

Tuesday, 21 January 2020

Productivity Commission
Level 12,530 Collins Street
Melbourne VIC 3000
Australia



Worklink Group Ltd
ABN: 69665372998

To Whom It May Concern,

RE: MENTAL HEALTH DRAFT REPORT SUBMISSION

Worklink Group Ltd (Worklink) offers the below submission for the Mental Health Draft Report in relation to Mental Health in the workplace.

Worklink has delivered Mental Health specialist employment and community mental health programs since 1995 in Far North Queensland. Through our experience of supporting people with a lived experience of mental illness gain employment, Worklink has launched an initiative called Thrive in Work that supports employers to meet their legal Workplace Health and Safety requirements in relation to mental health.

Our experience illustrates that employers generally complete basic steps to ensure and protect the physical safety of their employees and fail to take the same precautions to protect their employee's mental safety. The knowledge of psychological risk and hazards within the workplace is low and available workplace mental health tools provide employers with a false sense of an achievement or action. There is a distinct disconnect between policy and practise. Many employers do not believe there are psychological risks relevant to their business due to the physical or customer based nature of their business.

In our experience there are various reasons why employers are hesitant to act with the primary areas being around lack of clear understanding. There is a misunderstanding of the difference of definition between injury and illness; a lack of prosecution clarity and no clear line between causation and injury. All these factors lead employers not to understand their legislative requirement to create a mentally safe working environment and exposes employees to risk.

Worklink recognises that one of the gaps contributing to lack of action on psychological safety in the workplace is the lack of tangible action and consequence following a psychological injury. For example, under the requirements of the Work Health and Safety Act 2011 (Cth), psychological injury is excluded as a notifiable incident as it is not included within the definition of a serious injury or illness. As a result, the provision of responsive action following a serious psychological injury is precluded from the Work Health and Safety Act. **Worklink recommends that a definition of a serious psychological injuries is included as notifiable incident within the Work Health and Safety Act 2011 (Cth).**



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GROUP

worklinkgroup.org.au

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There are inconsistencies across worker's compensation schemes including the treatment and definition of a work-related psychological injury. Our experience has shown that psychological injury is often dealt with as a psychological disease rather than an injury which influences the response as blame is shifted from the workplace to the individual. Furthermore, Workplace Health and Safety guides and legislation often hide behind the complexity of a psychological related diagnosis to lessen the requirements of the employer.

A shift to focus on mental health and wellbeing loosens an employer's understanding of psychological risk with solutions focused on improving wellbeing rather than reducing likelihood of injury. To counter these issues, Worklink recommends that there is separate WHS legislation for psychological injury which provides clarity of the employer's responsibilities and consequences for failing to provide a workplace that minimises psychological injury. The requirement to create a workplace conducive to a person's mental illness is also required as a long term well maintained mental illness can be exacerbated or new psychological injuries created from poor working environments.

For further information please contact Worklink on 07 4031 0877.

Your Sincerely
Bill Davidson
CEO