

General Warning

The purpose of this fact sheet is to give general introductory information about the complaints process. It does not contain legal advice.

WARNING: Alternative legal action should be considered before making a complaint. What is included in a complaint may be relevant to any current or future legal proceedings. If you are involved in legal action you should immediately see a lawyer and not proceed with a complaint.

If you (or the complainant, if you are complaining on their behalf) want financial compensation, support or money you should see a lawyer before making a complaint.

General complaint information

Complaints are rarely about just one thing. When you have a problem, it may be that a number of things have gone wrong. Below are some of the common areas where issues may arise that could lead to a complaint.

Discrimination	Disability and NDIS services	Policing, Custody and Detention
Seniors and Aged Care supports and services	Consumer and Business disputes	Phone and Internet services
Banking, Insurance and Superannuation	Energy and Water services	Housing and Real Estate
Health Care services	Employment issues	Education and Training providers
Government Agencies and Departments	Child Safety and Protection	State Fines and Debts
Corruption	Privacy and Access to Information	Media and Publications

There are different complaint bodies to handle different types of complaints. You should consider the different pathways available to decide the most appropriate pathway for your circumstances. One event could lead to multiple complaints. That means you may need to lodge more than one complaint to have all of your concerns addressed.

The online triage tool on this website can help you to identify the different complaint bodies that may be able to assist you.

It is usually quickest and easiest to try to resolve a complaint directly with the person or body you are having a problem with. Many complaint handling bodies will not act on a complaint unless you have tried to resolve your complaint directly. If you do not feel it is safe or appropriate to complain directly, you should contact the relevant complaint body to discuss your situation.

Complaints involving discrimination

There are state and federal complaints bodies that handle complaints that about discrimination. If your situation involves discrimination, you should consider making a discrimination complaint in addition to any other complaints. Discrimination may occur when someone is treated less favourably on the basis of: race; sex; gender; disability; age; sexuality; relationship status; pregnancy; caring responsibilities; or having or being thought to have an infectious disease.

WARNING: The state and federal bodies that handle discrimination complaints have different rules, including time limits. You can make a complaint to both the state and federal complaint bodies, but they may decide not to address your concerns if you have already complained elsewhere. For example, if you have already lodged a discrimination complaint to anti-discrimination NSW, it is likely that Australian Human Rights Commission will decide not to act on your complaint. Please carefully review the discrimination factsheets for information about your options before making a discrimination complaint.

WorkSafe Victoria

In this fact sheet, we introduce WorkSafe Victoria. We outline how complaints can be made by people to WorkSafe Victoria.

WorkSafe Victoria is the state's workplace health and safety regulator. It oversees employer compliance with occupational health and safety laws, manages the workers compensation insurance scheme, and handles licensing for certain high-risk activities.

You can make a complaint to WorkSafe if you believe a workplace is unsafe, if you've experienced poor conduct from a WorkSafe agent or staff member, or if there has been a breach of workplace safety or compensation laws.

Legislation and Key Terms

Relevant Legislation:

WorkSafe Victoria is established under the *Occupational Health and Safety Act 2004 (OHS Act)*. Conciliations in relation to workplace injuries are provided through the Workplace Injury Commission (**WIC**), which assists workers to resolve their disputes in an efficient, fair and affordable way

Key Terms:

Agent (WorkSafe Agent): An insurance company authorised by WorkSafe Victoria to manage workers' compensation claims on its behalf. Agents can be the subject of complaints about delays, poor conduct, or mishandled decisions.

Complainant: A person who makes a complaint to WorkSafe Victoria. This can be a worker, former worker, member of the public, family member, Health and Safety Representative, or employer.

Complaint: A report of dissatisfaction about workplace safety, workers' compensation, or WorkSafe's own conduct where a response or solution is expected.

Conciliation: A process run by the Workplace Injury Commission (WIC) to help resolve disputes about compensation decisions made by agents or self-insurers.

Discrimination / Victimisation (OHS): When a worker is punished, demoted, or treated unfairly for raising health and safety concerns or exercising their rights under the OHS Act.

Employer: Any person, business, or organisation in Victoria that hires workers under a contract of employment. Employers have the main duty to provide a safe working environment.

Exclusions: Complaints WorkSafe cannot handle, such as disagreements about compensation decisions (which must go to WIC), personal grievances unrelated to health and safety, or disputes about laws or policies themselves.

Health and Safety Representative (HSR): A worker elected by their colleagues to represent them on OHS issues. Complaints about HSRs only arise if they misuse powers (e.g. issuing improper notices).

Improvement Notice: A formal notice issued by a WorkSafe inspector requiring an employer or duty-holder to fix a workplace safety problem within a set timeframe.

Inspector (WorkSafe): A staff member authorised to visit workplaces, investigate safety concerns, and issue notices. Complaints can be made about inspectors' conduct if it is unprofessional or negligent.

Jurisdiction: WorkSafe's authority to handle complaints about workplaces, employers, agents, self-insurers, and licensing within Victoria under the Occupational Health and Safety Act 2004.

Licence or Permit Holder: A person or organisation authorised by WorkSafe to perform high-risk work (such as asbestos removal or crane operation). Complaints can be made about misconduct or unsafe practices by licence holders.

Occupational Health and Safety Act 2004 (OHS Act): The law that establishes WorkSafe Victoria, sets out duties for employers, and gives WorkSafe its enforcement powers.

Order / Enforcement Action: The formal actions WorkSafe can take after a complaint, including prohibition notices, improvement notices, non-disturbance notices, warnings, infringement notices (fines), and prosecutions.

Private Investigator: A third party sometimes engaged by agents or employers to monitor injured workers. Complaints can be made if surveillance breaches privacy or causes distress.

Prohibition Notice: A formal notice issued by an inspector stopping dangerous work immediately if there is a serious risk to health or safety.

Reasonably Practicable: A legal standard in OHS law requiring employers to do what is reasonably able to be done to provide a safe workplace.

Remedy: The outcome WorkSafe may provide, such as inspection, enforcement action, referral to another body, or resolving service complaints. WorkSafe cannot award compensation.

Respondent: The person or organisation the complaint is made against — usually an employer, WorkSafe agent, self-insurer, licence holder, or WorkSafe staff member.

Self-insurer: A large employer licensed by WorkSafe to manage and fund its own workers' compensation claims. Self-insurers can be the subject of complaints about claim handling or return-to-work processes.

Surveillance Misconduct: Inappropriate or unlawful monitoring of injured workers by private investigators engaged by agents or employers.

WIC (Workplace Injury Commission): An independent body that resolves disputes about workers' compensation through conciliation and arbitration.

Step 1: What type of Complaints can be made to this body?

WorkSafe Victoria is responsible for overseeing workplace health and safety, workers compensation, and licensing in Victoria. You can make a complaint if you believe a person or organisation has breached their legal duties, or if WorkSafe, its agents, or related parties have acted unfairly, unprofessionally, or failed to follow proper processes.

This includes complaints about:

Sub-category	Example
Unsafe Workplace Conditions (Breach of OHS Duty) <i>OHS Act s21(1)</i>	<p>You should make a complaint if your workplace is unsafe or unhealthy and your employer hasn't taken steps to fix it. Any situation at work that is unsafe or unhealthy can be reported to WorkSafe. Employers in Victoria are legally required to provide a working environment that is safe and without risks to health. You should complain about unsafe conditions when an employer or other duty-holder isn't meeting this obligation. For example, if equipment is not maintained, safety guards are removed, workers aren't trained, or hazards like exposed wires or slippery floors are ignored. This type of complaint covers general breaches of occupational health and safety (OHS) duties, where someone in charge isn't doing what's reasonably practicable to keep people safe.</p> <p>Employers must do what is reasonably practicable to provide a safe working environment under the Occupational Health and Safety Act 2004.</p> <p><i>Example: Workers in a warehouse notice that several forklifts have faulty brakes and there are no safety inspections or repairs being done. Despite telling their boss, nothing changes. The employer is failing to maintain equipment and a safe work environment.</i></p>
Reckless Endangerment (Serious Risk to Health or Life) <i>OHS Act s32</i>	<p>You should make a complaint if someone at work is doing something so dangerous it could cause death or serious injury right away.</p> <p>This includes conduct where a person recklessly exposes someone else to an immediate and extreme risk. It goes beyond ordinary negligence, it means someone knows the danger and proceeds anyway.</p> <p><i>Example: A construction site manager orders workers into a deep trench that has no shoring or cave-in protection, despite visible cracks in the walls. This reckless instruction places the workers in immediate danger of being buried.</i></p>
Workplace Bullying or Harassment (Psychosocial Safety)	<p>You should make a complaint if there is serious or ongoing bullying, sexual harassment, or abusive behaviour at work and it's not being dealt with.</p> <p>Workplace bullying is repeated, unreasonable behaviour directed at a worker or group that creates a risk to health and safety. WorkSafe can step in when employers fail to manage psychosocial hazards and mental wellbeing at work.</p>

	<p><i>Example: An employee is repeatedly ridiculed and yelled at by a supervisor in front of co-workers, causing the employee severe stress and anxiety. Despite complaints to HR, the abuse continues. This is workplace bullying.</i></p>
<p>OHS-Related Discrimination or Victimisation (Punishment for Raising Safety Issues)</p> <p><i>OHS Act s76</i></p>	<p>You should make a complaint if you were punished, demoted, dismissed, or treated badly for raising health and safety concerns or using your legal rights.</p> <p>This is known as discriminatory conduct or victimisation under OHS laws. It protects workers, including Health and Safety Representatives (HSRs), from being penalised for doing the right thing.</p> <p><i>Example: An employee reports to WorkSafe that the factory's machinery is unsafe. After the WorkSafe inspection, the employer cuts the employee's shifts and denies them training opportunities.</i></p>
<p>Working without a Required Licence or Permit (Unauthorised High-Risk Work)</p> <p><i>OHS Act s40(4)</i></p>	<p>You should make a complaint if someone is doing high-risk work (like operating cranes or removing asbestos) without the necessary licence, training, or permit. It's a legal offence to carry out or allow certain work without proper authorisation. This applies to high-risk roles and certain workplace facilities.</p> <p><i>Example: A homeowner notices a contractor removing old asbestos insulation from a house without a licence or protective equipment.</i></p>
<p>Agent or Self-Insurer Failing to Respond to Requests</p>	<p>You should make a complaint if you've asked your WorkSafe agent or self-insurer for help, treatment, or claim progress, and they haven't responded in a reasonable time.</p> <p>Workers are entitled to timely responses about their compensation and health support.</p> <p><i>Example: A worker with a broken ankle asks their self-insurer for help lodging a claim, but weeks go by without a reply.</i></p>
<p>Failure to Pay Weekly Payments</p>	<p>You should make a complaint if your claim has been approved and you are entitled to weekly payments, but your agent or self-insurer hasn't paid them or has stopped paying without explanation.</p> <p>This can cause serious financial stress and must be addressed quickly.</p> <p><i>Example: An injured accountant hasn't received their approved weekly payments for three weeks. They follow up but get no response.</i></p>
<p>Failure to Pay for Medical Treatment</p>	<p>You should make a complaint if you've sent in invoices or receipts for medical treatment covered by your approved claim, but haven't been reimbursed or approved. This includes delays, refusals, or unreasonable handling of eligible costs</p> <p><i>Example: An electrician submits invoices for burn treatment. Despite repeated follow-ups, they haven't been reimbursed.</i></p>
<p>Mishandling of Provisional Payments (Mental Injury Claims)</p>	<p>You should make a complaint if you are waiting for a decision on your mental injury claim and your provisional payments for early treatment are missing, delayed, or stopped without reason.</p> <p>This includes treatment for anxiety, PTSD, depression, or trauma.</p>

	<i>Example: A secretary applies for a mental injury claim after workplace bullying. She is entitled to provisional payments for psychologist visits but they never arrive. This can be reported to WorkSafe.</i>
Harassment or Overreach by Agent or Self-Insurer	<p>You should make a complaint if your agent or self-insurer is harassing, overwhelming, or behaving inappropriately during your claim. For example, calling too often, pressuring you, or disregarding your mental health.</p> <p><i>Example: A former prison officer receives up to eight calls a day from their agent, despite asking for space. They can lodge a complaint with WorkSafe about harassment.</i></p>
Surveillance Misconduct by Private Investigators	<p>You should make a complaint if a private investigator working on your claim follows you inappropriately, breaks privacy rules, or causes distress. Surveillance must follow a Code of Practice. Investigators can't intimidate or film in private settings.</p> <p><i>Example: A father is tailed to his child's birthday party by an investigator who films from the street. This should be reported to WorkSafe as a surveillance misconduct complaint.</i></p>
Failure to Accommodate Serious Psychological Risk	<p>You should make a complaint if you've told your agent about suicidal thoughts or serious mental harm, and they continue to take actions that worsen your condition (e.g. forcing medical appointments).</p> <p><i>Example: A young man with PTSD tells his agent that attending a medical exam could lead to suicidal thoughts. The exam is still booked. This should be reported as a failure to accommodate.</i></p>
Workers' Compensation Claim Decision Mismanagement	<p>You should make a complaint if your agent or self-insurer made a decision about your claim in a way that was rushed, unfair, or lacking proper evidence. This complaint is about how the decision was made, not whether you agree with the outcome.</p> <p><i>Example: A nurse's claim is rejected without the agent speaking to her treating doctor or reviewing her files. She can complain about the mishandling of her claim.</i></p>
WorkCover Premium Service Complaints (Employers Only)	<p>You should make a complaint if you're an employer and your agent provided poor service about your insurance premium, such as giving wrong advice or mishandling paperwork.</p> <p><i>Example: A business owner misses out on a discount due to incorrect advice from their agent. They can lodge a service complaint with WorkSafe.</i></p>
Poor Conduct or Errors in WorkSafe Licensing Processes	<p>You should make a complaint if you applied for or renewed a WorkSafe-issued licence or permit and experienced delays, errors, or poor communication.</p> <p><i>Example: A scaffolder's renewal is lost twice by WorkSafe. Their licence lapses and they lose work. This can be reported.</i></p>
Unprofessional Conduct by a WorkSafe Inspector	<p>You should make a complaint if an inspector behaves unprofessionally, ignores reported risks, or fails to explain things during a site visit. This does not apply to legal decisions (which need an internal review), it's about service and behaviour.</p>

	<i>Example: An inspector arrives after a serious injury but leaves after 10 minutes without inspecting the hazard. Workers can report this conduct.</i>
Privacy Breach by WorkSafe or Its Agents	<p>You should make a complaint if your personal or medical information was shared, lost, or mishandled by WorkSafe or someone working on their behalf.</p> <p><i>Example: A WorkSafe agent accidentally emails your medical file to another client. This breach can be reported.</i></p>
Delay or Denial of Access to Information	<p>You should make a complaint if you've requested documents like your claim file or an investigation report and didn't receive them in a reasonable time or were denied access without a proper reason.</p> <p><i>Example: An injured worker requests their incident report, but the agent delays it for months with no explanation. They can lodge a complaint.</i></p>
Exclusions	<p>The following types of issues cannot be handled by WorkSafe Victoria and should be directed to another authority or process:</p> <ul style="list-style-type: none"> • Disagreeing with a compensation decision outcome (e.g. claim rejection). You cannot complain to WorkSafe simply because you disagree with a decision, instead, you should request conciliation through the WIC or seek a formal review. • Disputes about the amount of your WorkCover insurance premium. While service complaints are accepted, formal disputes over the premium calculation must go through the review process, not the complaint system. • Employment-related grievances not linked to health and safety (e.g. unfair dismissal, discrimination unrelated to OHS). • General HR or management decisions (e.g. rostering, job allocations) unless they pose a health and safety risk. WorkSafe only investigates when such decisions result in a workplace hazard or breach of duty. • Customer service complaints not involving a safety, privacy, or misconduct issue. Minor rudeness or delays that do not involve misconduct, discrimination, or harm are not considered valid grounds for a WorkSafe complaint. • Disputes over legal notices issued by inspectors (e.g. improvement or prohibition notices). These must be challenged through the official internal review process, not the complaints system. • Licensing decisions you disagree with (e.g. refusals or cancellations). You may be able to appeal or review these formally, but not through the complaint system unless the process itself was mishandled. • Concerns about policies, laws, or government regulation changes. WorkSafe cannot investigate complaints that relate to disagreeing with legislation or policy decisions.

	<ul style="list-style-type: none"> • Anonymous complaints seeking updates or follow-up. WorkSafe accepts anonymous reports, but they cannot provide updates unless contact details are provided.
Additional Info	<ul style="list-style-type: none"> • You don't need to be a worker to complain. Anyone (including members of the public, bystanders, contractors, or family members) can lodge a complaint with WorkSafe if the issue falls within its powers. • You can still report a safety concern even if you don't know all the details. If you see something clearly unsafe or dangerous, it's better to report it, WorkSafe can assess the severity and decide whether to investigate. • You can raise more than one complaint at a time. For example, you might report both an unsafe worksite and harassment from a supervisor about that same hazard. • WorkSafe won't resolve personal compensation disputes directly. They oversee the system and can hold agents accountable for poor conduct, but they don't make decisions about whether you're owed money or what you're entitled to.

Step 2: What is the Jurisdiction of the complaints body?

Jurisdiction	Description
State	WorkSafe Victoria is the workplace health and safety regulator for the state of Victoria.
Geographical Scope	Complaints must relate to incidents, conduct, or workplaces located in Victoria. This includes fixed worksites (e.g. factories, hospitals, schools), mobile worksites (e.g. construction sites, home visits), and transport-related work undertaken within Victorian borders. If the issue occurred outside Victoria or involved an interstate employer, it may fall outside WorkSafe Victoria's jurisdiction.
Time limitations	There is no strict statutory limitation for making a complaint to WorkSafe. However, complaints should be made as soon as possible while evidence is still available and risks can be promptly addressed. For related legal actions (e.g. compensation claims or review processes), time limits may apply under other legislation (e.g. <i>Workplace Injury Rehabilitation and Compensation Act 2013</i>).
Exclusions	<p>WorkSafe Victoria does not handle:</p> <ul style="list-style-type: none"> • Disputes about the outcome of a compensation claim: WorkSafe Victoria does not investigate whether a claim was rightfully accepted or rejected. • Employment matters that do not involve health and safety: WorkSafe cannot deal with general workplace issues like unfair dismissal, discrimination (unless linked to OHS activity), pay disputes, or performance management concerns.

	<ul style="list-style-type: none"> • Generalised bullying or harassment not linked to a health or safety risk: If bullying or workplace conflict is not ongoing, serious, or reasonably connected to a health and safety risk, WorkSafe may consider it outside jurisdiction. This includes isolated rudeness, personality clashes, or minor workplace conflict. • Complaints about legal notices or enforcement decisions made by WorkSafe Inspectors: If an inspector issues or refuses to issue a notice (e.g. Improvement Notice or Prohibition Notice), this is a legal decision and can only be reviewed through WorkSafe's internal review process, not the complaints process. • Complaints about licence outcomes (approvals, refusals, suspensions): If your complaint is about the decision to grant, deny, or condition a licence or permit, you must request a formal review. WorkSafe only accepts complaints about the handling of the process, not the outcome itself. • Complaints about WorkSafe's own laws or policies: If you disagree with the existence or content of a policy, regulation, or the Occupational Health and Safety Act itself, this is not something WorkSafe can investigate as a complaint. • Complaints about matters outside Victoria: If the incident happened outside Victoria or the employer is based interstate and not subject to Victorian OHS law, WorkSafe Victoria does not have jurisdiction. • Customer service complaints with no privacy, safety, or misconduct issue: WorkSafe does not treat routine dissatisfaction (e.g. long wait times, perceived rudeness, or administrative errors) as a complaint unless it includes a breach of duty, privacy issue, or potential misconduct. • Complaints with insufficient detail or no contact information, where an update is requested: WorkSafe may accept anonymous complaints but will not provide updates or pursue vague claims with no identifiable hazard or breach.
Exercise of discretion	WorkSafe Victoria has discretion over whether to investigate a complaint, depending on its seriousness, relevance, available evidence, and public interest. Not all complaints will lead to formal enforcement action. For example, if a workplace has already rectified the issue or if another body is better placed to resolve the matter, WorkSafe may decide not to proceed.

Step 3: Who can you make a complaint against?

Respondent	Description
Employers	Any individual, business, or organisation that employs workers under a contract of employment in Victoria. Employers have primary legal

	duties to provide a safe working environment and comply with OHS and workers compensation laws.
Self-Insurers	Large employers who manage their own workers compensation claims under licence from WorkSafe. They are subject to WorkSafe oversight and can be the subject of complaints about claims management or return-to-work processes.
WorkSafe Agents	Insurance providers appointed by WorkSafe to manage workers compensation claims on its behalf. You can complain about their conduct, delays, communication, or decision-making processes.
Employees or Managers (when acting for the employer)	Supervisors, managers, or individual employees whose conduct represents the employer or breaches safety laws (e.g. by directing unsafe work). These individuals fall within WorkSafe's scope when they are part of a broader OHS breach or systemic problem.
Private Investigators engaged by WorkSafe agents or employers	If they breach privacy, behave inappropriately, or fail to comply with WorkSafe's Code of Practice for surveillance of injured workers, they can be investigated.
Licence or Permit Holders (individuals or businesses)	People or organisations who hold a licence or permit issued by WorkSafe (e.g. for asbestos removal, high-risk work, or operating a major hazard facility). Complaints can relate to breaches of licence conditions, unsafe practices, or improper conduct.
Health and Safety Representatives (HSRs)	Only when they are alleged to misuse powers under the OHS Act (e.g. improperly issuing a Provisional Improvement Notice). Such cases are rare but fall within WorkSafe's role in upholding OHS governance.
WorkSafe Victoria staff (inspectors, licensing officers, etc.)	If their conduct was unprofessional, biased, negligent, or outside proper procedures during inspections, licensing assessments, or complaint handling.
Exclusions	<p>WorkSafe Victoria cannot handle complaints about:</p> <ul style="list-style-type: none"> • WIC Conciliators or Tribunal Members: WorkSafe cannot investigate the conduct of conciliators, arbitrators, or tribunal members handling compensation disputes. These are independent decision-makers. • Lawyers or Union Representatives: Even if they are involved in a WorkSafe-related matter, complaints about their conduct must go to the Legal Services Board or relevant professional body, not WorkSafe. • Medical Practitioners (e.g. IMEs or treating doctors): WorkSafe cannot handle complaints about the behaviour or opinions of Independent Medical Examiners (IMEs) or doctors. These complaints go to AHPRA or the Health Complaints Commissioner. • Interstate Employers or Non-Victorian Bodies: If the business is not regulated by WorkSafe Victoria (e.g. ACT or

	<p>NSW-based employer), you must report to the local OHS regulator (e.g. SafeWork NSW).</p> <ul style="list-style-type: none"> • Clients, customers, or members of the public (unless linked to a workplace risk): You cannot complain to WorkSafe about a customer being rude or disruptive unless their behaviour creates a serious work health and safety risk that the employer fails to address. • WorkCover Assist services or advisory lines: These are information providers and cannot be the subject of a formal WorkSafe complaint.
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Step 4: Are you eligible to make a complaint?

Eligibility	Description
Who can make a complaint?	<p>Anyone can make a complaint to WorkSafe Victoria if they believe there has been a breach of occupational health and safety (OHS) laws, a problem with how a workers compensation claim is being managed, or poor conduct by a WorkSafe agent, self-insurer, or staff member.</p> <p>This includes:</p> <ul style="list-style-type: none"> • Workers (including employees, contractors, apprentices, and labour hire workers) • Former workers • Members of the public • Family members or carers • Health and Safety Representatives (HSRs) • Employers (in relation to WorkSafe services or premiums) <p>You do not need to be the person directly affected to lodge a complaint.</p>
Pre-requisite Steps	<p>There are no formal prerequisites or application forms required to make a complaint to WorkSafe Victoria.</p> <p>However:</p> <ul style="list-style-type: none"> • Complaints should be as specific as possible (what happened, when, who was involved, what has been done so far). • Complaints can be submitted online, by phone, or in writing. • WorkSafe may contact you for further information before deciding whether to investigate.
Time Limitations	<p>There are no legal time limits, but complaints should be made as soon as possible so WorkSafe can properly assess any ongoing risk or breach.</p>

Can a complaint be made on behalf of someone?	<p>Yes. You can lodge a complaint on someone else's behalf, for example:</p> <ul style="list-style-type: none"> • If you're supporting a vulnerable worker, someone with disability, or someone who doesn't speak English well • If you're a union rep, caseworker, lawyer, or advocate • If you witnessed an unsafe practice involving another person <p>WorkSafe may ask for the name and contact details of the person affected but will still assess the complaint regardless of who submits it.</p>
Exclusions	<p>WorkSafe will not accept a complaint if:</p> <ul style="list-style-type: none"> • The complaint relates to something outside of Victoria's jurisdiction (e.g. happened in another state) • The complaint is about a decision outcome on a compensation claim (e.g. refusal to pay) — this must go to the Workplace Injury Commission (WIC) • The complaint is too vague, lacks enough detail, or has no contact details (especially if the person wants follow-up) • The complaint is about a personal grievance that doesn't relate to safety, privacy, or misconduct (e.g. minor rudeness or poor customer service) • The complaint is about law or policy itself (e.g. disagreeing with WorkSafe legislation or enforcement powers)
Additional information you need to know	<ul style="list-style-type: none"> • Complaints are free and do not require legal representation. • Anonymous complaints are accepted, but you won't be updated on the outcome unless you provide contact details. • If WorkSafe receives a complaint outside its powers, it may refer you to another body (e.g. WIC, AHPRA, Fair Work). • Making a complaint won't automatically lead to an investigation. WorkSafe has discretion based on public interest, seriousness, and available evidence. • Your identity will be kept confidential unless disclosure is required by law or necessary for safety.

Step 5: What remedies are available at this body?

Eligibility	Description
Investigation or Inspection	WorkSafe may attend a workplace or review documents to assess reported safety risks or misconduct.

Compliance or Enforcement Action	<p>If a breach is found, WorkSafe may take formal regulatory action:</p> <ul style="list-style-type: none"> • Improvement Notice: Requires the duty-holder to fix a safety issue within a set timeframe. • Prohibition Notice: Stops an activity immediately if it poses serious risk to health or safety. • Non-disturbance Notice: Prevents a site or equipment from being changed or tampered with during an investigation. • Warning: A formal caution issued when a breach is found but prosecution is not pursued. • Infringement Notice (Fine): A financial penalty for breaching OHS laws or failing to comply with a notice. • Prosecution: Legal action in court for serious or repeated safety breaches.
Rectification or Remedial Orders	WorkSafe may direct a workplace to correct hazards, retrain staff, or change unsafe systems of work.
Referral to Internal Review	If a WorkSafe decision (e.g. about licensing or notices) is challenged, the complaint may be escalated to an internal review team for reassessment.
Complaint Resolution	WorkSafe may resolve a service or conduct complaint through informal actions like apologies, performance feedback, or internal policy changes.
Privacy or Information Handling Corrections	WorkSafe may correct personal records, acknowledge privacy breaches, and adjust systems to improve information handling.
Referral to Another Body	Where WorkSafe lacks power to act, it can guide the complainant to the correct agency (e.g. WIC, AHPRA, Fair Work).
Exclusions	<p>WorkSafe cannot provide these remedies through its complaints process:</p> <ul style="list-style-type: none"> • Reversing a compensation decision: WorkSafe cannot overturn a decision by an agent or self-insurer to accept or reject a claim. This must go to WIC. • Awarding compensation or financial damages: WorkSafe does not pay or order financial compensation. Its role is regulatory, not adjudicative. • Reinstating employment or managing employment disputes: WorkSafe cannot require an employer to reinstate a worker, change rosters, or resolve non-OHS employment disputes. These must go to Fair Work, VCAT, or a court.

- **Providing legal advice or representation:** WorkSafe cannot act as your legal advisor or advocate. You can seek support elsewhere, such as a union or legal service.
- **Directing private investigators, doctors, or lawyers to be disciplined:** WorkSafe may investigate misconduct by agents or investigators within its jurisdiction, but cannot discipline third-party professionals. These matters go to AHPRA, the Legal Services Board, or other relevant bodies.

Step 6: Preparing your complaint. What should your complaint look like? What should it include?

Requirement	Description
Format	<p>WorkSafe Victoria accepts complaints through various channels:</p> <ul style="list-style-type: none"> • Online: Complete the Online Complaint Form. • Phone: Contact the WorkSafe Advisory Service at 1800 136 089 (available 7:30am to 6:30pm, Monday to Friday). • Mail: Address your written complaint to: <ul style="list-style-type: none"> WorkSafe Victoria 1 Malop Street Geelong VIC 3220 <p>Ensure your complaint is clear, concise, and structured, ideally limited to 1–2 pages if submitted in writing.</p>
Personal Details	<p>Include the following information to facilitate effective communication:</p> <ul style="list-style-type: none"> • Full Name: Your legal name. • Contact Information: <ul style="list-style-type: none"> ○ Phone Number: A number where you can be reached during business hours. ○ Email Address: An active email account for correspondence. ○ Mailing Address: Your current postal address. • Preferred Contact Method: Specify whether you prefer to be contacted by phone, email, or mail. • Relationship to the Matter: Clarify if you are the directly affected individual or acting on someone else's behalf. • Accessibility Needs: Mention any requirements such as the need for an interpreter or assistance due to hearing or speech impairments. <p>Note: Anonymous complaints are accepted; however, providing your contact details enables WorkSafe to update you on the progress and outcome of your complaint.</p>

Respondent's Details	<p>Clearly identify the party your complaint concerns:</p> <ul style="list-style-type: none"> • Name of the Individual or Organisation: The full name of the person, company, or entity you are lodging the complaint against. • Position or Role: If applicable, specify the role or title of the individual within the organisation. • Contact Information: Provide any known contact details, such as phone number, email, or physical address. • Relationship to You: Describe how you are connected to the respondent (e.g., employer, service provider).
Relevant Facts	<p>Present a factual account of the issue:</p> <ul style="list-style-type: none"> • Incident Description: Detail what occurred, including specific actions or behaviours that are the subject of your complaint. • Dates and Times: Provide the exact or approximate dates and times when the events took place. • Location: Specify where the incident happened, including addresses if possible. • Witnesses: List any individuals who witnessed the events or have relevant information, along with their contact details if available. • Previous Actions Taken: Mention any steps you have already taken to address the issue, such as reporting it to a supervisor or another authority. • Supporting Documents: Attach copies of any relevant documents, such as emails, letters, reports, or photographs.
What NOT to include	<p>To ensure your complaint is processed efficiently, avoid including:</p> <ul style="list-style-type: none"> • Irrelevant Information: Stick to facts pertinent to the complaint; avoid extraneous details. • Offensive Language: Refrain from using abusive or inflammatory language. • Personal Attacks: Focus on actions and behaviours rather than making personal judgments or accusations. • Excessive Detail: While thoroughness is important, overly lengthy narratives can obscure key points. Aim for clarity and brevity.
Additional information you need to know	<p>Assistance Services:</p> <ul style="list-style-type: none"> • Translating and Interpreting Service (TIS National): For language assistance, contact 131 450 and ask them to call WorkSafe on 1800 136 089. • National Relay Service (NRS): For individuals who are deaf, hard of hearing, or have a speech impairment:

- **TTY Users:** Call 133 677 and ask for 1800 136 089.
- **Speak and Listen Users:** Call 1300 555 727 and ask for 1800 136 089.
- **Complaint Handling Policy:** Familiarise yourself with WorkSafe Victoria's [Complaints Management Policy](#) to understand how your complaint will be processed.
- **Record Keeping:** Retain copies of all correspondence and documents submitted for your records.
- **Follow-Up:** If you do not receive acknowledgment of your complaint within a reasonable timeframe, consider following up using the contact methods provided.

Step 7: Lodging your complaint and next steps.

Step	Description
Where to lodge your complaint	<p>You can lodge a complaint with WorkSafe Victoria in the following ways:</p> <ul style="list-style-type: none"> • Online: Complete the Online Complaint Form. • Phone: Contact the WorkSafe Advisory Service at 1800 136 089 (available 7:30am to 6:30pm, Monday to Friday). • Mail: Address your written complaint to: <ul style="list-style-type: none"> WorkSafe Victoria 1 Malop Street Geelong VIC 3220 • Need language support? Call TIS National on 131 450 and ask them to contact WorkSafe on 1800 136 089. For hearing or speech support, use the National Relay Service (NRS) via www.relayservice.gov.au.
Receipt	<p>Once you lodge your complaint, WorkSafe Victoria will:</p> <ul style="list-style-type: none"> • Acknowledge receipt (usually within a few business days). • Provide a reference number or confirmation (if contact details were given). • Let you know if further information is required. <p>Anonymous complaints are accepted but you won't receive an update unless you provide contact details.</p>
Initial Review	<p>WorkSafe's complaint team will assess your complaint to decide:</p> <ul style="list-style-type: none"> • Whether it falls within WorkSafe's jurisdiction. • Whether it involves potential breaches of law, misconduct, or poor service.

	<ul style="list-style-type: none"> If it should be referred to a different internal team (e.g. Licensing, Internal Review) or an external body (e.g. WIC, AHPRA, Fair Work). <p>You may be contacted for clarification or supporting documents at this stage.</p>
Pre-Conference	<p><i>Note: This step only applies to serious matters where a formal review or regulatory process is triggered.</i></p> <p>In some cases, before taking enforcement action or escalation, WorkSafe may:</p> <ul style="list-style-type: none"> Hold informal discussions with relevant parties. Offer the respondent a chance to respond or rectify issues. Gather more evidence through phone calls, interviews, or onsite visits. <p>This is not a mediation or legal hearing - it's a fact-finding or early resolution step.</p>
Additional information you need to know	<ul style="list-style-type: none"> You won't always be updated on outcomes: WorkSafe handles many complaints confidentially, especially if regulatory enforcement is involved. They may not provide detailed updates but will confirm whether your complaint is being investigated (if you provide contact details). WorkSafe has discretion: They are not required to investigate every complaint. If the matter has been resolved, is low risk, or doesn't meet enforcement criteria, they may decide not to act further. Not all complaints result in action: WorkSafe may assess your complaint and decide not to take formal steps, especially if the issue has already been addressed or is better handled by another agency. WorkSafe may refer you elsewhere: If your complaint falls outside their powers (e.g. a rejected claim decision), they may refer you to the Workplace Injury Commission, Fair Work, AHPRA, or another regulator.

Step 8: Post-complaint – what if you are not happy with the outcome of your complaint?

Avenue	Description
Internal Review Opportunities	<p>If your complaint relates to a regulatory decision made by WorkSafe, such as an improvement notice, prohibition notice, or licensing outcome, you may be eligible to request an internal review.</p> <ul style="list-style-type: none"> Legislative basis: The Occupational Health and Safety Act 2004 (Vic) and relevant WorkSafe administrative policies allow for internal review of certain decisions made by inspectors or the licensing division. Examples of reviewable decisions include:

	<ul style="list-style-type: none"> ○ Notices issued or refused (e.g. improvement/prohibition notices) ○ Licensing or permit decisions ○ Certain service delivery complaints involving WorkSafe processes <ul style="list-style-type: none"> • How to request: Submit a request in writing to WorkSafe's Internal Review Unit. You can ask for the review form by calling 1800 136 089. • Timeframe to lodge: Generally, within 14 calendar days from the date of the decision. • Timeframe for outcome: WorkSafe aims to complete reviews within 28 calendar days. • Note: Not all complaints are reviewable. Complaints about general dissatisfaction, compensation decisions, or other bodies (like agents or self-insurers) are not subject to this process.
External review / remedies	<p>If you're not satisfied after WorkSafe has responded or you believe your issue was not handled fairly, you may have other options depending on the type of complaint.</p> <p><u>Victorian Ombudsman:</u> If you believe your complaint was not handled properly or fairly by WorkSafe as a public authority, you can complain to the Victorian Ombudsman.</p> <ul style="list-style-type: none"> • Scope: Mismanagement, unfair treatment, unreasonable delay, poor communication, or breach of administrative fairness by WorkSafe staff or processes. • Timeframe: No formal deadline, but you should complain as soon as possible after receiving WorkSafe's response. <p><u>Workplace Injury Commission (WIC):</u> If your complaint was really a dispute about the outcome of a compensation claim (e.g. a decision made by your agent or self-insurer), it must go through WIC, not WorkSafe.</p> <ul style="list-style-type: none"> • Scope: Disagreements about claim acceptance, weekly payments, medical expenses, and return-to-work plans. • How to lodge: You must submit an Application for Conciliation to WIC within 60 days of receiving the decision notice from your agent or insurer. • Note: WIC is independent of WorkSafe and has separate processes. You do not need a lawyer to lodge. <p><u>Legal challenge / VCAT or Court:</u> If you want to challenge a WorkSafe decision in law, such as appealing a licensing refusal or enforcement notice, you may have a right to apply to:</p> <ul style="list-style-type: none"> • VCAT (Victorian Civil and Administrative Tribunal) • The Magistrates' Court or Supreme Court depending on the issue

	<ul style="list-style-type: none"> • Timeframes: Usually within 14 to 28 days depending on the type of decision and legal pathway. • Note: You should seek independent legal advice before pursuing a court challenge.
Other Options	Freedom of Information (FOI) Request: If you want access to documents WorkSafe holds about your matter (e.g. investigation reports), you can lodge an FOI request via: https://www.worksafe.vic.gov.au/freedom-information
Additional Info	<ul style="list-style-type: none"> • Not all complaints are reviewable: Many complaints (e.g. customer service concerns, anonymous tips) are not subject to formal appeal processes. • WorkSafe exercises discretion: Even if you disagree with a decision, WorkSafe is not required to take enforcement action simply because a complaint was made. • Legal advice is recommended: For anything involving statutory appeals, compensation entitlements, or potential legal proceedings, consider contacting a union, community legal centre, or your lawyer. • Keep records: Keep a copy of your complaint, any responses you received, and the dates of all contact.

Step 9: Overlapping or Related Jurisdiction to the complaints body?

Jurisdiction	Description
Workplace Injury Commission	<p>The Workplace Injury Commission (WIC) is an independent Victorian government body that helps resolve disputes about workers compensation claims. If your complaint is about a decision made by a WorkSafe agent or self-insurer — such as rejecting a claim, stopping weekly payments, or refusing medical treatment — you must contact WIC, not WorkSafe.</p> <p>WIC provides free conciliation to help injured workers and insurers resolve disputes without going to court.</p> <p>For more information, visit www.wic.vic.gov.au.</p>
Victorian Ombudsman	<p>The Victorian Ombudsman handles complaints about the general conduct of Victorian government organisations, local councils, statutory authorities, and Victorian universities and TAFEs.</p> <p>Phone: 03 9613 6222 or 1800 806 314 (Regional)</p> <p>Visit: https://www.ombudsman.vic.gov.au/</p> <p>Access the complaints form here</p>
Commonwealth Ombudsman	<p>The Commonwealth Ombudsman has a free and independent complaint handling service.</p>

	<p>Phone: 1300 362 072</p> <p>Visit: www.ombudsman.gov.au</p> <p>Access the complaints form here</p>
Victorian Equal Opportunity and Human Rights Commission (VEOHRC)	<p>VEOHRC is an independent organisation with responsibilities under Victoria's human rights laws. It resolves complaints and undertakes education, engagement, investigations and independent reviews.</p> <p>VEOHRC advocates for stronger protections and greater respect for human rights and equality.</p> <p>Phone: 1300 292 153</p> <p>Visit: www.humanrights.vic.gov.au</p> <p>Access the complaints form here</p>
Courts and Tribunals	<p>Unlike WIC, courts and tribunals can make binding and enforceable decisions.</p> <p>You should seek legal advice if you want to take your complaint or dispute to court. You can find a lawyer through the Law Institute of Victoria here.</p>

Need help?

Organisations that can help you make your complaint, provide support or advocacy or give you more information

Organisation	Contact Details	How they can help
Workplace Injury Commission	Website: https://www.wic.vic.gov.au/ Telephone: 1800 635 960. Email: info@wic.vic.gov.au .	You can contact WIC directly if you have any further questions or need assistance with your dispute.
WorkSafe Victoria	Website: https://www.worksafe.vic.gov.au/ Telephone: (03) 9641 1444 or 1800 136 089 (Toll Free)	You can contact WorkSafe Victoria in relation to a WorkSafe Agent's response to a dispute or compensation claim.
Translating and Interpreter Service	Website: http://www.tisnational.gov.au Telephone: 131 450	Provides interpreting and translation services for people if English is not their first language.
National Relay Service	Website: http://www.accesshub.gov.au	Provides a range of services to support people who are deaf or have a hearing or speech impairment to communicate.
Lifeline	Website: https://www.lifeline.org.au/ Telephone: 13 11 14	Provides all Australians experiencing emotional distress with access to 24 hour crisis support and suicide prevention services
Beyond Blue	Website: https://www.beyondblue.org.au/ Telephone: 1300 22 4636	Provides help to all people in Australia achieve their best possible mental health.

Self-help tools and additional resources

Resource	How this helps
Where to apply for conciliation	Guidance from WIC on how to apply for conciliation.
WIC Service Brochure	Brochure about the conciliation processes offered by WIC.
WorkSafe guidance on conciliation	Guidance from WorkSafe Victoria about conciliation services offered by WIC.

Law Institute of Victoria	Guidance for individuals who are uncertain about where to start when seeking legal advice.
Call It Out	Online register for racism/discrimination experienced or witnessed towards First Nations Australians. Not an official complaints body.