued. This work has been progressing over recent months and will continue.

Working together on hazard identification, options and solutions is a priority for the Commission. Our Health and Safety Representatives (HSR) play an important role in ensuring fair and effective workplace representation, consultation, cooperation and issue resolution to work health, safety and wellbeing matters. They attend the quarterly Health and Safety Committee (HSC) meetings that are chaired by the Complaints Commissioner.

The best way for you to stay up to date and contribute this important body of work is to engage with your HSR. Please raise your concerns with your HSR and offer ideas on securing the health and safety of our workforce and our workplaces. Together, we will build and implement solutions that address psychosocial risks and hazards at the Commission.

For more information, please refer to the Work Health and Safety page on QSCNews.

[Health and Safety Committee](#)

Section 22

Section 22

Section 22

From: PULKO, Lisa <Lisa.PULKO@ndiscommission.gov.au>
Sent: Friday, 28 April 2023 9:43 AM
To: STRACHAN, Niki <Niki.STRACHAN@ndiscommission.gov.au>; Section 22
[REDACTED]
Subject: RE: Internal Comms - Comcare Improvement Notice - 2023 04 27 [SEC=OFFICIAL]

Hey,

I have edited a bit. Would welcome your Section 22 [REDACTED], and Niki from a comms perspective.

Have also included some comments. We will need to think about comms with HSRs too, and whether we have followed through with stuff we have on the intranet, particularly if we are directing people there.

Thanks,
Lisa

From: STRACHAN, Niki <Niki.STRACHAN@ndiscommission.gov.au>
Sent: Thursday, 27 April 2023 9:29 PM
To: PULKO, Lisa <Lisa.PULKO@ndiscommission.gov.au>
Subject: FW: Internal Comms - Comcare Improvement Notice - 2023 04 27 [SEC=OFFICIAL]

Hello Lisa

Attached is the the comms and the feedback from Section 22 [REDACTED]

Warm regards

Niki

Section 22

Section 22

Section 22

From: STRACHAN, Niki
Sent: Sunday, 30 April 2023 12:48 PM
To: PULKO, Lisa; Section 22
Subject: RE: Internal Comms - Comcare Improvement Notice - 2023 04 27 [SEC=OFFICIAL]

Thank you Lisa

Nice job. Great value adds in here.

I take Section 22 point about the additional information being important, but perhaps for a future comms.

This is because this comms is about acknowledging the improvement notice, our work to action the improvements, working with staff on the solution, next steps and where to find more information.

Perhaps we can work on a series of comms that are rolled out every two weeks to evidence our commitment to the solution?

Section 22 can develop a comms plan to support this.

What do you think?

Warm regards

Niki

From: PULKO, Lisa <Lisa.PULKO@ndiscommission.gov.au>
Sent: Friday, 28 April 2023 9:43 AM
To: STRACHAN, Niki <Niki.STRACHAN@ndiscommission.gov.au>; Section 22
Subject: RE: Internal Comms - Comcare Improvement Notice - 2023 04 27 [SEC=OFFICIAL]

Hey,

I have edited a bit. Would welcome your Section 22, and Niki from a comms perspective.

Have also included some comments. We will need to think about comms with HSRs too, and whether we have followed through with stuff we have on the intranet, particularly if we are directing people there.

Thanks,
Lisa

From: STRACHAN, Niki <Niki.STRACHAN@ndiscommission.gov.au>
Sent: Thursday, 27 April 2023 9:29 PM
To: PULKO, Lisa <Lisa.PULKO@ndiscommission.gov.au>
Subject: FW: Internal Comms - Comcare Improvement Notice - 2023 04 27 [SEC=OFFICIAL]

Hello Lisa

Attached is the the comms and the feedback Section 22.

Warm regards

Section 22

Section 22

Section 22

From: PULKO, Lisa
Sent: Monday, 1 May 2023 9:32 AM
To: Section 22; STRACHAN, Niki
Subject: RE: Internal Comms - Comcare Improvement Notice - 2023 04 27 [SEC=OFFICIAL]

Good idea Section 22 but I think we might want to focus on the proactive things we are doing.

Let me have a go at drafting something.

Section 22

From: PULKO, Lisa <Lisa.PULKO@ndiscommission.gov.au>
Sent: Sunday, 30 April 2023 4:20 PM
To: STRACHAN, Niki <Niki.STRACHAN@ndiscommission.gov.au>; Section 22
Subject: RE: Internal Comms - Comcare Improvement Notice - 2023 04 27 [SEC=OFFICIAL]

Either Section 22 or me. But I am working on a review request, so I think that will delay our need for comms.

From: STRACHAN, Niki <Niki.STRACHAN@ndiscommission.gov.au>
Sent: Sunday, 30 April 2023 4:15 PM
To: PULKO, Lisa <Lisa.PULKO@ndiscommission.gov.au>; Section 22
Subject: RE: Internal Comms - Comcare Improvement Notice - 2023 04 27 [SEC=OFFICIAL]

Excellent, I will mobilise the rolling comms after we release the first notice.

Thinking about the comms on the back of the notice, who should it be 'from'?

Niki

From: PULKO, Lisa <Lisa.PULKO@ndiscommission.gov.au>
Sent: Sunday, 30 April 2023 4:13 PM
To: STRACHAN, Niki <Niki.STRACHAN@ndiscommission.gov.au>; Section 22
Subject: RE: Internal Comms - Comcare Improvement Notice - 2023 04 27 [SEC=OFFICIAL]

I think this is a good idea.

L

From: STRACHAN, Niki <Niki.STRACHAN@ndiscommission.gov.au>

Sent: Sunday, 30 April 2023 12:48 PM

To: PULKO, Lisa <xxxx.xxxxx@xxxxxxxxxxxxxxxx.xxx.xx>; **Section 22**

Subject: RE: Internal Comms - Comcare Improvement Notice - 2023 04 27 [SEC=OFFICIAL]

Thank you Lisa

Nice job. Great value adds in here.

I take John's point about the additional information being important, but perhaps for a future comms.

This is because this comms is about acknowledging the improvement notice, our work to action the improvements, working with staff on the solution, next steps and where to find more information.

Perhaps we can work on a series of comms that are rolled out every two weeks to evidence our commitment to the solution?

Section 22 can develop a comms plan to support this.

What do you think?

Warm regards

Niki

From: PULKO, Lisa <Lisa.PULKO@ndiscommission.gov.au>

Sent: Friday, 28 April 2023 9:43 AM

To: STRACHAN, Niki <xxxx.xxxxx@xxxxxxxxxxxxxxxx.xxx.xx>; **Section 22**

Subject: RE: Internal Comms - Comcare Improvement Notice - 2023 04 27 [SEC=OFFICIAL]

Hey,

I have edited a bit. Would welcome your **Section 22**, and Niki from a comms perspective.

Have also included some comments. We will need to think about comms with HSRs too, and whether we have followed through with stuff we have on the intranet, particularly if we are directing people there.

Thanks,

Lisa

From: STRACHAN, Niki <Niki.STRACHAN@ndiscommission.gov.au>

Sent: Thursday, 27 April 2023 9:29 PM

To: PULKO, Lisa <xxxx.xxxxx@xxxxxxxxxxxxxxxx.xxx.xx>

Subject: FW: Internal Comms - Comcare Improvement Notice - 2023 04 27 [SEC=OFFICIAL]

Hello Lisa

Attached is the the comms and the feedback from **Section 22**.

Warm regards

Niki

Section 22

Section 22



NDIS Quality
and Safeguards
Commission

Internal Communication

Comcare Improvement Notice

Thursday 27 April 2023

The Commission acknowledges the **Comcare Improvement Notice** (the Notice) that was issued to the Commission today and is displayed in the Parramatta office. The Notice requires the Commission to make improvements to the identification and management of psychosocial risks and hazards in the workplace, in particular in relation to the management of workloads.

The Commission began reviewing and making improvements to the workplace health and safety framework some months ago. We will **continue** this work, with a particular focus on the way in which psychosocial hazards are identified and managed. Working together on hazard identification, options and solutions is a priority for the Commission.

The best way for you to stay up to date and contribute this important body of work is to engage with your Health and Safety Representatives (HSR). Our HSRs play an important ongoing role in ensuring fair and effective workplace representation, consultation, cooperation and issue resolution to work health, safety and wellbeing matters. HSRs also attend the quarterly Health and Safety Committee (HSC) meetings that are chaired by the Complaints Commissioner.

If you have any concerns, or wish to contribute ideas on securing the health and safety of our workforce and our workplaces, please contact **your HSR**. Your input is important and will help to ensure we have robust approaches to identifying, reducing and managing psychosocial risks and hazards at the Commission.

For more information, please refer to the Work Health and Safety page **on QSCNews**.

[Health and Safety Committee](#)





Section 22

Section 22

[Redacted text block]

Section 22

[Redacted text block]

Section 22

[Redacted text block]

Section 22

[Redacted text block]

Section 22

[Redacted text block]

Section 22

[Redacted text block]

Section 22

[Redacted text block]

Section 22

[Redacted text block]

Section 22

[Redacted text block]

Section 22

[Redacted]

[Redacted]

Section 22

[Redacted]

[Redacted]

Does the Commission have an Improvement Notice from Comcare? Did this influence the budget outcome?

The Commission is working closely with Comcare, as we have over an extended period. There is currently no Improvement Notice in place.

Comcare, as a regulator, is required to make decisions without undue outside influence. It is not appropriate for us, or any other party to seek to lobby (or otherwise influence) Comcare in order to gain a particular outcome.

The Commonwealth budget process relies on agencies like the Commission taking forward persuasive and well evidenced proposals. The Commission worked closely with a number of other Commonwealth agencies, and with the Minister's Office in order to gain agreement to the funding. I am not aware of Comcare having any involvement in that process.

Section 22

[Redacted]

Section 22

[Redacted]

ATTACHMENT 4

Colleagues,

You may have seen the recent email from the CPSU in which they advise that Comcare has issued the NDIS Commission with an Improvement Notice. I wish to be clear, the Improvement Notice is not currently in effect. Comcare, as a regulator, is required to make decisions without influence, and any actions undertaken by the CPSU to lobby (or otherwise influence) an outcome are inappropriate.

The Commission has acknowledged that workloads have increased over time consistent with the growth of the NDIS. We have worked with you collaboratively on a broad range of activities aimed at addressing this, including business process improvements and targeted resource deployment across our complaints and regulatory operations areas. These improvements have been, and will continue to be, designed and implemented in close consultation with our staff and with a focus on ensuring safeguarding and quality for NDIS participants.

I assure you, the Commission has been working to improve its workplace health and safety processes for some time and will continue to do so regardless of the existence (or not) of an Improvement Notice. The CPSU's approach to engagement with the Commission has been less than collaborative, despite attempts by the Commission to shift the relationship to a more cooperative basis.

I would like to take this opportunity to remind you that the provision of official information to parties outside of the Commission is inappropriate. I will be considering what action should be taken with regard to the current situation.

Regards

Section 22

Section 22

Section 22

From: MYERS, Catherine <Catherine.MYERS@ndiscommission.gov.au>

Date: 5 May 2023 at 11:40:02 am AEST

To: LEATHEM, Sian <Sian.LEATHEM@ndiscommission.gov.au>, STRACHAN, Niki <Niki.STRACHAN@ndiscommission.gov.au>

Cc: PULKO, Lisa <Lisa.PULKO@ndiscommission.gov.au>, Section 22

Subject: RE: M354 - Canberra Times - ComCare Improvement Notice - Deadline Noon Friday 5 May [SEC=OFFICIAL]

I'm comfortable with the response.

From: LEATHEM, Sian <Sian.LEATHEM@ndiscommission.gov.au>

Sent: Friday, 5 May 2023 10:53 AM

To: STRACHAN, Niki <Niki.STRACHAN@ndiscommission.gov.au>; MYERS, Catherine <Catherine.MYERS@ndiscommission.gov.au>

Cc: PULKO, Lisa <Lisa.PULKO@ndiscommission.gov.au>; Section 22

Subject: RE: M354 - Canberra Times - ComCare Improvement Notice - Deadline Noon Friday 5 May [SEC=OFFICIAL]

Looks good to me, thanks Niki

From: STRACHAN, Niki <Niki.STRACHAN@ndiscommission.gov.au>

Sent: Friday, 5 May 2023 10:33 AM

To: MYERS, Catherine <Catherine.MYERS@ndiscommission.gov.au>; LEATHEM, Sian <Sian.LEATHEM@ndiscommission.gov.au>

Cc: PULKO, Lisa <Lisa.PULKO@ndiscommission.gov.au>; Section 22

Subject: RE: M354 - Canberra Times - ComCare Improvement Notice - Deadline Noon Friday 5 May [SEC=OFFICIAL]

Good morning Catherine and Sian

The Canberra Times approached the Commission this morning for a response in relation to the Comcare Improvement Notice. The response was drafted with Lisa, Section 22 and I, noting Lisa is on leave. It is possible this may be cleared Section 22

Would you kindly offer your thoughts / clearance so we can progress the response to Section 22 for consideration against the backdrop of your work areas being mentioned in the response.

Warm regards

Niki

Section 22

Section 22

Section 22

Section 22

Section 22

Section 22

From: STRACHAN, Niki

Sent: Friday, 5 May 2023 10:33 AM

To: MYERS, Catherine <Catherine.MYERS@ndiscommission.gov.au>; LEATHEM, Sian <Sian.LEATHEM@ndiscommission.gov.au>

Cc: PULKO, Lisa <Lisa.PULKO@ndiscommission.gov.au>; Section 22

Subject: RE: M354 - Canberra Times - ComCare Improvement Notice - Deadline Noon Friday 5 May [SEC=OFFICIAL]

Good morning Catherine and Sian

The Canberra Times approached the Commission this morning for a response in relation to the Comcare Improvement Notice. The response was drafted with Lisa, Section 22 and I, noting Lisa is on leave. It is possible this may be cleared through Tracy and the MO.

Would you kindly offer your thoughts / clearance so we can progress the response to Tracy for consideration against the backdrop of your work areas being mentioned in the response.

Warm regards

Niki

Section 22

Section 22



ATTACHMENT 5

**NDIS Quality
and Safeguards
Commission**

The Commission has acknowledged that workloads have increased over time in line with growth in the NDIS. Work is underway on a range of activities aimed at addressing this, including business process improvements in the Complaints and Regulatory Operations areas. These improvements have been, and will continue to be, designed in close consultation with staff. This practice of consultation is the focus of our approach to engaging with all stakeholders, including participants who are at the centre of the Commission's decision making.

The Commission acknowledges that workloads have increased over time, consistent with growth in the NDIS. Work has been underway on a broad range of activities aimed at addressing this, including business process improvements in the Complaints and Regulatory Operations areas. These improvements have been, and will continue to be, designed in close consultation with our staff. This practice of consultation is fundamental in the Commission's operations, and our business of upholding the rights of NDIS participants.