Government of **Western Australia**
Department of **Mines, Industry Regulation and Safety**

Mentally healthy workplaces for fly-in fly-out (FIFO) workers in the resources and construction sectors – draft code of practice

22 August 2018

Public comment period: 16 February to 19 April 2018

Responses received: Fifty-one submissions were received from a diverse range of respondents, including individuals (workers, family members), industry, representative bodies, unions, academia and consultants.

Release date: 22 August 2018

Introduction

Responses received during the first round of public consultation on the *Mentally healthy workplaces for fly-in fly-out (FIFO) workers in the resources and construction sectors – draft code of practice* (the draft Code) are summarised below, including how feedback is addressed in the revised draft Code.

Note: The revised draft Code is available for a second round of public consultation from 22 August to 21 September 2018.

Some responses were about people's personal experiences and perceptions of working in the resources and construction sectors. Due to the sensitive nature of some feedback, individual submissions are not listed and comments have been de-identified.

Some responses referred directly to the recommendations of the FIFO Inquiry, including how the draft Code addressed these.

Note: The final report of the Education and Health Standing Committee, "The impact of FIFO work practices on mental health", is available from the Parliament of Western Australia website.

The revised draft Code draws upon Safe Work Australia's national guidance material on *Work-related psychological health and safety: a systematic approach to meeting your duties; the Mentally healthy workplaces toolkit* produced by the Office of Industrial Relations, Workplace Health and Safety Queensland; and the *Psychologically safe and healthy workplaces: Risk management approach toolkit* produced by the Department of Mines, Industry Regulation and Safety (DMIRS).

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General theme	Summary of feedback	DMIRS response	Changes to Code (if applicable)
Scope and application	Some respondents thought the Code's application to only fly-in fly-out (FIFO) arrangements was too restricted given the breadth of industries operating in Western Australia. They suggested the scope should be extended to cover all industries and/or other work arrangements, including residential and drive-in drive-out (DIDO).	The Minister has confirmed the existing scope of the Code, which will be approved under the *Occupational Safety and Health Act 1984* and *Mines Safety and Inspection Act 1994.* While the Code's scope is specific to FIFO work arrangements, the approach described may be applied to other arrangements and workplaces.	Note added to foreword to suggest code of practice may also be a useful source of information for residential and other long-distance commuting arrangements [e.g. drive-in drive-out (DIDO)] where people are working away from home.
Responsibilities	Mental health is a complex issue in the workplace and across society, and there was a range of responses indicating ambiguity about where responsibility for mental health lies in the workplace, what the employer is expected to manage, and what personal obligations apply.	The Code is aligned with safety and health legislation. It adopts a systematic approach to identify and address risks and support good practice by employers, with effective communication and consultation being critical aspects. The expectation is that, while everyone has responsibilities for their own and others' mental health and wellbeing, exposure to psychosocial hazards and factors in workplaces will be appropriately managed by employers. The content has been amended to more clearly communicate this intent. The aim is to reduce exposure to psychosocial hazards and risk factors for all workers, regardless of their individual health experiences.	Specifically, Section 1.3 has been amended to indicate that, while individuals may present with symptoms of mental ill health at work, whether or not attributable to the work environment, part of creating a mentally healthy workplace is being aware of this possibility and being prepared to provide appropriate responses without discrimination. New Section 2.2 covers the role of the organisation in the risk management approach. New Chapter 3 covers workplace culture.
Risk-based approach	Some feedback questioned the risk-based approach taken in the Code, suggesting that such an approach does not adequately address the complexities of the subject and puts the onus on the employee being the starting point for risk management.	The Code is aligned with safety and health legislation and supports an evidence-based approach. Applying a risk management process means systematically identifying and addressing risks, supported by leadership commitment, supportive and capable management and supervision, effective communication and consultation, and appropriate monitoring and review. The expectation is that, while everyone has responsibilities for their own and others' mental health and wellbeing, exposure to psychosocial hazards and factors in workplaces will be appropriately managed by employers. Controls are selected to address the workplace's unique risk profile. The content of the Code has been amended to more clearly communicate the intent and where responsibilities lie. In particular, the original figures have been replaced, and supporting appendices added.	New Figures 2.1 and 2.2 are less complicated and convey the overarching messages. New Appendix 3 describes some practical guides and tools that may assist organisations with the risk management process and support the creation and maintenance of mentally healthy workplaces. It also presents some research findings that may assist with risk management. Text has been amended to highlight that creating a mentally healthy workplace includes responding appropriately without discrimination.

General theme	Summary of feedback	DMIRS response	Changes to Code (if applicable)
Holistic approach	Some respondents requested a holistic approach to improving the social and emotional wellbeing of those directly and indirectly affected by FIFO work arrangements.	It is agreed that this issue needs to be approached from different angles and requires a whole-of-government approach. This is being coordinated by the Mental Health Commission. While such an approach is beyond scope of the Code, the Code has been amended to acknowledge this.	The role of other agencies and services is acknowledged in the scope.
Terminology	Some respondents recommended using the World Health Organization (WHO) definition of mental health.	The description of mental health has been amended to align with WHO's definition of mental health.	Section 1.2 amended.
	Some respondents wanted the definitions of workplace and accommodation to be extended.	The terms workplace and accommodation are used in the Code as defined in the safety and health legislation. However, this does not preclude the wider application of guidance to other circumstances.	
	There was feedback around psychosocial hazards and risk factors, and what terminology to use.	Employers have a duty of care to manage risks associated with exposure to hazards arising from work that could result in harm — this includes physical health and safety as well as mental health. The content of the Code has been amended to more clearly communicate the relationship between hazards and risk factors, and go beyond stress as the only mechanism for harm.	Chapter 1 rewritten to clarify the intent.
Specific interventions	Some respondents requested more prescription, including specific control measures and the provision of instructions, procedures and templates.	While it is not appropriate for the Code to endorse specific products or programs, the content of the Code has been amended and expanded to provide guidance on control measures across a variety of topics. The Code is not an instructional or training document. Unless a specific action is prescribed in legislation, the Code may only make recommendations. However, some of the concerns raised are addressed in new appendices containing resources that may be used to support the risk management process.	New Appendices 3 to 12 list some resources that contain guidance related to topics identified from the feedback: • Managing psychosocial risk factors • Leadership commitment and workplace culture • Supportive and capable management and supervision • Work design • Work and travel arrangements • Communicating with remote and isolated workers • Accommodation • Family and interpersonal relationships • Interaction with local community • Suicide awareness

General theme	Summary of feedback	DMIRS response	Changes to Code (if applicable)
Inclusion of research results, including the FIFO Mental Health and Wellbeing Survey	There was feedback requesting the Code be delayed to include the results of research funded by the Mental Health Commission and being conducted by The University of Western Australia.	Subject to timelines for release of the Code, the latest research information will be considered for inclusion.	

Specific topic or recommendation of FIFO Inquiry	Summary of feedback	DMIRS response	Changes to Code (if applicable)
Reduce stigma	There was feedback requesting a focus on the destigmatisation of mental health concerns.	The content of the Code has been amended to clearly indicate the importance of reducing stigma.	Table 6.1 has been revised to emphasise promotion as a strategy, including destigmatisation strategies.

New Chapter 3 on workplace culture.

New Appendix 4 lists some research findings relating to stigma. |
| Confidentiality | Confidentiality was raised as needing a clearer focus. | The content of the Code has been amended to more clearly indicate the importance of maintaining confidentiality and trust. | Section 4.1 and Chapter 8 specifically reference confidentiality.

New Appendix 5 lists some research findings relating to trust. |
| Family and interpersonal relationships | There was feedback about the importance of personal relations to an individual's mental health and how these could be addressed. | The content of the Code has been amended to communicate where an employer may assist in supporting interpersonal relationships. | New Appendix 10 describes some practical guides and tools that may assist organisations to address the personal, family and other relationship challenges of FIFO work, and presents some research findings that may assist with risk management. |
| Suicide and Recommendations 6 and 25 | Some respondents requested a greater focus on suicide prevention. | While a code of practice may not be prescriptive, except where supported by legislation, the Code aims to provide guidance for employers to prevent exposure to psychosocial hazards and risk factors, of which a potential outcome may be suicide.

The content has been amended to specifically address suicide awareness and incident response. | New Appendix 12 is based on Mines Safety Bulletin No. 139 *Suicide awareness for the Western Australian resources sector*. |

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Specific topic or recommendation of FIFO Inquiry	Summary of feedback	DMIRS response	Changes to Code (if applicable)
Recommendation 10 Reporting deaths on mine sites, including accommodation	Some respondents indicated that the current legislation does not cover the reporting of deaths that occur off-site and may be work related.	The proposed new work health and safety legislation will require reporting of all deaths at a mine, including associated accommodation facilities. In the meantime, DMIRS is continuing to use existing administrative procedures to make formal requests for information on non-work related deaths (which include suicides and attempted suicides). The content of the Code has been amended to communicate the regulator's expectations.	New Chapter 9 reflects reporting requirements and expectations.
Work and travel arrangements and **Recommendation 12**	While some respondents expressed a desire for even-time rosters to be applied across the State, others wanted flexibility depending on the type of work and family circumstances. Some respondents thought that the Code did not adequately address the importance of work design and work environment factors.	The Code identifies work design and demands, including aspects of rostering, as a psychosocial risk factor. While a code of practice may not be prescriptive, except where supported by legislation, the content of the Code has been amended and expanded to provide guidance on this topic.	New Appendix 3 describes some practical guides and tools that may assist organisations with the risk management process to support the creation and maintenance of mentally healthy workplaces, and presents some research findings that may assist with risk management. New Appendices 6 and 7 describe some practical guides and tools that may assist organisations to implement good work design, including rosters and shifts that minimise harm to health. These appendices also contain some research findings that may assist with risk management.

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Specific topic or recommendation of FIFO Inquiry	Summary of feedback	DMIRS response	Changes to Code (if applicable)
Fatigue and Recommendation 13	Some respondents thought that the Code did not adequately address the impact of fatigue on mental health, and its management.	The Code identifies fatigue as a psychosocial hazard. While a code of practice may not be prescriptive, except where supported by legislation, the content of the Code has been amended and expanded to provide guidance on this topic.	Fatigue is highlighted in Chapter 4. Table 4.1 has been amended for clarity and to include more examples. New Appendix 3 describes some practical guides and tools that may assist organisations with the risk management process to support the creation and maintenance of mentally healthy workplaces, and presents some research findings that may assist with risk management. New Appendices 6 and 7 describe some practical guides and tools that may assist organisations to implement strategies that minimise fatigue. These appendices also contain some research findings that may assist with risk management.
Alcohol and other drugs	Some respondents thought that the Code did not adequately address the impact of alcohol and other drug use on mental health, and its management.	The Code identifies the misuse of alcohol and other drugs as a psychosocial risk factor. While a code of practice may not be prescriptive, except where supported by legislation, the content of the Code has been amended and expanded to provide guidance on this topic.	New Appendices 7, 9 and 10 contain research findings relating to alcohol and other drug-related harms.
Workplace culture and Recommendation 14	Some respondents wanted more focus on the development of workplace cultures that are supportive of good mental health and wellbeing.	The Code identifies leadership commitment and workplace culture as being critical to the maintenance of mentally healthy workplaces. While a code of practice may not be prescriptive, except where supported by legislation, the content of the Code has been amended and expanded to provide guidance on this topic.	New Section 2.2 and Chapter 3 cover the importance of leadership and a positive and supportive workplace culture to a mentally healthy workplace. New Appendix 3 describes some practical guides and tools that may assist organisations with the risk management process to support the creation and maintenance of mentally healthy workplaces, and presents some research findings that may assist with risk management. New Appendices 4 and 5 describe some practical guides and tools relating to workplace culture, including the importance of leadership commitment and supportive and capable management and supervision.

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Specific topic or recommendation of FIFO Inquiry	Summary of feedback	DMIRS response	Changes to Code (if applicable)
Recommendation 15 Anti-bullying procedures	This covers the inclusion of an improved anti-bullying procedure.	See response under "Scope and application" regarding prescription. While a code of practice may not be prescriptive, except where supported by legislation, the Code does cover inappropriate behaviours and references the existing code of practice on the prevention and management of violence, aggression and bullying at work.	New Chapter 3 covers workplace culture, including the importance of leaders when dealing with inappropriate behaviours and interactions.
Communication and Recommendation 16	There was feedback about the need to highlight the importance of high quality, reliable and accessible communications technology in FIFO accommodation villages.	The Code identifies psychosocial hazards and risk factors, including working remotely and/or in isolation. While a code of practice may not be prescriptive, except where supported by legislation, the content of the Code has been amended and expanded to provide guidance on this topic.	Table 4.1 has been amended to reference access to reliable communication technology. New Appendices 8 and 9 describe some practical guides and tools, including information about communication technologies, that may assist organisations to promote health and wellbeing for remote workers at employer provided accommodation, and presents some research findings that may assist with risk management.
Recommendation 17 Training for active lifestyle coordinators	This covers the inclusion of information on training for active lifestyle coordinators.	Although the response to this recommendation is partly dependent upon recommendation 4 of the FIFO Inquiry, it has been established that there is a wealth of mental health training available to industry. While a code of practice may not be prescriptive, except where supported by legislation, the content of the Code has been amended and expanded to provide guidance on training in general.	Chapters 5 and 6 have been amended to highlight the importance of identifying and providing suitable mental health training to meet the organisation's specific requirements for primary and secondary intervention controls, and investigating reports.
Accommodation and Recommendations 7, 18 and 20	There was feedback about the significant impact of accommodation on maintaining mentally healthy workplaces, and the need for more information about the benefits and drawbacks of particular practices.	The Code identifies psychosocial hazards and risk factors associated with accommodation, including the low levels of control over arrangements, the effects of extreme environmental conditions, and limited access to reliable communication technology. While a code of practice may not be prescriptive, except where supported by legislation, the content of the Code has been amended and expanded to provide guidance on this topic.	Table 4.1 has been amended for clarity and to include more examples. Appendix 8 describes some practical guides that may assist organisations in developing appropriate communication systems and procedures for workers in remote areas Appendix 9 describes some practical guides and tools that may assist organisations to promote health and wellbeing for remote workers at employer-provided accommodation, and presents some research findings that may assist with risk management.

Specific topic or recommendation of FIFO Inquiry	Summary of feedback	DMIRS response	Changes to Code (if applicable)
Training and Recommendations 21 and 22	There was feedback on the need for training in mental health literacy for managers and supervisors as well as FIFO workers, their families and other resource workers.	The Code promotes a risk management approach and the implementation of primary intervention controls to prevent harm to health. This includes promotional activities (e.g. educational programs and training) to raise awareness and build capacity. While a code of practice may not be prescriptive, except where supported by legislation, the content of the Code has been amended to provide guidance on this topic.	Chapters 5 and 6 have been amended to emphasise the importance of training for effective risk management. Table 6.1 has been amended for clarity and to include more examples.
Recommendation 23 Peer-based support programs	This covers the inclusion of specific programs.	While it is not appropriate for the Code to endorse specific products or programs, the content of the Code has been amended and expanded to highlight the importance of appropriate peer-support programs.	Table 6.1 revised to expand range of strategies and controls for maintaining mentally healthy workplaces. Specifically, new Appendix 10 presents some research findings on peer support that may assist with risk management.
Recommendation 24 Mental health evacuations	This covers the inclusion of specific procedures.	A code of practice may not be prescriptive, except where supported by legislation. The creation of a pro-forma procedure template for all industry, adaptable depending on site and size of employer, could be considered for future guidance.	
Interaction with local community and Recommendations 27 and 28	There was feedback about interactions with the local host community.	The content of the Code has been expanded to highlight the importance of engaging with the local host community.	New Appendix 11 describes some practical guides and tools that can assist organisations interacting with the local community, and presents some research findings that may assist with risk management.

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