

Table of contents

Executive Summary	3
Introduction	4
Background	5
Scope	6
Audits	7
Statutory Notices	8
Trends	9
Summary	9
Recommendations	10
Appendix A – Audit Tool	11

Executive Summary

- From March 2021 until March 2022 the SafeWork SA (SWSA), Psychosocial and Industrial Team (PIT) undertook a compliance campaign focussed on a range of industries and workplaces across South Australia across metropolitan, Greater Adelaide metropolitan and regional areas (the campaign).
- The objective of this proactive campaign was to ensure adequate WHS management systems are in place for the identification and control of psychosocial risks in the workplace, and that workers have received training in those systems.
- Workplaces were selected for auditing from analysing SafeWork SA's client data and further information/data related to psychological injury claims was sourced from Return to Work SA (RTWSA).
- ➤ The campaign involved conducting either desk-top or onsite compliance audits. PCBUs were provided with a copy of the audit tool and they were to provide evidence of compliance with adequate WHS management systems to identify and control psychosocial risks in the workplace for inspectors to review and analyse. Otherwise, an onsite visit was conducted at the workplace.
- ➤ 43 workplaces were selected for auditing however,10 audits were unable to be conducted. During the course of the campaign it was ascertained that 9 of the workplaces were no longer operating and 1 workplace self-reported they had 'nil' WHS management systems relating to psychosocial risks and a worksite visit was conducted and compliance notices issued. This business will be the subject of a future PIT compliance campaign whereby their newly developed WHS management systems will be audited.
- ➤ The selected workplaces varied in size, with the majority being small or medium sized enterprises.
- At the commencement of the campaign PCBUs were encouraged to utilise the SafeWork SA 'Workplace Advisory Services' and 8 PCBUs took advantage of the service.
- SafeWork SA conducted 11 site visits relating to the 34 compliance related audits during the campaign.
- ➤ A total of 15 compliance notices were issued where breaches of the work health and safety legislation was identified. All notices were Improvement Notices and they were issued to a range of industries/workplaces.

- > Improvement Notices related to:
 - developing and implementing a system of work for hazard identification and risk assessments at the workplace
 - · developing and implementing a system of work relating to reporting and
 - investigation of WHS incidents, injuries and hazards
 - developing and implementing procedures (in consultation with workers) in relation to WHS to ensure the health (including psychological health – having regard to bullying, harassment, sexual harassment and workplace aggression) and safety of all persons is not put at risk from work carried out as part of the business or undertaking. Ensure workers are trained on these procedures.
 - provide workers in a leadership role with training and information that specifically targets their WHS obligations, duties and responsibilities
 - all workers to be provided with adequate information, training and instruction to ensure they are fully aware of their obligations and consequences for failing to meet their duties as Officer/s of the PCBU.

It is recommended that SafeWork SA:

- > communicates the outcome of the compliance campaign to internal and external stakeholders.
- > continue to monitor and analyse complaint and RTWSA data to identify future compliance campaigns in relation to the PCBUs having adequate WHS management systems in place for the identification and control of psychosocial risks in those workplaces.

Introduction

SafeWork SA – PIT receive psychological risk complaints for investigation, from workers throughout South Australian (both metro and regional) encompassing issues relating to psychosocial risks such as:

- Abusive, insulting, offensive, belittling, or humiliating language/comments, unjustified criticism or complaints
- Deliberately excluding someone from work-related activities
- Changing work arrangements such as rosters or leave, to deliberately cause inconvenience

- Aggressive and intimidating conduct
- Practical jokes or initiation
- Unreasonable job demands
- ➤ Denying access to information, supervision, consultation, or resources to the determent of a worker
- Unreasonable lack of job control or lack of role clarity
- Ongoing and insufficient organisation justice or support
- Changes to the workplace without sufficient consultation or warning.

SafeWork SA regulates compliance with the *Work Health and Safety Act 2012* (SA) as 'health' means physical and psychological health.

Investigations undertaken in relation to psychosocial risks in part, investigate whether workplaces have WHS management systems in place to address the following:

- Workplace behaviours/harassment policy
- ➤ Incident/hazard reporting procedures
- Workplace grievance policy/procedure

They can also require PCBU to rectify safety breaches through the issuing of Statutory Notices or prosecution.

This was SafeWork SA's first proactive compliance campaign relative to psychosocial risks and WHS management systems across a wide range of industries and workplaces throughout South Australia.

Background

SafeWork SA receives a significant number of psychological risk complaints for investigation and since mid-2017, SafeWork SA – PIT have been analysing data relating to PCBUs for proactive compliance campaigns.

Scope

- ➤ Audits were conducted on a range of industries and workplaces across metropolitan, Greater Adelaide metropolitan and regionals areas throughout South Australia.
- ➤ The selected workplaces varied in size, with the majority being small or medium sized enterprises.
- ➤ The campaign involved conducting either desk-top or onsite compliance audits. PCBUs were provided with a copy of the audit tool and they were to provide evidence of compliance with adequate WHS management systems to identify and control psychosocial risks in the workplace for inspectors to review and analyse.
- A component of the campaign raised awareness of the requirements to have adequate WHS management systems in place to identify and control psychosocial risks in the workplace, providing recommendations for further enhancement of WHS management systems they may already have in place.
- ➤ The campaign provided further information to PCBUs in relation to online resources and training courses for identifying and managing psychosocial risks in the workplace. The 'People at Work' (PAW) digital online survey tool was also promoted by SafeWork SA throughout the campaign both in relation to businesses of a size that can actually utilise the survey tool in their workplace (being 20 or more workers), or the accessing of online resources for smaller businesses.
- ➤ Engagement of the SafeWork SA 'Workplace Advisory Service' by PCBUs was encouraged at the commencement of the campaign and 8 of the audited workplaces took advantage of this service.
- ➤ A Campaign Audit tool was completed for each audit, i.e. one for each selected workplace still operating within South Australia. The audit tool used is appended to this report at Appendix A.
- ➤ Due to audits being conducted during COVID restrictions, all audits requiring onsite visits were announced visits.
- > Statutory notices were issued where legislative breaches were identified.

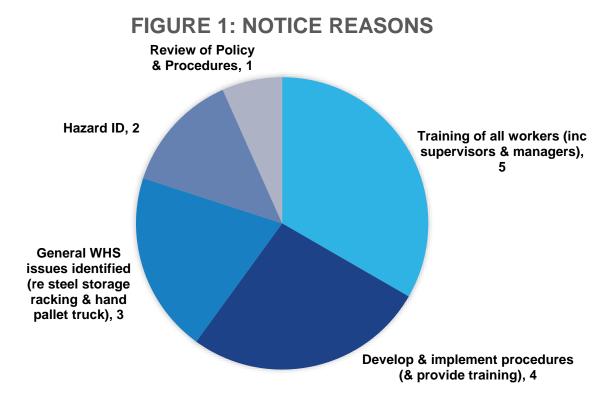
Audits

- The campaign was scheduled to commence from early 2020 but was postponed due to restrictions associated with COVID-19.
- During the period March 2021 and March 2022, SafeWork SA Inspectors from the Psychosocial and Industrial Team completed campaign-related compliance activities with 34 PCBU's in South Australia.
- This consisted of contact with selected PCBUs, desk-top audits, onsite audits conducted and in some cases notices issued.
- ➤ The pre-prepared audit tool (based on the HWSA Psychological Health Audit template) was used to assess compliance against the Act in the area of WHS management systems for the identification and control of psychosocial risks in the workplace.
- > The audit tool encompassed the following aspects:
 - Hazard identification
 - Management of risks (eg. risks to psychological & fatigue health and safety)
 - Training, information and supervision
 - Monitoring risks to health
 - Duties of workers
 - Safe systems of work
 - Worker consultation
 - Duty of officers (Due Diligence)
 - Controlling Fatigue Risks (Work Scheduling; Shift work and rosters; Job Demands; Environmental conditions.
- ➤ During the campaign 15 compliance notices were issued all were Improvement Notices.
- The Improvement Notices related to:
 - developing and implementing a system of work for hazard identification and risk assessments at the workplace

- developing and implementing a system of work relating to reporting and investigation of WHS incidents, injuries and hazards
- developing and implementing procedures (in consultation with workers) in relation to WHS to ensure the health (including psychological health – having regard to bullying, harassment, sexual harassment and workplace aggression) and safety of all persons is not put at risk from work carried out as part of the business or undertaking. Ensure workers are trained on these procedures.
- provide workers in a leadership role with training and information that specifically targets their WHS obligations, duties and responsibilities
- all workers to be provided with adequate information, training and instruction to ensure they are fully aware of their obligations and consequences for failing to meet their duties as Officer/s of the PCBU.

Statutory Notices

SafeWork SA issued 15 Improvement Notices across a broad range of industries and workplaces varying in size, but mainly those of a small to medium size enterprise. The reasons for issuing these notices, broken down into broad categories, is depicted in the chart below at Figure 1



Trends

A majority of the PCBUs audited had adequate WHS management systems in place to address psychosocial risks in the workplace. However, following this campaign their WHS management systems were greatly enhanced via compliance with statutory notices issued; engagement with 'SWSA – Workplace Advisory Services'; advice/information provided by inspectors regarding further and ongoing information relating to psychosocial risks in the workplace and training resources (for all levels of workers and including those of non-English speaking backgrounds) to assist their workplace – regardless of the size of the enterprise.

Summary

The majority of notices issued related to:

- > training, information and instruction of workers (at all levels including supervisors and managers) to ensure they are all fully aware of their WHS obligations in relation to psychosocial risks and the general WHS policies and procedures in their workplace; and
- ➤ the requirement for development and implementation of procedures in relation to WHS (including psychosocial risks such as bullying, harassment and other associated harmful behaviours in the workplace) to ensure the health (inc psychological health) and safety of all persons is not put at risk from work carried out as part of the business or undertaking and ensuring training thereof.

This is consistent with what is identified by inspectors in PIT when carrying out investigations into day to day psychological risk complaint matters.

Recommendations

It is recommended that:

- communication of the outcome of the compliance campaign is provided to internal and external stakeholders
- PIT enhance the audit tool for auditing of workplaces in relation to psychosocial risks and WHS management systems (based on the experience of this compliance campaign) with the aim of it being more flexible across all businesses regardless of size.
- SafeWork SA continues to monitor and analyse complaint and RTWSA data to identify future compliance campaigns in relation to PCBUs having adequate WHS management systems in place for the identification and control of psychosocial risks in those workplaces.

Further information

Businesses requiring further information and advice can contact SafeWork SA on 1300 365 255 or visit the SafeWork SA website at safework.sa.gov.au

Workplaces can request a visit from the SafeWork SA advisory service who can provide practical advice based on a workplace's industry, size, risk and complexity.

SafeWork SA advisors can help with understanding work, health and safety responsibilities, and provide practical support to improve systems, practices, and safety in general.

Appendix A – Audit Tool

Compliance Project – Psychosocial Risks & WHS Management Systems



SAFETY COMPLIANCE INSPECTION - 2021

Site Visit / Desk Top Audit Report

INTERNAL USE FORM ONLY

Date	1	/2021	Tim	е	:	AM / PM				
PCBU DETAILS										
Entity Name							ABN			
Trading as										
Business Type					Industry Sector					
Address										
Suburb						State		Postcode		
Phone				Email						
Association	Mem	ber								
Site Addres	S									
Site Representative Responsible Person Contact Info								1		
EVIDENCI	EVIDENCE SIGHTED									

☐ Induction Records	☐ Workplace B	ehaviours Policy [N	☐ Incident Reporting Mechanisms
Risk Assessment	Training Reco	ords/Matrix [Consultation Policy
☐ Investigation Policy	Employee As in place	sistance Program	
Other			
PCBU Questions			
Total Number Young Workers (under 26yo)		al Number of New rkers (0mth – 1yr)	
Total Number of Older Workers (over 65yo)		al Number of Female rkers	
Full time Equivalent	Wo	al Number of rkers – English second guage	
SIGN OFF			
PCBU Rep. Name			
PCBU HSR Name			
Inspector Name			
OFFICE USE ONLY			
Date Entered /	Client ICN		InfoNET - File No.

SAFEWORK SA AUDIT SUMMARY SHEET

Inspector/s:		PCBU:		
Location of audit:		Date of audit:	1	1
Type of visit	Proactive			

Audit tool section	Summary of observations
1	
2	
3	
4	
5	
6	
7	
8	

Complete this page and provide a copy to the PCBU.

DISCLAIMER: This report only deals with matters the subject of the specific inspection. It does not purport to indicate overall compliance status of the relevant duty holder(s) with work health and safety laws.

	Assessment topic	Compliant Y or N	WHSIN or WHSPN	Notice Reference (WHS Act and/or WHS Reg)	Possible Evidence	Inspector Comment/s
D	uty to identify hazards					
1.	Is there evidence of a hazard? Do the incident/accident notifications relating to psychosocial hazards (both internal and to the regulator) identify any substantial issues			Reg 34 & Reg 35 - 38	 Complaint records Statements and evidence associated with a worker's compensation claim Internal investigation reports Medical reports Specific evidence based incidents e.g. exposure to traumatic events, occupational violence, events that meet the definition of bullying. Staff surveys 	
M	lanagement of risks (eg. risks to psychological &	fatigue heal	th and safe	ty are manag	ed)	
2.	Is there a risk management process that considers psychosocial risk factors? In particular: Does the organisation have a hazard reporting system in place that encompasses psychosocial hazards? Are follow up actions taken in a timely way in response to reported issues? The management of psychosocial hazards includes identifying hazards, assessing the risks and controlling the risks in so far as is reasonably practicable. This process includes:			WHS Act s.17 & s.19(3)(a) Reg 35 - 38	If the PCBU is compliant and are identifying, managing and controlling risks this may be reflected in records and discussion showing knowledge of indicators such as: - evidence of a risk assessment report specific to psychosocial hazards and associated risk control plans. - safety management system audit data and system documents - WHS committee minutes - sick leave data - staff turnover - design of workplace/task/activity - injury register and investigation reports	
				Page 14 of	 training records Return to Work Plans claims history 	

2a	This may also be verified by speaking to workers Is there a risk management process that considers fatigue risk factors? Does the organisation have a hazard reporting system in place that encompasses fatigue hazards? Are follow up actions taken in a timely way in response to reported issues?	WHS Act s.17 & s.19(3)(a) Reg 35 - 38	- performance reviews If the PCBU is compliant and are identifying, managing and controlling risks this may be reflected in records and discussion showing knowledge of indicators such as: - evidence of a risk assessment report specific to fatigue hazards and associated risk control plans. - safety management system audit data and system documents - WHS committee minutes - sick leave data - staff turnover - design of workplace/task/activity - injury register and investigation reports - training records - Return to Work Plans - claims history - performance reviews	
			- performance reviews	

Adequate training, information and supervision			
Has the PCBU determined and implemented sufficient training to ensure psychosocial hazards are identified and managed in the workplace (so far as is reasonably practicable), including understanding of roles and responsibilities?	s.19(3)(f) Reg 39	Documentation of training in the PCBUs policies and procedures (bullying, discrimination, team performance etc) Documentation of training in performance management systems and for supervisors giving work related performance feedback Induction training program	
Have workers been provided information on and trained in workplace policies and procedures? Is the training tailored to meet the specific needs of the workforce, e.g. gender, age, language and literacy levels?		- Records of training - Availability of instructions, procedures, manuals, safe work method statements This may be reflected in:	
Have supervisors and managers been trained in: • their role in the design and management of work to minimise the risk associated with psychological health and safety of workers		 training needs analysis who hasn't undertaken the training talking to workers 	
 hazard management process work related psychological health and safety effective performance management understanding and dealing with mental health issues 		Supervision arrangements - Skills of supervisors	
 minimising the risks of bullying, harassment or other unreasonable 		Mentoring/buddy programs	

	behaviours and responding effectively when it occurs? The workers provided with effective formation and supervision?				
IV	lonitoring risks to health				
4.	Is the health of workers and the conditions of the workplace monitored to prevent illness or injury of workers?		s.19(3)(g)	 Documentation of climate surveys other assessment of the workplace culture Time sheets Overtime records Shift rosters Incidents caused by fatigue Supervisor and peer support systems Team structures Contracts with counselling services, employee assistance providers Policies to support their use Provision of information, training, or instruction in how to access these 	

Du	ties of workers			
5.	Are Workers taking reasonable care of their own psychological health and safety and that of others, and complying with any reasonable instructions, policy or procedure?	s.28	 Individual EAP support or process to provide support – use of services Compliant with policies and procedures in relation to workplace psychological health and safety Appropriate behaviour as per workplace bullying policies and procedures Examine any internal investigations conducted into any incidents/accidents involving psychosocial hazards. 	
	Are Workers taking reasonable care of their own health and safety (fatigue management) and that of others, and complying with any reasonable instructions, policy or procedure?		 Individual EAP support or process to provide support – use of services Compliant with policies and procedures in relation to workplace fatigue health and safety Appropriate behaviour as per workplace fatigue management policies and procedures Examine any internal investigations conducted into any incidents/accidents involving fatigue hazards. 	
Sa	fe systems of work			
6.	Are there systems of work and policies and procedures for identifying, assessing and controlling psychosocial hazards such as workload, hours of work, consultation, flexible work practices, performance, role clarity, reporting lines, change management, professional development	s.19(3)(c) WHS Regs 37 & 38	 Results of staff surveys – particularly with reference to normative Australian benchmark data Documentation of process / method used to assess risk areas (eg behaviour, environment, workload and shift work rostering) Documentation of behaviour policy. 	

	, workplace bullying,		- Documentation of grievance procedure.	
	al violence, work- related		Documentation of job design analysis.Organisational Chart	
fatigue etc.			- Work procedures, position descriptions,	
	the policies consulted on, nted and enforced?		work plans	
impleme	nted and emorced:		Induction training program Staff surveys	
			- Records of meetings	
	rganisation have a transparent		- Communication systems e.g. emails,	
	andling system (informal and		intranet	
formal)?			Feedback mechanisms e.g. suggestion box Documented performance management	
	formal complaint handling		procedures	
	nclude principles of natural rocedures for reporting,		- Records from performance management	
	tion, resolving complaints and		Direct observation of work Exit interview data	
	als process?		- Actions or inaction in response to poor	
are comp	plaints handled in accordance		performance	
with the p	procedures?		Recognition and reward programs A system to record incidents and	
			notifications – event based investigation	
			records – statements, complaints, internal	
	e performance management res in place?		reports, emails etc - Complaints handling procedures, data and	
•	mance management		documented outcomes.	
	en in a fair and reasonable way		- Complaint records	
	iding constructive feedback and		- Availability and suitability of equipment and	
allowing	opportunities for improvement?		resources	
l. d.				
	ystem in place for recognising			
and reward	ing good performance?			

Du	ty to consult workers	ļ			
7.	Is there a consultation* procedure in place, have they used it? Does it include sharing of information on psychosocial risks/hazards, and controls? This would be reflected in discussions with Health and Safety Representatives (HSRs), toolbox talks, minutes, agendas, speaking to workers, records from changes to processes, policies or procedures.		s 47	 Documentation of a system for workplace consultation eg HSRs / WHS Committee Evidence of consultation on development of the plan and policies Evidence of HSR being included in consultation Statement from Workers etc 	
Du	ty of officers (Due Diligence)				
8.	Do the PCBU's Work Health and Safety Policies demonstrate a commitment to: psychological health and safety? The organisation has: • Management commitment and support eg. this may be reflected in policies/minutes/agendas/training records and/or conversations with management • 'Officers' overseeing the use of and reviewing the system • access to resources and networks in relation to psychological health eg.		s27 (5)(a-f)	 Leadership development – coaching / training Culture change Policies and procedures – reporting, investigation and expected standards of behaviour Job design / redesign De-escalation techniques Individual EAP support or process to provide support Peer Support 	

	Participation/membership in industry			
	bodies, dedicated budget for WHS			
	including psychological and physical			
	health, employment of specific			
	personnel to assist with WHS (noting			
	that an officer cannot discharge their			
	duty)			
	 up to date knowledge on WHS matters 			
	in managing psychosocial risks			
	 a general understanding of the hazards 			
	and risks associated with the work			
	 appropriate resources and processes to 			
	eliminate or minimise risks to			
	psychological health and safety from the			
	work			
	appropriate ways of managing and			
	responding to information about			
	psychosocial hazards, risks and			
	incidents			
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- 1	1			

Со	ntrolling Fatigue Risks				
9.	The management of fatigue hazards includes identifying hazards, assessing the risks and controlling the risks in so far as is reasonably practicable. This process includes: • hazard identification • management of risks • control of risks Work Scheduling This may also be verified by speaking to workers	s19(3)(c) WHS Regs 35-38	 work scheduling – designing working hours and rosters to allow for a good sleep opportunity and enough recovery time between work days or shifts for travelling, eating washing and sleeping. Working hours policy in place - for example to depict daily work hours, maximum average weekly hours, total hours over a three month period, on-call work, work related travel and managing shift swapping. Having access to on-call workers for unplanned leave, emergencies or where workload increases Developing plans to deal with workload changes due to absenteeism Filling vacant positions as soon as reasonable practicable and maintaining a relief pool of staff in high demand areas where fatigue is a risk. Consideration is given to alternative options to face-to-face meetings, for example teleconferencing so workers are not required to spend time travelling to meetings. 		
				 Structuring shifts and designing work plans so work demands are highest towards the middle of the shift and decrease towards the end. Avoiding morning shifts starting before 6am where possible. Avoiding split shifts or if there is no alternative to split shifts consider their timing, for instance whether they are likely 	

Shift work and rosters See Safe Work Australia – Guide for the Managing the Risk of Fatigue at work (see Appendix B for guidance on designing shifts) Job Demands	to disrupt sleep. Setting shift rosters ahead of time and avoiding last-minute changes, to allow workers to plan leisure time. Allocating shift and night workers consecutive days off to allow for at least two full nights' sleep including some weekends. Providing information to shift workers containing tips for them to prevent and manage the risk of fatigue Ensuring fit-for-purpose plant, machinery and equipment is used at the workplace (for example, ergonomic furniture, lifting equipment and anti-fatigue matting for repetitive task performed while standing) Encouraging workers to report concerns they may have about work-related fatigue Redesigning the job to limit a build-up of mental or physical demands Planning for expected changes in work flow including anticipated peaks and troughs during the year.
Environmental conditions	 Avoid working during periods of extreme temperature or minimise exposure time through job rotation Provide a cool area where workers can take a rest break and rehydrate in hot work environment Install ventilation and mechanical cooling devices in hot, small and enclosed space

Supplementary questions regarding your workers:							
Total Number Young Workers (under 26yo)		Number of New ers (0mth – 1yr)					
Total Number of Older Workers (over 65yo)	Total Worke	Number of Female ers					
Full time Equivalent workers		Number of Workers English second lage					
Supplementary questions regarding what type of evidence you can provide to SafeWork SA regarding Psychosocial							
Risks & WHS Management Systems at your workplace:							
☐ Induction Records	☐ Workplace Behavio	ours	nt Reporting ms				
Risk Assessment	☐ Training Records/M	∕latrix ☐ Consu	Itation Policy				
☐ Investigation Policy	olicy						

Page 25 of 25

Proactive Compliance Project 2021 - Psychosocial Risks & WHS Management Systems – Project Report