

HEALTH & SAFETY FOR MENTAL HEALTH AND WELLBEING



PSYCHOSOCIAL HAZARDS

- As part of the WHS Act and WHS Regulations requirement to assess and manage risk pertaining to psychological health and safety.
- A psychosocial hazard is a hazard that arises from or relates to the design or management of work, a work environment, plant (e.g. equipment, machinery or appliances or tools) at a workplace, or workplace interactions or behaviours that may cause harm, whether or not it may also cause physical harm. For example:
 - Poor leadership practices and workplace culture.
 - Poor or no policies and procedures.
- Only applies to certain organisations.

PRACTICAL ACTIONS

- Provide clear Position Descriptions.
- Processes to make people aware of how they can access mental health and wellbeing support.
- Implement and enact a **Mental Health and Wellbeing Policy**.
- Share mental health and wellbeing resources.
- Implement a Mental Health Champion.

When it comes to managing mental health and wellbeing within your sporting community, there are some obligations under work health and safety and common law that is of value to understand.



WORK HEALTH & SAFETY

- The WHS Act and WHS Regulations requires many sporting organisations and their member organisations to take action to prevent or lessen potential risks to the health and safety of workers.
- Only applies to certain organisations.

PRACTICAL ACTIONS

- Implement and enact a **Mental Health and Wellbeing Policy**.
- Implement and enact health and safety risk management process.



COMMON LAW

- At common law, we all have a duty of care to take reasonable steps to not cause foreseeable harm to another.

PRACTICAL ACTIONS

- Take reasonable due care and diligence with protecting the mental health and wellbeing of individuals.
- Provide mental health and wellbeing awareness information.
- Should issues arise in relation to common law around mental health impairment or disability, it is recommended that professional independent legal advice is taken.



DISCRIMINATION

- It unlawful to discriminate against, disadvantage in any way, harass or victimise someone on the basis of a disability or impairment.
- Specific to Western Australia, the Equal Opportunity Act 1984 (WA) (EOA) prohibits discrimination on the ground of an 'impairment'.

PRACTICAL ACTIONS

- Don't exclude a person on the grounds of mental health impairment or disability from a sporting activity.
- Consider providing equal opportunity and anti-discrimination training.
- If concerns arise, seek independent professional legal advice.



PRIVACY OBLIGATIONS

- Organisations are required to protect the privacy and confidentiality of an individual's personal information including health information.
- When managing mental health issues, upholding the privacy of individuals is paramount. This includes not disclosing any information about mental health concerns without their consent.
- Some exceptions to privacy apply. For example such as where disclosure is required or authorised under law.

PRACTICAL ACTIONS

- Do not use identifying factors when sharing information on a need-to-know basis.
- Always seek written permission to share information where possible.
- Be specific about what information you will be sharing, who with and why.
- Never share information with others who do not need to know.
- If someone shares private mental health information with you:
 - Clarify if they have received consent to do so; and
 - Encourage them to only share necessary and/or de-identified information.
- Implementing a confidentiality policy which people are required to comply with. Remember - the Privacy Principles within the **Privacy Act** are a helpful guide to use.

A comprehensive overview of what some of your health and safety obligations might be is available in the **Understanding Health and Safety Obligations Guide** via the **True Sport Mental Health and Wellbeing initiative**.

In an Emergency Dial 000

For support call Lifeline 13 11 14

or visit **True Sport – Community Links** for more services.

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