



**Government
of South Australia**

TRS19D1385

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Hon Stephen Mullighan MP
Member for Lee
Unit 1, 62 Semaphore Road
SEMAPHORE SA 5019

lee@parliament.sa.gov.au


Dear Mr Mullighan

APPLICATION UNDER THE *FREEDOM OF INFORMATION ACT 1991*

I refer to your application made under the *Freedom of Information Act 1991* (FOI Act), dated 22 May 2019.

Your application seeks access to:

“All minutes, briefings and correspondence titled ‘Grant Funding for Asbestos Disease Society of South Australia (ADSSA) and Asbestos Victims Association (AVA) for 2018-19’ as described on the Objective document management system, between 12 July 2018 and 22 May 2019.”

The legislative prescribed timeframe to determine this application has expired and is now deemed to have refused you access to all documents relevant to your application. I refer to my letter dated 26 May 2019 where I sought additional time to make my determination.

The purpose of this letter is to advise you of my determination. An extensive search was conducted within this office. A total of 1 document was identified as answering the terms of your application.

I grant you access in part to 1 document; a copy of which is enclosed.

This briefing is released in part, as the redacted section is essentially an opinion of SafeWork SA. It is an understanding that the matter between the two parties was personal and to release this information publicly would be deemed unreasonable. I therefore determine this information exempt pursuant to clause 6(1) to the FOI Act.

Exemptions

Clause 6 – Documents affecting personal affairs

- (1) *A document is an exempt document if it contains matter the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person.*

Please note, in compliance with Premier and Cabinet Circular PC045 - *Disclosure Logs for Non-Personal Information Released through Freedom of Information* (PC045), the Department of Treasury and Finance is now required to publish a log of all non-personal information released under the *Freedom of Information Act 1991*.

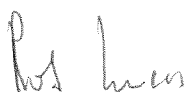
In accordance with this Circular, any non-personal information determined for release as part of this application, may be published on the DTF website. A copy of PC045 can be found at the following address: <https://dpc.sa.gov.au/resources-and-publications/premier-and-cabinet-circulars>. Please visit the website for further information.

As I am determining this application as Principal Officer, Section 29(6) of the Act does not provide for an internal review. If you are dissatisfied with my determination you are entitled to exercise your rights of external review with the Ombudsman.

Alternatively, you can apply to the South Australian Civil and Administrative Tribunal. If you wish to seek a review, Section 39(3) of the Act states you must do so within 30 calendar days of receiving the determination.

If you require any further information, please contact Vicky Cathro on 8226 9769.

Yours sincerely



Hon Rob Lucas MLC
Principal Officer

30 November 2019

RELEASE IN PART

MINUTES forming ENCLOSURE to

15/8/18
1035
TRS18D1527

18SWSA0422

TO: TREASURER
CC: UNDER TREASURER
 DEPARTMENT OF TREASURY AND FINANCE

SUBJECT: GRANT FUNDING FOR ASBESTOS DISEASES SOCIETY OF SOUTH AUSTRALIA (ADSSA) AND ASBESTOS VICTIMS ASSOCIATION (AVA) FOR 2018-19

PURPOSE

- To provide you with:
 - information regarding previous funding provided to the Asbestos Diseases Society of South Australia Inc and the Asbestos Victims Association; and
 - SafeWork SA's suggested options for the funding of these organisations for the next financial year.

BACKGROUND

- Each year, SafeWork SA provides funding to two asbestos organisations on behalf of the State Government - the Asbestos Diseases Society of South Australia Inc (ADSSA) and the Asbestos Victims Association (the AVA).

Asbestos Diseases Society of South Australia

- ADSSA is a not-for-profit organisation that provides asbestos awareness training and workshops to inform students of the dangers of asbestos in homes and workplaces by delivering workshops at South Australian schools as well as to tradespersons and the broader community.
- In summary of its role, ADSSA:
 - provides counselling, support and information for victims of asbestos-related diseases and their family and friends;
 - employs a fully qualified social worker who provides a range of psycho-social and psycho-educational services to support victims of asbestos-related diseases, their caregivers and bereaved relatives;
 - distributes a monthly newsletter to its clients, social work departments, palliative care units, respiratory physicians, unions, and other community services;
 - provides educational services for the public about the dangers of asbestos, including free lectures, public statements on the plights of victims and training for school students prior to their entering trade work;
 - assists victims in obtaining suitable legal advice regarding potential compensation claims;
 - supports the South Australian Asbestos Coalition and regularly attends Coalition meetings; and

- provides opinions to the government regarding changes and developments to legislation concerning asbestos.
- Further, the majority of ADSSA educational workshops are held in South Australian trade schools to target young people entering the building and construction industry. The workshops are run as part of the Construction Industry Training Board (CITB) 'doorways2construction' programme. By targeting young people, ADSSA reason they hope to change the culture within the industry over the longer term and to increase the level of awareness of asbestos. The training and workshops are also offered to other entities including the State Emergency Service (SES) and local government councils.
- All services, including the asbestos awareness training and workshops, are provided free of charge as they are subsidised by grant funding and volunteer trainers.
- The South Australian Government, through SafeWork SA, has provided grant funding to ADSSA since the 2008-09 financial year. Below outlines the grants provided to ADSSA:
 - 2008-09 and 2009-10: \$60,000 over a two year period
 - 2010-11 to 2017-18: \$25,000 per year (plus up to \$5,000 in-kind support¹).
- ADSSA has over 100 members, the majority of whom are victims of asbestos-related diseases or their families. Other members include health professionals, media and those interested in asbestos issues.

Asbestos Victims Association

- The AVA, formed in October 2000, provides important work in supporting people living with asbestos-disease and their families, including running seminars and educating the community about the dangers of exposure to asbestos. The AVA also supports the South Australian Asbestos Coalition and regularly attends Coalition meetings
- In summary of its role, the AVA provides advice on where to obtain:
 - information about asbestos in the home or at work, and safety procedures if asbestos is found;
 - information about what to do in the event of exposure to asbestos;
 - information about asbestos related diseases, and help getting medical advice;
 - help getting legal advice (for possible compensation);
 - support groups in city and regional areas, and regular social mornings by support groups; and
 - telephone support and advice (24 hours per day, 7 days a week).
- All AVA services are offered free of charge as they are subsidised by grant funding and volunteer workers.
- The South Australian Government, through SafeWork SA, has provided grant funding to the AVA since the 2007-08 financial year. Below outlines the grants provided to the AVA:
 - 2007-08: \$60,000

¹ "In-kind" support is a non-monetary cost and is in exchange for services that does not represent an additional financial cost to SafeWork SA (for example, the use of SafeWork SA premises or the attendance of a SafeWork SA officer at a presentation or briefing).

- 2008-09 and 2009-10: \$20,000 per year
- 2010-11 to 2017-18: \$25,000 per year (plus up to \$5,000 in-kind support).
- The AVA has almost 400 members including patrons: the Hon Jay Weatherill MP, former Premier of South Australia; Mr Tony Zappia MP, Member for Makin; the Hon Nick Xenophon, former Senator; and Mr John Camillo, State Secretary, Australian Manufacturing Workers' Union (AMWU).
- It is important to note that the former Premier of South Australia has been a patron of the AVA since its inception in 2000. In April 2018, following the state election, the AVA wrote to the Incoming Premier, the Hon Steven Marshall MP inviting him to become a patron. The Premier has recently accepted this offer.

Annual Memorial Services

- ADSSA oversees the annual Asbestos Victims' Memorial Breakfast held at Jack Watkins Reserve, Kilburn.
- The AVA oversees the annual Asbestos Victims' Memorial Day service held for victims and their families at Pitman Park, Salisbury.
- In April 2018, the Premier received an invitation to attend and speak at the AVA's Memorial Day Service, which he has requested you attend on his behalf. Speaking notes are currently being prepared by SafeWork SA for your consideration (18SWSA0384).
- ADSSA are yet to invite the Premier or yourself to attend and speak at the Memorial Breakfast, however, this is anticipated.

DISCUSSION

SafeWork SA's WHS grant program

- SafeWork SA's WHS grants program ceased from 1 July 2016 as the Agency moved toward providing on the ground, practical support to workplaces and workers. However, the former Minister for Industrial Relations, the Hon John Rau MP, based on SafeWork SA advice, continued to approve grant funding to both ADSSA and the AVA at the existing level of \$25,000 (plus \$5,000 in-kind support) in 2016-17 and then subsequently in 2017-18.
- Both associations are required to provide SafeWork SA with six-monthly reports on their activities and outcomes, and an annual financial statement to acquit the funding.
- SafeWork SA, via the Treasurer's Office, has not received a grant funding request for the 2018-19 financial year from ADSSA or the AVA. However, despite their delays, this request for funding is anticipated.
- While the services of ADSSA and the AVA are worthy, the funding of the grants to both ADSSA and the AVA are considered a cost pressure for SafeWork SA.

Budgetary Savings

- Grants were removed from the SafeWork SA's proposed funding model in order to achieve its 2018-19 budget savings. A separate briefing for WHS grants, funding, subsidies and sponsorships will be provided separately.

Proposed amalgamation

- Given the similarities of services offered by both associations, and as a proposed solution to alleviate cost pressures for this agency, the former Minister for Industrial Relations and SafeWork SA have met with Mr Terry Miller OAM (former President, AVA) and Mr Ian Sheppard (former President, ADSSA) on numerous occasions to progress the concept of ADSSA and the AVA working together in the future. [REDACTED]
- It can be argued that funding two organisations with strikingly similar initiatives is a duplication of effort and an inefficient use of government funding. SafeWork SA remains of the view that there could be scope for better coordination of services and, perhaps, the eventual amalgamation of the AVA and ADSSA.
- SafeWork SA suggests that a meeting could be arranged between all parties to discuss a possible merger with more financially sustainable practices that are not reliant on government funding.

Possible cessation of services

- As both the AVA and ADSSA are not-for-profit organisations, they are reliant on funding through private and public donations. Their websites list their current sponsors, which include ReturnToWorkSA and various unions. It is expected that any reduction in grant funding and donations will have an impact on the services offered by each organisation, including those services offered in country or rural locations.
- In the past, ADSSA has highlighted that its involvement with the CITB in the delivery of 'doorways2construction' courses would cease without funding. There could be potential repercussions for young people entering the building and construction industry who have not had appropriate asbestos awareness training. Consideration could be given to a more sustainable way to raise awareness about the dangers of asbestos for all doorways2construction students, however, SafeWork SA would need to liaise with ADSSA and the CITB regarding the feasibility of this option.
- The memorial breakfast and service held annually could also cease. These events attract hundreds of victims and their family members, dignitaries as well media.

Potential unwanted media and public backlash

- It is anticipated that any cessation of grant funding to the AVA and ADSSA will attract unwanted media and public backlash. By way of example, another volunteer organisation, Grandparents for Grandchildren SA, has had extensive coverage in the media this year following the announcement that government grant funding was to cease.

- Mr Terry Miller passed away this year on 31 May 2018 and Mr Ian Sheppard passed away in October 2016. The cessation of grant funding to the AVA in the same year as the passing of Mr Miller may be publically perceived as insensitive and ill-timed.
- In addition, any cessation of grant funding to the AVA may place the Premier in a precarious position following his acceptance of patronage with the AVA earlier this year.

National Strategic Plan for Asbestos Management and Awareness

- In 2013, the *National Strategic Plan for Asbestos Management and Awareness 2014-2018* was developed and adopted across jurisdictions. The Asbestos Safety and Eradication Agency (ASEA) are now in the process of developing the second strategic plan – *The National Strategic Plan for Asbestos Management and Awareness 2019-2023* (the NSP).
- SafeWork SA reports to ASEA on initiatives undertaken by this agency to meet the Strategies and Goals of the NSP. Currently, SafeWork SA supports *Strategy One: Awareness* of the NSP through the AVA and ADSSA funding.


RECOMMENDATIONS

That you:

- note the information in this briefing; and
- select your preferred option in relation to the future funding of the AVA and ADSSA:

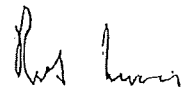
Option 1	Approve the existing level of financial support of \$25,000 (plus \$5,000 in-kind support) to continue for 2018-19.	APPROVED/ NOT APPROVED
Option 2	Approve a lesser amount of \$ _____ funding and \$ _____ in-kind support for 2018-19.	APPROVED/ NOT APPROVED
Option 3	Discontinue all level of financial and in-kind support for both the AVA and ADSSA.	APPROVED/ NOT APPROVED

Should you wish to discuss this matter further, please contact me on telephone 8303 0230.


 Martyn Campbell
 EXECUTIVE DIRECTOR
 SAFEWORK SA

14 August 2018

Monika Makaev - 39945

NOTED/APPROVED/NOT APPROVED

Treasurer
Date: 22 / 8 / 2018