



# OH&S Psychological Health Regulations

## What's ahead and how will it impact employers and the workplace?

*Written by Sophie Owen, Principal, Insync*

### Occupational Health and Safety (OH&S) reforms

In May 2021, the Victorian Government confirmed its commitment to strengthening Occupational Health & Safety Act (OH&S) regulations to better address psychological health in the workplace, and better prevent workplace psychological hazards and injuries. Amendments to regulations seek to recognise that hazards that pose a risk to psychological health are no less harmful to workers' safety and wellbeing than physical hazards. Under the current OH&S Act 2004, employers are already obligated to maintain an environment free of risk to psychological health. Yet these reforms will go further to raise the bar of expectation, providing clearer guidance (and therefore accountability) to employers on their obligations to better protect workers from mental injury.

While originally due to be introduced in 2022, the Victorian Government and WorkSafe continue to work through stakeholder feedback, and therefore progress to finalise the regulations will continue into 2023. But rest assured, these changes are coming, and will impact employers, employees and workplaces alike.

### Psychological health in the workplace

In recent times, recognition of the prevalence of mental health conditions in Australia has grown. We know that a large proportion of Australians will suffer from a mental health condition in their lifetime, and that at any given time, a proportion of your workforce is experiencing a mental health condition. In announcing the planned reforms, the Government referenced the fact that WorkCover mental injury claims have grown significantly in recent years and are expected to account for a third of all workers' compensation claims by 2030.

With the COVID-19 pandemic, and the blurring of the lines between work and personal life, it becomes even more important that employers are across the risks of psychological health, and where they exist within the workplace.

In a 2022 webinar, Worksafe discussed the work-related factors that influence workplace health and safety, and how psychosocial hazards fit in. Work-related factors are factors in the design or management of work that can positively or negatively affect an employee's mental health. These factors include (but are not limited to):

- Job demands;
- Job control;
- Support;
- Change management;
- Reward and recognition; and
- Workplace relationships

A psychosocial hazard is evident when these factors are not managed effectively. Hazards may relate to the behaviour of individuals, or systems of work, or both. They can be recurring and co-occurring; as is the complex nature of psychological health, psychological hazards and how they may present.



## Challenges for employers

The introduction of these amendments is an important step, as evidenced by the continued growth of workplace mental health injuries and resulting compensation claims. Yet the introduction of these reforms won't come without major challenges for employers across all industries, including how to identify, assess, manage, measure and control for the unique hazards and risks within their organisation. Employers need to be across what this means for them and how they'll ensure that they're managing psychosocial hazards in the workplace effectively. It will require forethought, preparation and a systematic approach.

## How we can help

As specialists in organisational effectiveness, experience management, research and consulting, we at Insync have a deep understanding of the impending amendments to the OH&S Act and how they will affect different businesses and industries. In working with our clients we have been tracking the emergence of this issue over recent years and are actively engaged in supporting them to ensure that they understand how these risks present themselves in their organisations and how their people feel about their efforts to address them.

**We welcome everyone to join the conversation. Regardless of whether you need our help or not, we'd love to chat.**

If you would like to learn more, please [click here](#) or [contact](#) our friendly team.

## About Insync

Insync is a leader in integrated experience management, research and consulting. Its purpose is to inspire success, and that's what Insync has done for over 1,000 organisations in over 50 industries.

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Melbourne  
+61 3 9909 9209

Gold Coast  
+61 7 5560 7400

Sydney  
+61 2 8081 2000

Brisbane  
+61 7 5560 7400

[insync.com.au](https://insync.com.au)