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COMCARE WEBINAR:

Creating a safe and healthy
workplace

4 October 2022

**know safety,
work safely**

Make safety at work your priority



**national safe
work month**

2022



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Acknowledgement of Country

Acknowledgement of artist
Healing Hands – Cover artwork by Dion Devow of Darkies Designs





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2022 activities



Comcare webinar

Resilience, adaptability and mental health

10 October 2022, 11am - 12pm



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Comcare webinar

WHS management systems and the future of work

26 October 2022, 1.30pm - 2.30pm



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PRESENTER



Georgie Harman

CEO, Beyond Blue

Since 2014, Georgie has steered Beyond Blue through significant growth and transformation – expanding its services and supports, strengthening connection to the community, and harnessing digital innovation.

PRESENTER



Professor Sharon Newnam

Sharon is a prolific author, is an Associate Editor of the leading safety journal Safety Science, and an international member on a Transportation Research Board committee, which is a division of the National Academies of Science, Engineering and Medicine.

Visit comcare.gov.au/safeworkmonth



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Do it yourself guide

What is in this guide?

Key steps and considerations to help you plan and deliver a National Safe Work Month activity in your workplace.

Who can use this guide?

Anyone interested in holding a safety activity:

- Managers or supervisors
- Health and Safety Representatives (HSRs)
- WHS and HR practitioners
- Workers.



Step 1: Purpose

Clarify your purpose

- Raise awareness of work health and safety (WHS)
- Work through an identified WHS issue
- Forward thinking – future planning for change
- Barriers to work.

Identify your audience

- Your team or work group
- WHS representatives, such as HSRs and managers
- Whole organisation
- External stakeholders such as contractors and third party workers.



Step 2: Prepare

Choose a topic or theme

- Issues relevant to your workplace
- Latest insights from your WHS data
- Case study
- Industry trends or news
- Comcare Safe Work Month landing page has weekly themes with resources for inspiration comcare.gov.au/national-safe-work-month

Some examples:

- Hybrid working (working from home or office)
- Physical hazards such as body stressing
- Psychosocial hazards such as burnout
- Environmental hazards such as heat stress, remote work and seasonal hazards
- Biological hazards such as COVID-19
- Good work design and ideas for improvement.



Step 3: Plan

Decide on how to deliver the activity

- A safety talk at a team or work group meeting
- Agenda item at WHS committee meeting
- Hosting a dedicated National Safe Work Month activity in your workplace.

Other considerations

- Decide if the activity is held in person, virtual or in a hybrid format
- Consider arranging resource materials, knowledge experts, assistance from colleagues or technology support as required
- Create a run sheet with key information and distribute ahead of activity.

For an event checklist and other downloadable resources, visit safeworkaustralia.gov.au and search 'SafeTea'.



Step 4: Deliver

Develop a session outline or agenda

A sample agenda is listed below.

This may help guide you to deliver your activity:

- Opening and introductions
- Purpose and objectives
- Background and context
- Evidence to support i.e., data or statistics
- What can be done? Look for evidence based guidance or recommendations available
- Open the discussion to the group - see conversation starters for inspiration
- Highlight actions and agree on next steps.

Conversation starters

- How is this relevant to us, our team, or our organisation?
- What challenges do we currently face?
- Is this an emerging or growing issue?
- Are there opportunities or challenges?
- What are we currently doing well as a team or organisation?
- Does anyone want to share what they are doing to address the issue?
- What could work well?
- What would not?
- What could we change or implement?
- Are there any immediate actions to be taken?
- What are our next steps?



Step 5: Follow-up

Set actions and follow up

- Develop an action plan if required – allocate roles and responsibilities
- Commit to future actions and discussion
- Provide any resources and/or circulate outcomes to group where appropriate
- Consider sharing findings, outcomes and actions broadly
- Reminder to follow up on actions and close the loop.





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Agenda



- Safe Work Month 2022
- Model Laws
- Data and insights
- Current and upcoming initiatives
- Q&A



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Model Laws



- Developed in 2011 by Safe Work Australia
- In 2018, the Boland Review was completed
- Key recommendations on psychological injury
- Recommendations 2 and 20.



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Current state



- Not currently legislated
- The Commonwealth WHS Act 2011 defines health to include psychological health
- Part 3.2 WHS Regs apply to psychosocial hazards.



Managing psychosocial hazards at work

Code of Practice

JULY 2022



Psychosocial hazards that may arise at work

- Job demands
- Low job control
- Poor support
- Lack of role clarity
- Poor organisational change management
- Inadequate reward and recognition
- Poor organisational justice
- Traumatic events or material
- Remote or isolated work
- Poor physical environment
- Violence and aggression
- Bullying
- Harassment including sexual harassment
- Conflict or poor workplace relationships and interactions



Micro-learns



Introduction to the Model Code of Practice - Managing psychosocial hazards at work

Video

Mode: Micro-learn
Cost: Free

WHS Act

[Learn more](#)



Psychosocial risk management

Video

Mode: Micro-learn
Cost: Free

WHS Act

[Learn more](#)



What are psychosocial hazards?

Video

Mode: Micro-learn
Cost: Free

WHS Act

[Learn more](#)





What you can do now

Workplace Health and Safety Queensland

Mentally healthy workplaces

Psychosocial risk assessment tool

This risk assessment tool is designed to help employers meet their legal obligations to manage risks associated with psychological injury. You may need to consider other risk factors unique to your organisation - these factors can be added to the 'additional factors' sections of this risk assessment tool.

To use this tool, read the statements below and tick 'yes' to any of the statements you agree with, making any relevant comments that should be considered as part of the risk assessment process. This risk assessment tool can be used as a stand-alone assessment or in conjunction with an employee survey.

This tool forms part of the risk management process. Risk management is a four-step process for controlling exposure to health and safety risks associated with hazards in the workplace, with consultation with workers occurring at each step. As outlined in Part 5 of the *Work Health and Safety Act 2011*, consultation is an essential part of the risk management process. The *Work health and safety consultation, co-operation and co-ordination Code of Practice 2011* provides guidance for employers about strategies for effective consultation with workers. For further information on the risk management approach, please read the *How to manage work health and safety risks Code of Practice 2011*.

The *Work Health and Safety Act 2011* states that to properly manage exposure to risks, a person must:

- identify hazards
- assess risks if necessary
- control risks
- review control measures to ensure they are working as planned.

Completed by: _____ Position: _____ Date of risk assessment: _____ Review date: _____

Queensland Government

Suggested actions:

- Review Code of Practice
- Use resources already available e.g., validated risk assessment tools such as People at Work
- Align identified hazards/risks with existing mental health programs.



Resources and supports

Online and in-person learning

- Introduction to psychological health and safety in the workplace
- A guide to psychosocial hazard management
- A supervisor's WHS responsibilities

*yet to be released

Initiatives and guidance

- Workplace Sexual Harassment
- Bullying and Harassment
- Work Demands*
- Stigma communications and toolkit*
- Good Work Design video series*
- National Safe Work Month webinars
- Microlearns on Code of Practice



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Proactive regulatory approach

Proactive Inspection Program and evidence-based deliverables:

- Clear guidelines
- Transparency, clarity and consistency
- Capability
- Aligning wellness programs with risk management
- Showcasing good practice.





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COVID-19

- Continue to manage COVID-19 risks and use risk management processes
- Consult with workers
- Arrangements need to be reviewed, documented and agreed to regularly
- Act promptly, take reasonably practicable steps to manage risks following exposure in a workplace.





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Incident notification and site preservation



GUIDE TO WORK HEALTH AND SAFETY INCIDENT NOTIFICATION

A guide on notifying Comcare of
'notifiable incidents' under the
Commonwealth *Work Health and
Safety Act 2011*



whs.help@comcare.gov.au

[1300 366 979](tel:1300366979)

If in doubt, notify

s38 – Duty to notify of notifiable incidents

s39 – Duty to preserve incident sites



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Contractor management



CONTRACTOR MANAGEMENT: GUIDANCE FOR COMMONWEALTH PCBU'S

covered by the *Work Health and Safety Act 2011* (Cth)

Fact sheet

Figure 2: Example of who may owe duties as a PCBU in a contractual chain



Individual contractor can be both a PCBU and a worker

In a contractual chain, an individual contractor (e.g. sole trader) will be both a PCBU and a worker. An individual contractor is a worker when engaged by a PCBU to perform work for it. For example, an owner truck driver contracted by a road logistics company to deliver goods from a retailer to customers.

PCBUs higher up the contractual chain will also owe a duty of care to the individual contractor as a worker if they caused the individual contractor to be engaged, or they influence or direct the individual contractor's activities. This means in a contractual chain an individual contractor may be a worker for multiple PCBUs. The individual contractor will owe a duty of care as a worker in relation to the work they carry out for PCBUs above them in the contractual chain.


At the same time, the individual contractor is a PCBU themselves as they are conducting a business as a sole trader (i.e. contracting their services to deliver the goods). As a PCBU they will have a duty to ensure, so far as is reasonably practicable, the health and safety of workers of any subcontractors they engage in the contractual chain (as well as any workers they engage). They also have a duty to ensure their own health and safety (while at work in their own business).

The key point to remember is that an individual contractor can be a worker and be owed a duty by all businesses further up the chain, and at the same time owe duties as a PCBU to themselves (while at work in their own business) and to other workers further down the chain.

Self-employed persons

If you are self-employed you are a PCBU and have the primary duty of care for your own safety (while at work in your own business) and the safety of others. If a self-employed person is working for another PCBU (e.g. a self-employed welder who is contracted by a labour hire company), they are also a worker of that PCBU. For example, the self-employed welder must ensure, so far as is reasonably practicable, that the health and safety of workers and other people are not put at risk by their work. They also owe PCBU duties to any workers and subcontractors they hire. The self-employed welder must consult, cooperate and coordinate, so far as is reasonably practicable, with other contractors and the labour hire company to manage health and safety risks at the workplace.

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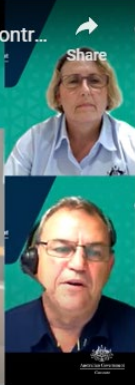
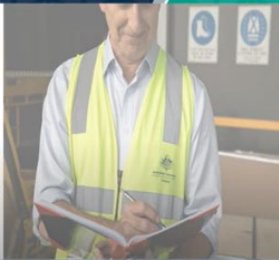


Comcare Webinar: Contractor management - shared duties and contr...

Reasonably practicable

s18 – Reasonably practicable

- A person with concurrently held duties retains responsibility for the duty and must ensure the duty of care is met.
- The capacity to control applies to both 'actual' or 'practical' control.
- The capacity to influence implies more than just mere legal capacity and extends to the practical effect the person can have on the circumstances.
- Where a duty holder has a limited capacity, that factor will assist in determining what is 'reasonably practicable' for MORE VIDEOS

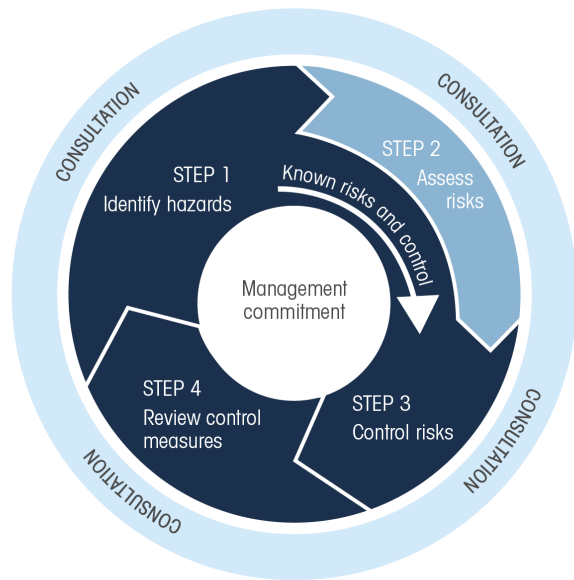


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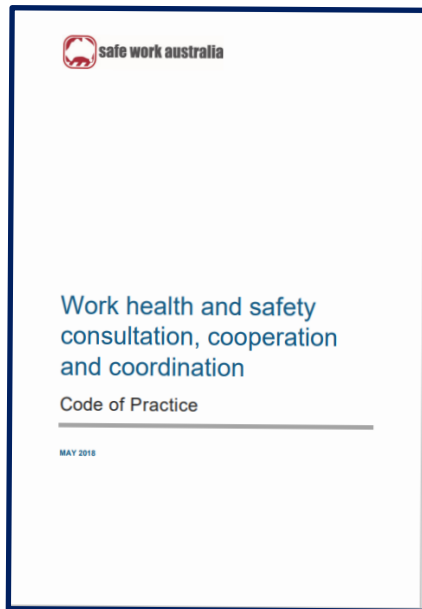
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Consultation



Duty to consult workers – S47.





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Prevention Strategy

Top priorities



Bullying and harassment



Work demands



Body stressing



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Targeted engagement

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Control of work

What if there are multiple PCBUs?

- s16 – shared duties
- Understand who you owe WHS duties to, and who owes you a duty of care
- Communicate and consult with other duty holders (s46)

MORE VIDEOS

15:22 / 40:27 • Co...

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Rehabilitation Case Manager Forum

Overcoming RTW barriers – strategies for success for employees with mental ill health

Transport Network Forum - May 2022
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comcare.gov.au

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Building a culture of respect: Workplace sexual harassment - never p...
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Workplace prevention & response framework

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Mental Health Community of Practice

Mental Health Community of Practice September 2022

Australian Government
Australian Taxation Office

High impact strategies to promote peak wellbeing and performance

ATO Burnout and Fatigue reduction initiatives

MORE VIDEOS

27:25 / 1:23:39

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Mental Health Community of Practice September 2022

Thrive at work

Curtin University

Thrive at Work Lessons in Maturity

Comcare Mental Health CoP 07.09.22

Karina Jorritsma | Professor of Practice
Future of Work Institute | Curtin University

MORE VIDEOS

55:28 / 1:23:39

YouTube



NewAccess Workplaces

Key Findings



- 1.** NewAccess workplaces delivers a consistent recovery rate and is an appropriate service for workplace settings



- 2.** NewAccess workplaces met the needs of workers using the service and contributed towards improvements in their engagement in the workplace



- 3.** NewAccess workplaces enhances self-reported job satisfaction and productivity



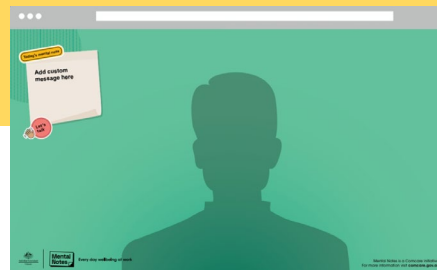
- 4.** NewAccess workplaces is contributing to the promotion of mental health prevention and/or early intervention



Mental Notes

“Every day wellbeing at work”

1. Raise awareness of mental health and stigma (awareness)
2. Provide knowledge and skills to offer support and reduce stigma (education)
3. Encourage support and help seeking behaviour early (behaviour change).





Recovery and Return to Work resources

Supporting recovery and return to work



Supporting your employees to return to work

By providing good work, you can make a positive difference to the health and wellbeing of your employees and promote a positive workplace culture. Your organisation's support, for a safe and timely return to work, should start immediately.

Make reasonable adjustments

You can support employees by providing reasonable work adjustments. Reasonable adjustments can involve a change to a work process, practice, procedure or environment.

Intervene early

Having a structured early intervention program supports employees to stay at work, can improve recovery outcomes and demonstrates commitment to employees.

Give guidance

You can empower the employee by providing information on the return to work process, health benefits of work, and supporting the employee to have an active role in their recovery.

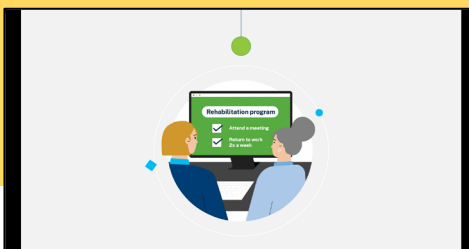
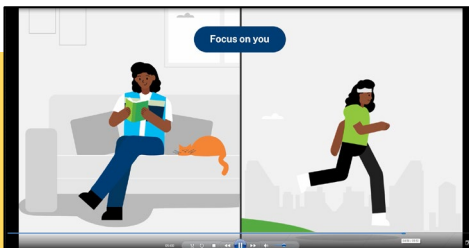
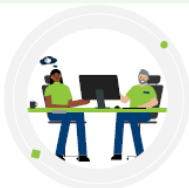
Manage risks in the workplace

You may be able to stop injuries like this happening again. Addressing the cause of an injury makes for a safer workplace, helps employees to feel valued and establishes a positive workplace culture.

What are my responsibilities as an employer?

Employers must effectively manage the rehabilitation and safe return to work of employees. This includes:

- Monitoring rehabilitation functions and performance
- Monitoring workplace rehabilitation provider services
- Promoting a workplace culture that prevents injuries and supports employees who are injured
- Providing suitable employment and duties
- Ensuring effective processes are in place to rehabilitate and return employees
- Providing employees with supportive, skilled and capable staff
- Effectively communicating with key stakeholders in the return to work process, including consulting with employees on their rehabilitation program
- Under the Disability Discrimination Act (DDA) 1992, providing necessary and reasonable assistance or support to reduce or eliminate barriers to work.



Your recovery and return to work



Your recovery and return to work

Feeling nervous and worried about returning to work after injury or illness is normal. Returning to work can help with your recovery, and you don't need to be fully recovered to return to work. The return to work journey can be different for everyone, and yours is unique to you.

Notify your supervisor, and explore early intervention options

You should notify your supervisor as soon as you have an accident, sustain an injury or become unwell. An early intervention program, arranged by your employer, may be available to support your treatment and recovery. Speak with your employer about the options available to you.

Rehabilitation assessments

You will be assigned a rehabilitation case manager, who may also organise a rehabilitation assessment to help understand your unique recovery and return to work journey.

Rehabilitation programs

In consultation with your return to work team, a rehabilitation program may be developed. It will provide you with clear recovery and return to work goals and activities.

Who is involved?

Your return to work team includes:

- your doctor and other treatment providers
- your rehabilitation case manager
- your supervisor
- your claims manager
- a workplace rehabilitation provider, if appropriate

Your rights

- You must be consulted on the development of your rehabilitation program.
- You can request support to stay at or return to work (for example, changes in hours or equipment to help you work).
- You can request information about your entitlements, rights and obligations.
- You can request a rehabilitation assessment.
- You can lodge a workers' compensation claim at any time and if needed, ask for assistance from your rehabilitation case manager or union representative to complete it.
- You can choose your own doctor.
- You can talk to your rehabilitation case manager or supervisor about any concerns regarding your rehabilitation program.
- You can request a change of workplace rehabilitation provider if you feel the service you are receiving is unsatisfactory.
- You can seek a review if you do not agree with the decision to have a rehabilitation assessment or program.





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Other resources



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Emerging Evidence Alert

August 2022

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