Greetings all. Today's Bulletin is about managing psychosocial hazards.

Recent legislative changes in Australia have significantly enhanced the responsibilities of employers regarding psychosocial workplace hazards.

These changes reflect a growing recognition of the importance of psychological health in the workplace and aim to provide clearer guidance and stronger enforcement mechanisms.

Employers can no longer rely solely on policies or training but must take proactive steps to ensure a psychologically safe work environment.

Psychosocial hazards need to be treated the same as physical hazards. Employers need to understand the risks and apply risk mitigation measures.

Treat it the same as a SWMS but for the psychosocial hazards, not site hazards.

Here are the key developments:

Amendments to Model WHS Laws

On June 6, 2022, SafeWork Australia published amendments to the model Work Health and Safety (WHS) laws, creating a positive obligation for employers to implement control measures for psychosocial risks.

These amendments emphasise that risks to psychological health, such as stress, aggression, and bullying, must be managed with the same rigour as physical health risks.

State and Territory Codes of Practice

Several states and territories have introduced specific codes of practice to manage psychosocial hazards:

- **New South Wales**: Introduced the first Code of Practice on Managing Psychosocial Hazards at Work in May 2021, which includes a four-step process for managing these hazards.

- **Western Australia**: Implemented a similar code in February 2022.

- **Tasmania**: Introduced its code in January 2023.

- **Queensland**: Adopted their code from April 1, 2023.

NB: Victoria: The Occupational Health and Safety Amendment (Psychological Health) Regulations are expected to be introduced in Victoria, though they have not yet been officially implemented.

Specific Legislative Changes

- **New South Wales**: From October 1, 2022, PCBUs (Persons Conducting a Business or Undertaking) must manage psychosocial risks and implement control measures to eliminate or minimise these risks as far as reasonably practicable.

- **Tasmania**: Similar requirements came into effect on December 12, 2022.

- **South Australia**: New regulations under the Work Health and Safety Act 2012 came into effect on December 25, 2023, supported by a Code of Practice on Managing Psychosocial Hazards at Work.

- **Commonwealth**: Amended WHS regulations came into effect on April 1, 2023, defining terms such as 'psychosocial hazard' and 'psychosocial risk'.

The new psychosocial hazard regulations have several important impacts on small businesses in Australia:

Legal obligations: Small businesses are now legally required to manage and mitigate psychosocial risks in the workplace, just like larger organisations. This means they must take active steps to ensure the psychological safety of their employees.

Risk management process: Small businesses need to implement a four-step risk management process for psychosocial hazards:

- Identify hazards
- Assess risks
- Control risks
- Review control measures

Broader scope of hazards: Employers must consider a wide range of psychosocial hazards, including less obvious ones like isolated work conditions, inadequate reward and recognition, lack of role clarity, poor support, and unsustainable job demands.

Potential penalties: Failure to effectively manage psychosocial hazards can result in fines or even

prosecution. This creates a significant financial risk for small businesses.

Resource challenges: Small businesses may find it challenging to implement these regulations due to limited resources, which is why CICA offers frequent workshops, information sessions and templates for our members.

Policy implementation: Small businesses need to develop specific policies, such as bullying and harassment policies, to manage and mitigate risks effectively.

Additional support measures: Employers may need to offer additional support to employees, such as training programs, counselling services, and mental health resources. Please note that CICA Members have access to a confidential Employee Assistance Program (EAP) called Lifeworks, to support their own and their employees' well-being, see here.

Overall, while these new regulations present some challenges for large and small businesses, they also provide an opportunity to create healthier, more productive workplaces when implemented effectively.

If there is any matter you would like to see covered by an information session or workshop, please reach out to Paul Arztenhofer: paul@cica.com.au

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