

Annual Regulatory Statement

2025–26





Acknowledgement of Country

SafeWork NSW acknowledges Aboriginal people as the First Peoples and Traditional Custodians of the land and water on which we live, work and depend.

We pay respect to Aboriginal Elders past and present. As the NSW Work Health and Safety regulator, we pay respect to how Country has been protected and cared

for by Aboriginal people over many tens of thousands of years.

We recognise the unique spiritual and cultural significance of land, water and all that is in the environment and the continuing connection and aspirations for Country of Aboriginal people and Traditional Custodians.

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About us

SafeWork NSW is the primary work health and safety regulator in New South Wales. It operates under the legislative mandate of the *Work Health and Safety Act 2011* (WHS Act) and is responsible for engaging with the NSW community to prevent work-related fatalities, serious injuries and illnesses and securing compliance with work health and safety laws. On 1 July 2025, it was formally established as an independent regulator under the *Work Health and Safety Amendment (Standalone Regulator) Act 2025*.

SafeWork NSW is led by the SafeWork Commissioner, who has clear legislative authority to enforce compliance, promote best practices and engage meaningfully with workers, unions and businesses across all industries in NSW.

An independent SafeWork NSW Advisory Council comprising representatives from employers, unions, work health and safety experts and individuals with lived experience, provides advice to the Minister for Work Health and Safety and the SafeWork Commissioner to help secure safe and healthy workplaces across the state.

SafeWork NSW carries out its regulatory responsibilities through education and advisory services, licensing and registration for high-risk work, safety testing services and compliance enforcement. It ensures adherence to work health and safety laws, applying regulatory best practices to promote fairness, transparency and trust with the NSW community.

SafeWork NSW is committed to protecting workers and preventing harm in workplaces by delivering strong, evidence based and robust regulatory initiatives and programs. These ensure that the highest standards of health and safety are upheld across all industries throughout the state.

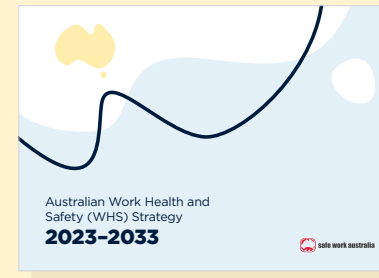


Our strategic framework

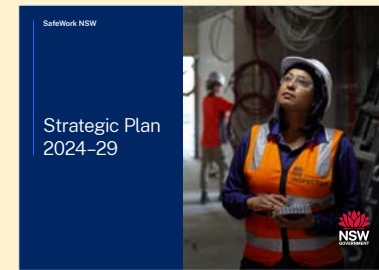


SafeWork NSW supports the Australian Work Health and Safety Strategy 2023–2033 and aligned its SafeWork NSW Strategic Plan 2024–29 with this national framework.

The Annual Regulatory Statement will be reviewed each financial year to account for changes in context, operating environment or emerging evidence. This ensures we remain focused on the right priorities, that our activities have measurable impact and that we are proactively addressing new and emerging harms in NSW workplaces.



Australian Work Health and Safety Strategy 2023–2033



Strategic Plan 2024–29



Annual Regulatory Statement 2025–26

Our outlook for 2025–26

This Annual Regulatory Statement outlines our key areas for attention over the next financial year. It describes **our regulatory approach** towards compliance and enforcement, as well as **our regulatory priorities** targeting harm prevention. It also outlines the key measurable actions we will take to deliver on our regulatory priorities.

As a standalone regulator, SafeWork NSW has new reporting requirements this financial year which includes producing an annual report. The SafeWork Commissioner is required to report on the achievements, challenges, program management and regulatory engagement governance of SafeWork NSW.

This includes information on SafeWork's High-Risk Workplaces and Repeat Offenders program, investigations, complaints and any action taken following advice from the SafeWork NSW Advisory Council. These reports will complement the review of our regulatory priorities and key actions each financial year.

Further measures we will take this year to build on our status as a standalone regulator include:

- refine our framework for managing governance, resourcing and systems
- investigate the best ways to optimise our digital capability to increase the effectiveness of our regulatory actions using data
- increase our field inspector presence, including recruiting and training more inspectors with a psychosocial focus
- invest in building capacity and capability to improve psychological health and safety outcomes in NSW workplaces.

The government has committed to increasing funding in SafeWork NSW to secure a capability and capacity uplift in minimising psychosocial harms and risks in workplaces. Through this funding, SafeWork NSW will increase its psychosocial inspectorate and its capacity to investigate and prosecute breaches. SafeWork NSW will also establish a dedicated Psychosocial Advisory Service to connect NSW workers with expert support as a new first line of intervention.

SafeWork NSW will continue to work with Safe Work Australia and other Australian jurisdictions to improve and support harmonised WHS regulation across Australia including aligning with the National Compliance and Enforcement Policy.



Our regulatory approach

In 2025–26 SafeWork NSW will strengthen enforcement of work health and safety laws targeting large and high-risk workplaces that are not providing safe systems of work. We will work closely with these businesses to drive meaningful change and ensure lasting compliance through our High-Risk Workplaces and Repeat Offenders program. From 1 January 2026, names of work health and safety duty holders in this program will be published on our website under new legislative reporting requirements. Exiting the program will rely on the duty holder achieving outcomes aligned with timed milestones.

SafeWork NSW will continue to target larger and well-resourced organisations, including government departments, with swift and strong regulatory action until satisfactory work health and safety improvements are made and sustained. There will be a particular focus on psychosocial risks and hazards in these workplaces. This focus includes holding executive decision-makers accountable to ensure safe and healthy work.

This is part of SafeWork NSW’s ongoing effort to rebalance the use of its resources towards addressing complex harms and support industries and businesses in greater need.

SafeWork NSW will also maintain tight supervision of workplaces with dust exposure risks for workers. We are maintaining a dedicated silica compliance team to continue a strong focus on dust disease prevention through strong enforcement action. We will also be working closely with the NSW Government’s Tunnelling Dust Safety Taskforce to harness expert insights to effectively manage silica-related risks to workers in infrastructure tunnelling.

Another focus area will be enforcing compliance with the duty of businesses to consult workers on physical and psychosocial risks and develop actions to manage them. Effective consultation is required by the law and is an essential element of a workplace culture that prioritises health and safety. Businesses not fulfilling this duty will be met with strong enforcement action by SafeWork NSW.

In response to feedback from broad consultation, we will provide clear, practical examples of what effective WHS looks like across our regulatory priorities. We also recognise that guidance, resources and communications about our

regulatory priorities needs to target groups who often have higher potential exposure to WHS risks such as young and culturally and linguistically diverse (CALD) workers and their supervisors.

We will consult and collaborate with industry, employers, unions and Health and Safety Representatives (HSRs) to extend our reach, insights and effectiveness. We recognise the value of listening to those who do the work to inform how we design, deliver and improve our actions for meaningful, lasting impact. This applies to prevention-focused actions and compliance enforcement. We also understand the valuable role HSRs play in driving WHS improvements within workplaces, and will continue to engage and build the capability of HSRs.

We recognise the need to particularly support small and medium-sized businesses without dedicated WHS personnel, to build their capability to identify and manage work health and safety risks. This financial year, that support will include practical guidance and tools to help create healthier and safer workplaces. If necessary, SafeWork NSW will not hesitate to take enforcement action in circumstances where any business is putting the health and safety of their workers at risk.

Regulatory priorities

Why we have regulatory priorities?

To ensure we are focusing our resources where they are most needed and able to have a meaningful and measurable impact. We ensure these priorities and actions remain within the scope of our regulatory function.

The priorities outlined in this Annual Regulatory Statement complement, align with and sit alongside our core regulatory functions as the primary work health and safety regulator for NSW.

What informs our regulatory priorities?

Annual regulatory priorities are informed by data and insights, evidence, consideration of socio-political, policy and work contexts, stakeholder input, and consideration of SafeWork's function, capability and capacity.



Data and insights



Research



Socio-political, policy and work contexts



Stakeholders



Regulatory priorities

Consultation

To develop this Annual Regulatory Statement, we consulted a broad range of stakeholders in metropolitan and regional locations including industry, employers, unions, workers, health and safety representatives (HSRs), other regulators, practitioners and SafeWork NSW staff. For detailed information see Appendix 2. Overwhelmingly, stakeholders supported these regulatory priorities.

Our regulatory priorities for 2025–26 are:

				
Falls from heights	Harms to workers in the health care and social assistance sector	Managing psychosocial risks at work – including sexual harassment	Exposure to hazardous substances including asbestos, crystalline silica and welding fumes	Injury from mobile plant, vehicles or fixed machinery

Regulatory priority 1



Falls from heights

Falls from heights are one of the most common causes of workplace fatalities. From 2019–23 of the 274 worker fatalities in NSW, 36 died from falling from a height¹.

We will strengthen compliance across industries with a focus on construction, an industry that continues to experience high rates of fatalities and serious injuries due to falls from heights.

We are committed to reducing fatalities, injury and illness rates in NSW caused by falls. SafeWork NSW will continue to work closely with industry partners, unions and co-regulators to enhance safety outcomes.

Actions we will take

- Increase employers' and workers' awareness and understanding of work health and safety (WHS) responsibilities, risk factors and prevention actions through targeted communications and engagement.
- Use practical resources to educate and upskill businesses on how to prevent falls from heights with stronger safety measures especially when planning or sequencing work. Guidance will highlight how consulting with contractors and workers is essential for safety measures to be effective.
- Use our regulatory actions and powers to ensure businesses use strong safety measures to manage health and safety risks. This includes proactive compliance programs and enforcement through inspector visits responding to incidents and requests for service.

Regulatory priority 2



Harms to workers in the health care and social assistance sector

Health care and social assistance (HCSA) is NSW's largest and fastest-growing sector, employing over 600,000 people. This sector also experiences a high number of worker injuries—with more than 11,000 workers compensation claims in 2022–23² accounting for one in five claims across all industries in NSW³.

Musculoskeletal disorders (MSDs) accounted for more than half (52%) of serious injuries, typically resulting from physically demanding tasks such as lifting, transferring or supporting patients⁴. Psychological injuries were also significantly more prevalent, occurring 47% more often than in other sectors, largely due to exposure to occupational violence and aggression, exposure to traumatic events, and high workloads⁵. Through this regulatory priority, we are working with key stakeholders to redesign work to be safer, healthier and more sustainable, to ensure that workers can provide better and safer care for the people of NSW. **Safer work leads to safer care.**

Actions we will take

- Educate officers on their due diligence obligations through the development and promotion of information and tools.
- Develop industry tailored practical case studies to support businesses on how to manage WHS risks.
- Develop micro skills training and tools for new workers on their WHS rights and responsibilities.
- Provide advice and education on addressing work-related violence, aggression and sexual harassment, for example through a multi-stakeholder summit.
- Lead industry action groups in the disability, hospitals, aged care and early childhood education and care sectors to improve WHS outcomes for workers.
- Undertake proactive compliance programs focused on managing musculoskeletal disorders patient handling and understanding due diligence obligations.

Regulatory priority 3



Managing psychosocial risks at work including sexual harassment

Preventing psychological harm should be a core focus for every business in NSW. Our vision is for all NSW workplaces to be psychologically healthy and safe.

Psychosocial hazards⁶ arise from:

- the design or management of work
- the work environment
- plant at a workplace
- workplace interactions or behaviours.

Psychosocial hazards can cause psychological, and at times, physical harm. Examples of psychosocial hazards include bullying, harassment, exposure to traumatic events, work overload and poor management support.

Psychological injuries continue to rise in number and severity. For workers with a compensable psychological injury claim, only approximately 60% will return to work within the first year⁷ (July 2021 to February 2025). This means four in 10 will remain off work for 12 months or longer following their injury. These injuries don't just affect workers – they impact their families, workplaces and the broader community too.

SafeWork NSW's [Psychological Health and Safety Strategy 2024–2026](#) underpins our strategic approach for this regulatory priority. The strategy sets out how we will support employers to manage risks and meet their obligations to prevent psychological harm in the workplace, as well as enforcing compliance for serious breaches of WHS obligations.

Preventing sexual harassment at work

Workplace sexual harassment is a psychosocial hazard that can severely impact workers' health and safety. It occurs in all industries, with one in three Australian workers reporting they have been sexually harassed in the five years up to 2022⁸. 40% of these affected workers are women and 26% are men. The risk of sexual harassment increases for workers under 29, with a disability, from culturally and linguistically diverse backgrounds, workers who identify as lesbian, gay, bisexual, transgender, queer, intersex, asexual and others (LGBTQIA+) or Aboriginal and Torres Strait Islander. Impact to the Australian economy includes \$2.6 billion a year in lost productivity⁹ to which high staff turnover, absenteeism and lower worker morale contribute.

SafeWork NSW's [Respect at Work Strategy 2023–2027](#) focuses on driving greater awareness about workplace sexual harassment as a WHS issue, uplifting duty holder capability to prevent sexual harassment and SafeWork NSW, as the regulator,

taking more effective enforcement action to protect workers from this pervasive harm.

Actions we will take

- Increase awareness and understanding among employers, leaders and workers about their rights and responsibilities for managing psychosocial risks at work to protect workers from sexual harassment and psychological harm.
- Educate and equip businesses and workers to consult effectively, identify and manage psychosocial risks and implement actions – such as effective control measures and good work design – aligned with the SafeWork NSW Codes of Practice: *Managing Psychosocial Hazards at Work* and *Sexual and Gender-Based Harassment*.
- Drive greater compliance through strategic targeted compliance and enforcement action within high-risk workplaces, industries and sectors as well as support for high-risk worker groups.

Regulatory priority 4



Exposure to hazardous substances including asbestos, crystalline silica and welding fumes

Awareness of the harms caused by exposure to hazardous substances is increasing, supporting strong evidence of the toxic effects on the body's major systems including respiratory, cardiovascular, reproductive, immune, nervous and liver function.

Around 4,000 Australians die from asbestos-related diseases every year¹⁰. In NSW, 630 new cases and 286 deaths were recorded in 2023-24 from mesothelioma, asbestosis and silicosis. Since July 2021, more than 290 workers in NSW have been diagnosed with silicosis. Over 70% of these workers had worked with engineered stone¹¹. Nationally, an average of two new cases of mesothelioma are diagnosed each day and other serious respiratory conditions are also on the rise¹².

Welding fumes are now classified as a Group 1 carcinogen, with exposure linked to lung cancer and other respiratory illnesses. These fumes are being increasingly recognised as an emerging harm requiring greater awareness and action.

Actions we will take

- Increase employers' and workers' awareness and understanding of WHS responsibilities, health risks and prevention actions (controls) through targeted communications, meaningful engagement and research sharing.
- Continue to provide prompt online data on key indicators for NSW workers with the Silica Dashboard.
- Collaborate with icare to develop and deliver a Silica Worker Register that will help increase health screening of people engaged in high-risk silica processing work.
- Educate and equip businesses with practical resources to enable actions (controls) to prevent or minimise risks and impacts on workers and comply with WHS law.
- Increase inspector knowledge and capability by providing further training, practical tools and resources.
- Strengthen SafeWork's regulatory framework by endorsing the National Code of Practice for Silica and strengthening silica compliance requirements through an updated NSW code of practice for tunnelling.
- Deliver targeted compliance and verification programs to prevent or minimise exposure to hazardous substances.
- Drive businesses to use stronger safety measures (higher order controls) to prevent or minimise exposure to hazardous substances through inspector visits to high risk workplaces.
- Chair the NSW Government's Tunnelling Dust Safety Taskforce to implement actions to protect infrastructure tunnelling workers from silica-related diseases.

Regulatory priority 5



Injury from mobile plant, vehicles or fixed machinery

Body-stressing, falls, slips, trips and being hit by moving objects are the causes of most workplace injuries in Australia. Vehicle incidents in the workplace, being hit by moving objects and falls from heights continue to account for most fatalities.

Serious injuries and fatalities in NSW involving plant most commonly occur in industries such as transport, manufacturing, construction and agriculture.

During 2022–23 to 2023–24, injuries involving mobile plant (such as forklifts), vehicles or fixed machinery accounted for 10% of all workers compensation claims in NSW¹³. In the same period almost 25% of all injuries occurred from powered and non-powered equipment, tools and appliances¹⁴.

Actions we will take

- Raise awareness through communication campaigns on the risk of injuries caused by moving vehicles or plant and machinery, particularly being hit by mobile plant, vehicle rollover and access to moving parts of machinery.
- Develop and promote case studies demonstrating what best practice compliance looks like when working around mobile plant, vehicles and machinery.
- Provide businesses and workers with tools, resources and support that enable workplaces to effectively manage the risks and work safely around mobile plant, vehicles and machinery.
- Targeted compliance visit programs to workplaces in high-risk sectors to shift businesses to higher level control measures.

Appendix 1: SafeWork NSW Strategic Plan on a page

The SafeWork NSW Strategic Plan 2024–29 defines our purpose and the outcomes we want to see in this period. The Plan describes the strategic choices we have made to secure these outcomes, what we aim to achieve, and how we will measure our performance.

Purpose		To secure safe and healthy workplaces in NSW				
Strategic objectives	Preventing harm through strong and responsive regulatory approaches	Supporting industry capability by educating, advising, empowering and securing WHS compliance	Engaging and partnering with government, industry, unions and those affected by workplace incidents to collaboratively solve WHS issues	Striving to be a model employer and regulator		
Our actions	Research and data-led programs, interventions and solutions	Strong and proportionate approach to compliance and enforcement	Evidence-based and tailored resources aiding compliance focusing on at-risk and vulnerable workers, small businesses, HSRs and permit holders	Partnerships with peak bodies to solve WHS problems	Systems and process improvements for regulatory best practice, legislation and policies	Workforce planning and capability building to create a culture focused on safety and wellbeing
Outcomes	NSW workplaces are safe and healthy SafeWork NSW is a trusted and respected regulator					
Success measures	Reduced worker fatalities caused by traumatic injury Reduction in the frequency rate of serious injury and illness claims Monitor and enforce compliance and harm prevention in priority areas	Support of WHS compliance by providing access to information and resources that are fit for purpose Raised awareness of SafeWork NSW and its regulatory role	Stakeholders understand their WHS rights and responsibilities SafeWork NSW engages and consults with partners to identify and solve problems	SafeWork NSW is a trusted and respected regulator Staff are satisfied and engaged with working for SafeWork NSW		
National WHS	NSW will align to the Australian WHS Strategy 2023–33 targets and actions					

Drivers of success



Trust and Respect
We have trust and respect from the community as a strong and responsive regulator



Transparent and Accountable
We strive to deliver best value regulatory interventions and remain transparent and accountable



Independent and Consistent
We have a strong and consistent regulatory approach by holding duty holders accountable for creating and maintaining safe and healthy places of work



Strong and Responsive
We respond and target our regulatory attention on high-risk poor performers and repeat offenders, and take reasonable and appropriate enforcement action

Appendix 2: Consultation overview

To ensure SafeWork NSW prioritised what matters to NSW workplaces, we consulted broadly through multiple channels from March through May 2025. This was considered alongside our data insights and evidence to determine the regulatory priorities, key actions and our regulatory approach as the WHS regulator – as outlined in this Annual Regulatory Statement 2025–26.

Our consultation included:

- Members of the NSW community gave input through a survey on the **Have Your Say** website with several emailing a submission to SafeWork NSW. We received 121 responses.
- Eleven in-person **stakeholder workshops** in metropolitan and regional locations with a diverse range of stakeholders representing industry, employers, unions, workers, practitioners and other regulators.
- **Meetings with key stakeholder groups** – Business NSW, the SafeWork NSW Interim Tripartite Reference Group and the Family and Injured Workers Support and Advisory Group.

We acknowledge and thank everyone involved for their valuable input and collaboration. Your feedback was instrumental in shaping the Annual Regulatory Statement that reflects industry and employer needs, safeguards workers, promotes community safety and will help us deliver against outcomes in the SafeWork NSW Strategic Plan 2024–29.

Endnotes

- 1 Safe Work Australia, 2023, Work-related fatalities dashboard <https://data.safeworkaustralia.gov.au/interactive-data/topic/work-related-fatalities> data extracted 5 June 2025
- 2 Safe Work Australia, 2023, [Health care and social assistance interactive data dashboard](#) –retrieved 4 June 2025
- 3 Safe Work Australia, 2023, [Workers compensation interactive data dashboard](#) –retrieved 4 June 2025
- 4 Safe Work Australia, 2023, [Health care and social assistance interactive data dashboard](#) –retrieved 4 June 2025
- 5 Ibid
- 6 NSW Work Health and Safety [Regulation](#) 2017
- 7 SIRA, 2025, [Open data dashboard](#) retrieved on 6 June 2025
- 8 Australian Human Rights Commission, 2022, [Time for respect: Fifth national survey on sexual harassment in Australian workplaces](#)
- 9 Deloitte, 2019, [The Economic Costs of Sexual Harassment in the Workplace](#)
- 10 Institute for Health Metrics and Evaluation, 2021, [Global Burden of Disease \(GBD\) study](#) retrieved 17 June 2025
- 11 SafeWork NSW, 2023/24, [Dust Disease Register Annual Report](#)
- 12 Australian Institute of Health and Welfare, 2023, [Mesothelioma in Australia 2021](#) retrieved on 17 June 2025
- 13 SIRA, 2025, [Open data dashboard](#) retrieved on 6 June 2025
- 14 Ibid



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