

CENSUS AND STATISTICS ACT 1905- section 13

STATEMENT NO. 27 OF 2016

BY

AUSTRALIAN BUREAU OF STATISTICS

RELEASE OF A LIST OF BUSINESSES FOR SAFE WORK AUSTRALIA

In accordance with the provisions of Clause 6 of the *Statistics Determination 1983* made under Section 13 of the *Census and Statistics Act 1905*, I intend to disclose to Safe Work Australia a list of names and addresses of approximately 10,000 businesses taken from the Australian Bureau of Statistics (ABS) Business Register based on the Australian Business Register.

The list will be used by Safe Work Australia to conduct a survey on businesses experiences with Work Health and Safety legislation and the costs of compliance with regulations. The information collected in this survey will inform the upcoming (2016) Council of Australian Governments' evaluation of uniform work health and safety laws, and contribute to the annual reporting requirements of the *Intergovernmental Agreement for Regulatory and Operational Reform in Occupational Health and Safety*.

For each business in the sample, the ABS will provide the name, address and phone number, along with the following indicative information from the ABS Business Register: industry (sub-division level); employment size (in groups - micro non-employing, small (<20), medium (20-199), large (200+)); and state/territory.

This is the fourth time such a service has been made available to Safe Work Australia. In 2012 the ABS released two lists to Safe Work Australia to conduct two separate surveys on these topics. The survey methodology was refined and data content combined into a single collection in 2014. The ABS again released a list for the single survey in 2014 to enabled comparisons to the previous surveys. The 2014 survey was redesigned and the redesigned version was piloted in 2015. The redesigned form which will be used for the 2016 survey still enables comparisons to previous surveys.

Safe Work Australia has provided me with a written undertaking that it will:

- (a) use the list specified in the Schedule to this undertaking only for the purpose of conducting the 'Health and Safety at Work: your experiences and costs' survey (the survey), which does not involve the enforcing of any obligation or liability applicable under any enactment;
- (b) not release the list or any part of the list, either directly or indirectly, to another person outside of Safe Work Australia other than to a contractor who may require access to the list for the purposes of providing services to Safe Work Australia;
- (c) appoint a contact officer who will manage the processes for individuals within Safe Work Australia to request access to the list release; and will circulate information to individuals within Safe Work Australia who are granted approval by the ABS to access the list;
- (d) maintain a register of all officers of Safe Work Australia who have access to the list and provide a copy of that register to the ABS on request and on return of the list to the ABS;

- (e) if it is necessary for a contractor to have access to the list for the purpose of providing services to Safe Work Australia, Safe Work Australia will ensure that the contractor/sub contractor and every person employed by the contractor/subcontractor who has access to the list provide the Australian Statistician with a relevant undertaking prior to accessing the list;
- (f) advise respondents in writing that the survey is:
- i. conducted by Safe Work Australia from lists of names and addresses obtained from the ABS in accordance with legislative guidelines,
 - ii. not covered by the ABS guarantee of confidentiality, and
 - iii. not compulsory.
- (g) clear any relevant explanatory material for the survey with the ABS prior to dispatch;
- (h) provide a copy of the survey results and any information relevant to the maintenance of ABS registers if so requested by the ABS;
- (i) for the purpose of conducting a compliance audit concerning observance of the terms and conditions under which the list is disclosed allow ABS officers access to necessary documents and information;
- (j) return or destroy all copies of the list to the ABS as soon as the survey has been completed; and
- (k) ensure that if the Chief Executive Officer changes, a new undertaking with the ABS is signed within three months.

Luise McCulloch
Deputy Australian Statistician

October 2016