

Compliance priority report

Psychosocial risks - coal mines

January 2023 to May 2023

The words "PSYCHO", "SOCIAL", and "RISKS" are stacked vertically. Each word's first letter is enclosed in a colored square: 'P' in cyan, 'S' in yellow, and 'R' in orange. The remaining letters are in black. The text is set against a light gray background.

PSYCHO
SOICIAL
RISKS

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More information

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Executive summary

A crucial part of the NSW Resources Regulator’s Incident prevention strategy involves compliance priority programs for mines and petroleum sites. This involves proactively assessing a topic that is an emerging risk across the industry, predominantly determined from incident data or other evolving industry trends. Although these topics may also be contained within the Regulator’s planned inspection programs, the aim of compliance priority programs is to gather further information and knowledge about how the industry is managing and controlling an issue that may not be related to a specific principal hazard.

This particular program was initiated in response to how operators of coal mines were responding to amendments in the WHS Regulation 2017 that relate to psychosocial hazards and risks and commenced on 1 October 2022.

This report summarises the assessment findings from the compliance priority program that targeted mine operator awareness and implementation of the amended legislation between January 2023 and May 2023 at:

- 22 surface coal mines,
- 18 underground coal mines

Assessment criteria

Several key elements (referred to as criteria) were assessed as part of this program and included:

Table 1. Compliance priority program assessment criteria for psychosocial risks at coal mines

Criteria number	Criteria
1	Is the mine aware of the changes to the Work Health and Safety Regulation 2017 that relate to psychosocial risks?
2	What has the mine done in relation to the changes?
3	Has the mine conducted a risk assessment of identified psychosocial risks?
4	What training has the mine undertaken in regard to psychosocial risk? (e.g. bully/harassment training, mental health first aiders, other education)
5	Does the mine have an employee assistance program (EAP) provider available?
6	Does the mine promote the use of EAP following incidents and other issues?
7	How do workers report psychosocial incidents and issues?
8	Has the mine got a process to deal with the outcomes of psychosocial risk/complaints? (e.g. investigation by corporate/third party etc)
9	What future actions is the mine intending to take relevant to site management of psychosocial risks?
10	In field: are workers aware of site reporting processes?
11	In field: are workers aware of site EAP providers?

Criteria number	Criteria
12	In field: are workers aware of what are psychosocial risks and are they comfortable reporting psychosocial risks?
13	In field: are workers aware of any psychosocial risks that have been reported onsite?
14	In field: do workers receive feedback on reported psychosocial risks and actions taken?

Findings

Overall, the findings were:

- 40 site assessments reviewed for this report
- 500 individual findings were assessed
- one notice was issued under this program

The overall assessment compliance % rating (refer Figure 1) for the 14 assessed criteria range from:

- Question 3 findings assessed at 70% compliance to;
- Questions 5 and 10 findings assessed at 100% compliance.

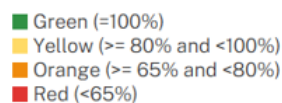
Three assessed criteria questions assessed rating in the ‘orange colour category’ between 65% and 80% compliance, were:

- Question 2: What has the mine done in relation to the changes assessed at 74% compliance
- Question 3: Has the mine conducted a risk assessment of identified psychosocial risks assessed at 70% compliance
- Question 9: What future actions is the mine intending to take relevant to the site management of psychosocial risks assessed at 79% compliance.

The overall analysis of assessment findings ratings were found to be predominantly documented and implemented at 83%. The lowest category not documented and not implemented was found to be 4% (Figure 2).

The assessment compliance % rating for each assessed criteria is summarised in Figure 1:

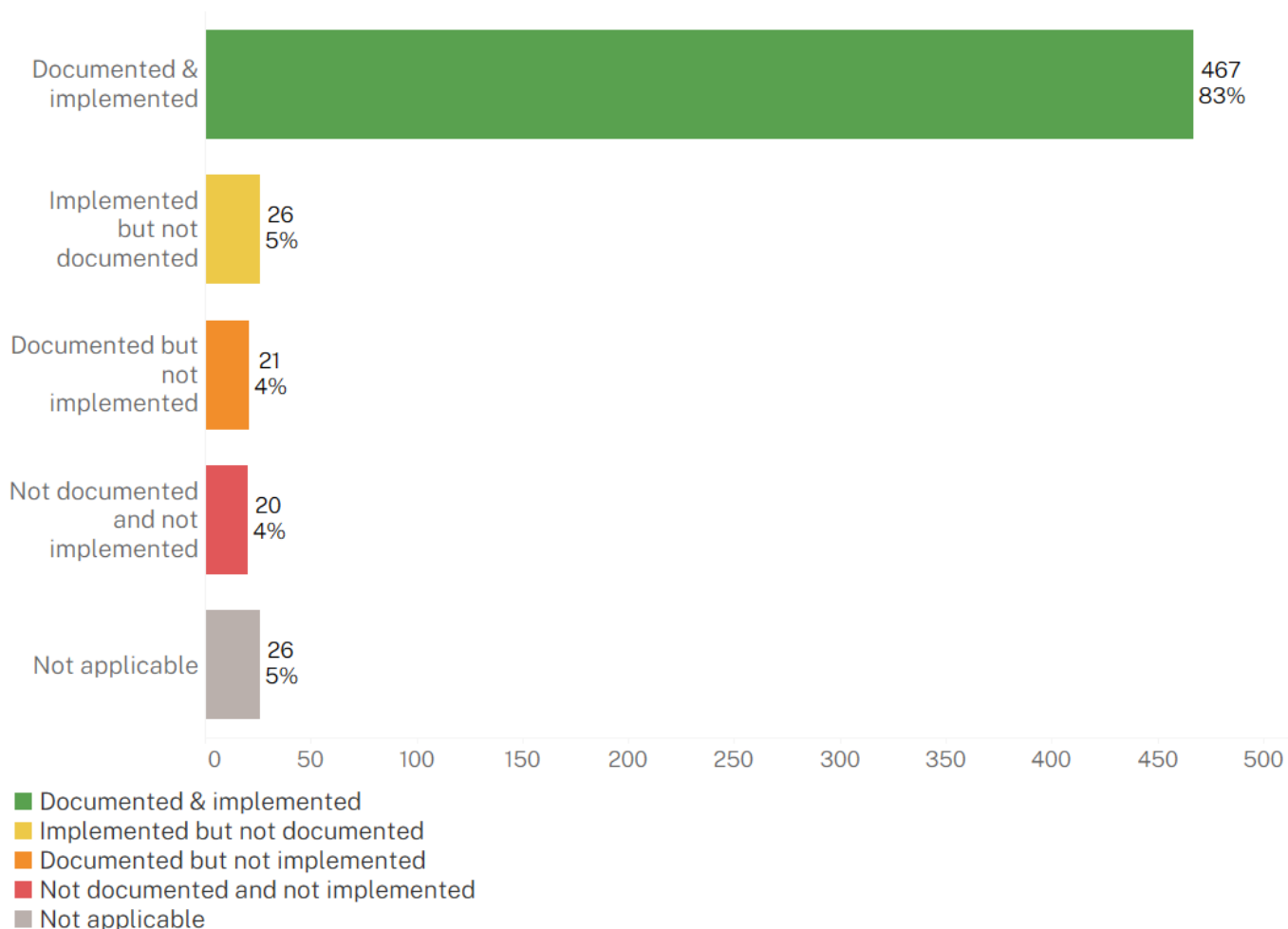
Figure 1. Summary assessment findings overall results by element



Psychosocial risks	1	Is the mine aware of the changes to the Work Health and Safety Regulation 2017 that relate to Psychosocial risks?	87%
	2	What has the mine done in relation to the changes?	74%
	3	Has the mine conducted a Risk assessment of identified Psychosocial risks?	70%
	4	What training has the mine undertaken in regard to psychosocial risk? (eg Bully/harassment training, Mental health first aiders, other education)	93%
	5	Does the mine have an Employee Assistance Program (EAP) provider available?	100%
	6	Does the mine promote the use of EAP following incidents and other issues?	99%
	7	How do workers report Psychosocial incidents and issues?	98%
	8	Has the mine got a process to deal with the outcomes of psychosocial risk/complaints? (eg investigation by corporate/third party etc)	96%
	9	What future actions is the mine intending to take relevant to site management of psychosocial risks?	79%
	10	In Field: Are workers aware of site reporting processes?	100%
	11	In Field: Are workers aware of site EAP providers?	98%
	12	In Field: Are workers aware of what are psychosocial risks and are they comfortable reporting psychosocial risks?	94%
	13	In Field: Are workers aware of any psychosocial risks that have been reported onsite?	93%
	14	In Field: Do workers receive feedback on reported psychosocial risks and actions taken?	95%

The analysis of the assessed criteria documentation and implementation is summarised in Figure 2:

Figure 2. Overall assessment findings ratings



Notices issued

Of the 40 sites assessed under the inspection program, 1 mine was given 1 notice relating to compliance with amended legislation, while some mines were given notices in relation to other matters.

The notice issued for compliance with new legislation were examined in detail and Table 3 below lists the notices issued by type.

Table 3: Notices issued for the planned inspection program – compliance with new legislation

NOTICE TYPE	TOTAL ISSUED	NUMBER OF MINES
s.23 notice of concerns	1	1
Total	1	1

The notices issued related to the mine not commencing review of legislative requirements dealing with psychosocial risk. In response the mine stated they were waiting for the corporate entity to provide site assessment and risk control documentation.

Recommendations

Based on the findings outlined in the report identifying the three lowest assessment compliance ratings for each assessed criteria for psychosocial risks. Mine operators should consider the following recommendations:

- Review what actions the mine has undertaken in relation to complying with the changes in psychosocial legislation requirements,
- Review the mine has undertaken a risk assessment and identified psychosocial risks at the site,
- Implement and monitor future actions the mine can take relevant to the management of psychosocial risks at the mine site.

Further information

For more information on safety assessment programs, the findings outlined in this report, or other mine safety information, please contact the NSW Resources Regulator:

CONTACT TYPE	CONTACT DETAILS
Email	cau@regional.nsw.gov.au
Incident reporting	To report an incident or injury call 1300 814 609 or log in to the Regulator Portal
Website	www.resourcesregulator.nsw.gov.au
Address	NSW Resources Regulator 516 High Street Maitland NSW 2320

Appendix A – Assessment criteria rating

Each assessed criteria is rated from 1 through 4 based on evidence supporting the expected control supports identified at the mine site:

Evidence supporting expected control supports

Expected control supports	Rating	Evidence supporting rating / comments				
	<table border="1"> <tr> <td>4</td> <td>3</td> </tr> <tr> <td>2</td> <td>1</td> </tr> </table>	4	3	2	1	
4	3					
2	1					

Assessment findings results are calculated based on the total points allocated to the assessed ratings as a percentage of the maximum possible points for each criteria group, and any findings rated as ‘Not applicable’ were excluded from the calculation.

Criteria assessed ratings and points

Assessed as	Rating	Points
Documented & implemented	4	4
Implemented but not documented	3	2
Documented but not implemented	2	1
Not documented and not implemented	1	0
Not applicable		

Findings results (points) with colours assigned as follows:

- Green (=100%)
- Yellow (>= 80% and <100%)
- Orange (>= 65% and <80%)
- Red (<65%)