

# **FOI INFORMATION STATEMENT**

## **2025**

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## Introduction

This information statement has been prepared and published in accordance with the requirements of Part 5 of the Freedom of Information Act 1992 (WA) (the FOI Act). This statement is provided as a guide for the public about information held by WorkCover WA.

## About Us

WorkCover WA is a statutory authority accountable to the Minister for Industrial Relations, and the government agency responsible for the regulation and administration of the workers compensation scheme in Western Australia.

WorkCover WA is constituted under the [\*Workers Compensation and Injury Management Act 2023\*](#) (the Act).

WorkCover WA is the government agency responsible for leading a contemporary, sustainable and integrated workers compensation scheme that is fair, accessible and cost effective for all participants.

WorkCover WA achieves this through the effective regulation and administration of the Act, resolution of disputes, provision of quality policy advice to government and maintenance of excellent stakeholder relationships.

More information can be found on the services to the public and publications available outside of the FOI process by accessing the resources page on our agency website:

<https://www.workcover.wa.gov.au/resources/>

### Public Participation

The WorkCover WA Board (the Board) is responsible for governance of the agency, the provision of independent advice to the Minister and State Government, and the approval of certain service providers. The Board is constituted under section 452(2) of the *Workers Compensation and Injury Management Act 2023*.

The appointed Board represents a cross-section of community interests. Major policy and legislative development processes are supported through explicit consultation with all stakeholders in the WorkCover WA scheme.

The Chief Executive Officer, who is a member of the Board, directs the operations and day-to-day administration of WorkCover WA through the implementation of the Board's strategic direction.

More information relating to the governance of WorkCover WA can be accessed via our agency website:

<https://www.workcover.wa.gov.au/about-us/governance>

Our organisational structure can be found at the following link: [\*WorkCover WA - Organisational Structure\*](#)

## Public Feedback

The agency respects the right of our customers to complain if they are not happy with the services we provide, or the way in which they are provided. Our Complaints Policy provides information on how your complaint will be managed.

For further information on our complaints process please refer to our Complaints section located on our website at:

<https://www.workcover.wa.gov.au/submit-a-complaint-about-a-scheme-participant/>

## Legislation administered

The [\*Workers Compensation and Injury Management Act 2023\*](#) (the Act) is supported by a number of administrative instruments, approved forms and notices, and transitional directives.

The Act and supporting instructions came into operation on 1 July 2024.

Please refer to the Legislative Framework: Approved Instruments, Forms and Notices on our website: <https://www.workcover.wa.gov.au/resources/legislative-framework-approved-instruments-forms-and-notices/>

# Information Held by WorkCover WA

## Information accessible to the Public

WorkCover WA offers documents for public access outside of the freedom of information process including:

- Access to Annual Reports is available [here](#)
- Rates, fees and payments available [here](#)
- Research, evaluation and statistics available [here](#)
- Legislation, rules, bulletins, available [here](#)
- Publications, brochures and guides for key stakeholders involved in the workers compensation process available [here](#)
- Request access to information available [here](#)

## Agency Files

WorkCover WA maintains comprehensive records on all its functions and activities and all records are managed using an electronic document and records management system.

WorkCover WA in summary holds the following types of records for which an FOI application may be required:

- Operational Information
- Administrative Information
- Dispute Management Information
- Regulatory Management Information
- Staff and Contract Information

Other documents not available publicly can be requested through the Freedom of Information process.

While the FOI Act provides a general right of access to documents it also recognises that some documents require a level of protection, and these documents must meet specific exemption criteria in Schedule 1 of the FOI Act: [Exemption Clauses – Schedule 1 to the FOI Act](#)

### Claims History Information (Individuals)

WorkCover WA receives data in relation to an individual's workers compensation claim. This information is collated from the relevant workers compensation forms and data provided by insurers and self-insurers to WorkCover WA as required under the *Workers Compensation and Injury Management Act 2023*.

Claims history information contains third party information. WorkCover WA may provide a summary extract of a workers claims history. For detailed claim information workers are encouraged to contact the insurer who was responsible for managing their workers compensation claim.

### Insurer Information

WorkCover WA receives requests from stakeholders to provide details of insurers on risk for an employer for a specific period. All requests for this information are provided via section 503(2) of the *Workers Compensation and Injury Management Act 2023*.

All requests for this information must be submitted to WorkCover WA on the approved form – Request for Information – Potential Liability available on our website.

### Procedure for obtaining access to documents not publicly available

The *Freedom of Information Act (WA) 1992* (FOI Act) provides for a general right of access to documents held by government agencies.

If information is not publicly available, members of the public may submit a formal FOI application for documents held by the agency which are not publicly available. Under the provisions of section 12 of the FOI Act access applications must:

- Be in writing
- Give enough information to enable the requested documents to be identified; and
- Give an Australian address to which notices can be sent; and
- Give any other information or details required under the regulations; and
- Be lodged at the agency with any application fee payable under the regulations.

The preferred method of applying is to complete the online FOI application form which is available on the WorkCover WA website. Further information about the FOI process can be found at the following link: [Freedom of Information Processing Notes](#)

Members of the public can contact WorkCover WA's Information Management Team by:

<b>Postal:</b> FOI Coordinator WorkCover WA 2 Bedbrook Place Shenton Park WA 6008	<b>Via Email:</b> <a href="mailto:records@workcover.wa.gov.au">records@workcover.wa.gov.au</a>	<b>In Person:</b> FOI Coordinator 2 Bedbrook Place Shenton Park Report to Reception
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## Processing FOI Applications

The Information Management Team is the initial contact point for members of the public, applicants and third parties, the Office of the Information Commissioner and other public sector agencies for all FOI related matters. Applicants will be acknowledged in writing, and you will be notified of the decision within 45 calendar days.

The FOI Act provides a 45-day calendar timeframe to complete a valid application. This timeframe may be extended by agreement between WorkCover WA and the applicant. If the application is considered extensive, complex or a large number of documents are identified, WorkCover WA may contact the applicant to discuss the application and request a reduction to the scope of the application or negotiate an extended timeframe.

## Notice of Decision

A Notice of Decision will be issued by WorkCover WA within 45 days from receipt of a valid application you will be provided with a notice of decision which will include details such as:

- the date the decision was made
- the name and designation of the officer who made the decision
- if access is refused, the reasons for claiming the document is exempt; and
- information on the rights of review and the procedures to be followed to exercise those rights.

## Identity and Consent

To safeguard personal information, applicants applying for their own information will be required to validate their personal identity via a digital ID platform. WorkCover WA will wherever possible not request copies of photographic identification to be sent via email.

Applicants seeking personal information on behalf of another individual are required to provide a consent authority signed by the individual. Consent authorities must include:

- full name and date of birth of person whose information is sought.
- signed within 6 months from the date of request for information.
- the authority must detail that the consent enables WorkCover WA to release information directly to the applicant.

If WorkCover WA is not satisfied of the consent received, WorkCover WA reserves the right to undertake further consultation with third parties prior to the release of any information.

## Access Arrangements

Access to documents can be granted by way or releasing a copy of the document; a copy of audio; or a transcript of a recorded, shorthand or encoded document from which words can be reproduced or by way of inspection.

## Unclear or Unreasonable Applications

An access application must include enough information to enable the requested documents to be identified. If the request is poorly defined, drafted in broad terms, or the agency considers that the work involved in dealing with the access application would divert a substantial and unreasonable portion of the agency's resources away from its other operations, the agency has to take reasonable steps to help the applicant clarify or change the application to reduce the amount of work needed to deal with it.

If WorkCover WA refuses to deal with the access application, it will give the applicant written notice of the refusal without delay, giving reasons for the refusal and details of the rights of review under the Act.

### Amendment of Personal Information held by WorkCover WA

An individual has the right to apply for the amendment of personal information contained in WorkCover WA's documents where the information about that person is inaccurate, incomplete, out of date or misleading.

Individuals must apply in writing, and you must give as much information as you can to show how or why the agency's records are inaccurate, incomplete, out of date or misleading. In addition, applicants must indicate how they wish the amendment to be made within the options set out in the Act:

- altering information
- striking out or deleting information
- inserting information; or
- inserting a note in relation to information.

On reaching a decision the agency will, within 30 days of receipt, give the applicant a written notice of its decision. Where the decision is made to amend the information, the notice will give details of the amendment and where practicable, will include a copy of the amended document.

Requests for amendments of personal information held by WorkCover WA can be sent to the Information Management Team as listed above.

## FOI Fees and Charges

### Access Charges

Processing an application and documents may incur a charge, which is in addition to the application fee. Amounts able to be charged are contained with the *Freedom of Information Regulations 1993* (FOI Regulations) and the Notice of Decision will detail these, if applicable.

Personal information about the applicant	No fees and no charges
Application fee (for non-personal information)	\$30.00
Charge for time taken dealing with the application	\$30.00 per hour
Charge for access time supervised by staff	\$30.00 per hour
Charges for photocopying	\$30.00 per hour for staff time and 20 cents per copy
Per photocopy	\$0.20
Preparing a copy of a tape, film or computerised information, or arranging delivery, packaging and postage of	Actual Cost
An advance deposit may be required in respect of the estimated charges	25%

## Deposits

If charges in addition to the application fee are likely to exceed \$25.00, WorkCover WA will provide the applicant with an estimate of charges and request confirmation of whether the applicant will proceed with the application. An advanced deposit of 25% of the estimated charges may be required.

There may be a possible 25% reduction of any processing/additional charges for financially disadvantaged applicants or those in receipt of health benefits. The 25% reductions **DOES NOT** apply to the prescribed application fee.

## Rights of Review

### Internal Review

The FOI Act provides that should applications be dissatisfied with a decision of the Agency, they are entitled to ask for an internal review of the decision made. In accordance with Section 40 of the *FOI Act*, requests for internal review should be sent in writing to WorkCover WA within 30 calendar days of the date of decision.

An internal review submitted to WorkCover WA is not completed by the same person that made the initial decision or by any person subordinate to the initial decision maker. Your appeal will be considered by the Internal Review Officer, and the applicant will be notified of the outcome within 15 days.

There are no lodgement fees for an internal review, and there are no charges for dealing with an internal review request.

### External Review

Following an internal review, matters remaining in dispute can be submitted to the Office of the Information Commissioner for an external review. Applications must be submitted within 60 days from the date of the internal review decision.

There are no lodgement fees for an external review with the Office of the Information Commissioner.

A request for an external review to the Office of the Information Commissioner must:

- be made in writing and include an address in Australia to which notices may be sent.
- detail the part (or parts) of the decision you want the Information Commissioner to review; and
- should also provide a copy of the Notice of Decision sent to you by the Agency following the internal review.

Contact details for the Office of the Information Commissioner is available on their website:

<https://www.oic.wa.gov.au/en-au/ContactUs>