

# Modernising Work Health and Safety Laws in Western Australia

## Submission by Occupational Therapy Australia WA Division

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22.08.2018

To whom it may concern,

**RE: Submission Modernising Work Health and Safety Laws WA**

Occupational Therapy Australia (OTA) is the professional association and peak representative body for occupational therapists in Australia. As of March 2018, there were more than 2,800 nationally registered occupational therapists working across the government, non-government, private and community sectors in Western Australia.

The WA division of OTA responds to issues of relevance to occupational therapists and the profession in Western Australia. In preparing this submission, OTA sought responses and feedback from members and, in particular, the Occupational Rehabilitation and Health Interest Group.

Occupational therapists are allied health professionals whose role is to enable their clients to participate in meaningful and productive activities. They provide services such as physical and mental health therapy, vocational rehabilitation, assistive technology prescription, home modifications and chronic disease management, as well as key disability supports and services.

Occupational therapists' clinical skills complement those of other allied health professions. They are not only trained to be case managers, but as health professionals they are specifically trained to conduct specialised assessment within the injury management industry. Notably, occupational therapists are trained in counselling, psycho-social, and mental health skills, as well as in the treatment of workplace injury and trauma.

Occupational therapists employed within the industries in which these new work health and safety laws will apply believe this process presents an opportunity to ensure the new legislation addresses gaps around mental health safety and training for employers and supervisors.

**Comment on Recommendations**

**Recommendation 13**

**Change the approving authority for courses to be attended by a health and safety representative (HSR) from the *regulator* to the Work Health and Safety Commission.**

OTA strongly supports the inclusion and clarification of training in *psychological hazards* in the workplace in addition to physical hazards, and believes a more holistic view should be taken of the person's safety in the workplace.

**Recommendation 14**

**Ensure the PCBU's obligation to ensure a health and safety representative (HSR) attends approved training is a 'requirement' rather than an 'entitlement'.**

The PCBU's obligation to HSR approved training should include mandatory training in mental health first aid and creating mentally healthy workplaces. While it is acknowledged that the Employee Assistance Program can offer support in some situations, this is an inadequate approach which does not provide assistance in modifying workplace behaviour or cultural change.

Employers must be mandated to address mental health risks. All supervisors must be required by the legislation – and should be supported – to acquire the necessary training to respond with confidence to employees with mental health concerns or crises.

The Western Australian division of OTA thanks the Western Australian Government for the opportunity to comment on this important legislation.

Please find attached to this submission a cover sheet with OTA's contact details. Should you wish to discuss this submission further, please contact [REDACTED] or call [REDACTED].

Yours sincerely

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WA Divisional Council

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Occupational Therapy Australia