



Premier of Western Australia

Our ref: 24-569524



Mr Peter McHugh
Clerk of the Legislative Assembly
Parliament House
PERTH WA 6000

Dear Mr McHugh

**GOVERNMENT RESPONSE TO EDUCATION AND HEALTH STANDING
COMMITTEE REPORT NO. 5 *THE IMPACT OF FIFO WORK PRACTICES ON
MENTAL HEALTH: FINAL REPORT***

I refer to Report No. 5 of the Education and Health Standing Committee entitled *The impact of FIFO work practices on mental health: Final Report* which was tabled in the Legislative Assembly on 18 June 2015.

In accordance with Standing Order 277(1) of the Standing Orders of the Legislative Assembly, I report to the Assembly the Government's response to the recommendations of the Committee.

Yours sincerely

Colin Barnett MLA
PREMIER

05 OCT 2015

**GOVERNMENT RESPONSE TO LEGISLATIVE ASSEMBLY
EDUCATION AND HEALTH STANDING COMMITTEE REPORT NO. 5
THE IMPACT OF FIFO WORK PRACTICES ON MENTAL HEALTH:
FINAL REPORT**

The Government welcomes the Education and Health Standing Committee Report No. 5 *The impact of FIFO work practices on mental health: Final Report*.

The report raises the awareness of mental health issues more generally in the community, and specifically in the resources sector, and as such provides scope to address these issues in the context of existing codes, practices and mechanisms.

It is acknowledged that a number of recommendations deal with the establishment of a code of practice for the resources sector, but the aims and objectives of these recommendations can and should be achieved by strengthening and reviewing existing codes therefore avoiding issues of duplication and harmonisation. In addition, the Mining Industry Advisory Committee which comprises members from government, industry and unions, and with the addition of a representative from the Mental Health Commission, has a significant role to play with the advancement of these recommendations. Of note too is the proposed Work Health and Safety (Resources) Bill which will be a mechanism by which other recommendations may be progressed.

The Government's response to each of the recommendations is provided below.

Recommendation 1

That the Department of Mines and Petroleum should establish and keep an annual count of the number of FIFO and DIDO (non-resident) workers within the resources industry in Western Australia.

Supported.

System changes will be required, and these will be considered in the context of the Regulatory Impact Statement and consultation to be undertaken for the proposed Work Health and Safety (Resources) Bill.

Recommendation 2

The Department of Mines and Petroleum should establish and keep an annual count of the number of resource workers employed on construction versus production in the resources industry, and the proportion working on FIFO work arrangements.

Supported.

System changes will be required and these will be considered in the context of the Regulatory Impact Statement and consultation to be undertaken for the proposed Work Health and Safety (Resources) Bill.

Recommendation 3

That the Attorney General provide funding to the Coroner's Court of Western Australia to develop and implement a searchable database for recording and monitoring trends in reportable deaths in Western Australia.

Supported.

The development of a case management system for the Office of the State Coroner as part of the Integrated Courts Management System is funded and scheduled for the 2016/17 financial year.

Recommendation 4

The Committee recommends that the Minister for Mental Health funds the Mental Health Commission to commission independent research into the mental health impacts of fly-in, fly-out work arrangements on workers and their families. Such research would involve:

- *A range of different sites across the state, with different mining systems (i.e. underground, open cut etc.);*
- *Both constructions and production workers;*
- *A representative sample of workers in terms of occupational role (i.e. not biased towards professionals);*
- *Workers on a range of roster compressions;*
- *A large (over 1,000) sample size;*
- *Many different companies, including contractor;*
- *Data gathering to include the impact of families; and*
- *A longitudinal focus.*

Supported.

The Mental Health Commission (MHC) will consider existing research that has been conducted in the area, including the studies referred to in the Report, to identify gaps in evidence that may be addressed through further study and as part of broader research to be considered in the context of recommendations 12, 18, 19 and 26.

Recommendation 5

The Committee calls on resource companies, and the industry's peak bodies, to acknowledge and respond to the demographic information available about the resources FIFO workforce, mental illness, and suicide risk. Ignoring the confluence of these factors places the lives of workers and their wellbeing at risk.

Noted.

Government representatives on the Mining Industry Advisory Committee (MIAC) which is a statutory body established under the *Occupational Safety and Health Act 1984* will seek to progress this recommendation in the context of the work to be done in relation to recommendation 4

Recommendation 6

Companies and industry peak bodies' must acknowledge that, regardless of contested demographic risk factors for heightened rates of mental illness and suicide, their workforce is vulnerable to suicide. Suicide is therefore a workplace hazard.

Noted.

FIFO is a potential factor in conjunction with other life stressors such as mental illness and alcohol and drug use that contribute to suicide. Government representatives on the MIAC will consider this recommendation in the context of work to be done in relation to recommendation 4.

Recommendation 7

The Committee recommends that the Minister for Mines and Petroleum ensure that clause 19(4) of the national WHS Model Act, dealing with duty of care at accommodation facilities, be included in the Western Australia Work Health and Safety (Resources) Bill, to ensure that a FIFO worker occupying or residing in FIFO accommodation is not exposed to risks to health and safety, including mental health and wellbeing.

Noted.

This will be considered as part of the consultation on the proposed Work Health and Safety (Resources) Bill and the work to be done in relation to recommendation 4..

Recommendation 8

That the Minister for Mines and Petroleum ensure that a clause be included in the new Work Health and Safety (Resources) Bill that requires the mine manager to report to the Department of Mines and Petroleum all attempted suicides and suicides at any location at a mine, including within the accommodation facilities whether on- or off-tenement, regardless of the imputed motivation.

Supported.

This will be considered as part of the consultation on the proposed Work Health and Safety (Resources) Bill. In the meantime, the Department of Mines and Petroleum (DMP) will continue to use existing administrative procedures to make formal requests for information on non-work related deaths (which include suicides and attempted suicides).

Recommendation 9

That the Minister for Mines and Petroleum ensure that the Department of Mines and Petroleum policy requires that every death notification received by the department is fully investigated, regardless of initial indications suggesting a suicide may not be related to work.

Supported.

The DMP already investigates all Western Australian resources industry deaths, regardless of initial indications of a potential non-work-related suicide. Once jurisdiction is established DMP or the appropriate agency will then fully investigate.

Recommendation 10

That the Minister for Mines and Petroleum ensure that a clause be included in the new Work Health and Safety (Resources) Bill that requires the mine manager to report to the Department of Mines and Petroleum any death, by any cause, which happens in any part of the mine site (including the accommodation camp), whether the worker is on- or off-shift.

Supported.

This will be considered as part of the consultation on the proposed Work Health and Safety (Resources) Bill.

Recommendation 11

That the Minister for Mines and Petroleum and the Department of Mines and Petroleum, in partnership with the Mental Health Commission, negotiate a Code of Practice with industry and other stakeholders that addresses FIFO work arrangements and their impact on employees' mental health.

Supported, in part.

MHC will be invited to join the MIAC to work with other members on the strengthening of existing codes and practices to address FIFO work arrangements and their impact on employees' mental health.

Recommendation 12

That the Minister for Mines and Petroleum ensure the Code of Practice on FIFO work arrangements addresses the issue of rosters, with the aim of encouraging even-time rosters, and rosters that support mental health and wellbeing such as two weeks on, one week off, or the 8 days on, 6 days off roster. Rosters of greater compression than this can result in fatigue and pose significant risks to workers' mental health and wellbeing, and should be reduced.

Noted.

Some anecdotal evidence supports this recommendation, whereas other anecdotal evidence indicates some workers prefer the financial benefits of longer rosters.

Further input will be sought through the MIAC and as part of broader research to be considered by the MHC in relation to recommendations 4, 18, 19 and 26.

Recommendation 13

That the Minister for Mines and Petroleum ensure the Code of Practice on FIFO work arrangements includes an explicit acknowledgement of the impact of fatigue on mental health, and controls for managing its consequences and impact.

Supported.

DMP and the MAIC will review existing Codes of Practice to ensure the above recommendation is addressed.

Recommendation 14

That the Minister for Mines and Petroleum ensures the Code of Practice on FIFO work arrangements includes a provision for the development of workplace cultures that are supportive of good mental health and wellbeing.

Supported.

DMP and the MAIC will review existing Codes of Practice to ensure the above recommendation is addressed.

Recommendation 15

That the Minister for Mines and Petroleum ensures improved anti-bullying procedures be included in the Code of Practice FIFO work arrangements, and that greater capacity be given to DMP to pursue and prosecute bullying claims.

Noted.

There is already a code of practice on the prevention and management of violence, aggression and bullying, and DMP currently has the capacity and competency to investigate and prosecute companies or individuals in relation to bullying. DMP is also undertaking further refinement to systems to record and analyse bullying complaints in order to identify trends.

Recommendation 16

That the Minister for Mines and Petroleum ensures the Code of Practice on FIFO work arrangements emphasises the importance of providing high quality, reliable and accessible communications technology in FIFO accommodation villages.

Supported.

DMP and the MAIC will progress this recommendation in the context of existing codes.

Recommendation 17

That the Minister for Mines and Petroleum ensures the Code of Practice on FIFO work arrangements includes a provision requiring that Active Lifestyle Coordinators (or their equivalents) at FIFO sites receives training in mental health.

Noted.

DMP and the MHC will work with the MIAC to consider the need for training in mental health at sites.

Recommendation 18

That the Minister for Mines and Petroleum ensure the Code of Practice on FIFO work arrangements requires the minimisation of motelling accommodation practices, and where possible, its abolition. The Code of Practice should also include measures to reduce negative impacts of the practice of modelling.

Noted.

Anecdotal evidence suggests advantages and disadvantages of motelling, consequentially further input will be sought through the MIAC and as part of broader research to be considered by the MHC in relation to recommendations 4, 12, 19 and 26.

Recommendation 19

That the Drug and Alcohol Office initiates an inquiry into possible harmful drinking habits and alcohol consumption of FIFO workers, and the impact on their mental health.

Supported.

The MHC will consider existing research that has been conducted in the area, to identify gaps in evidence that may be addressed through further study and as part of broader research to be considered in the context of recommendations 4, 12, 18, and 26.

Recommendation 20

Industry should assess whether all of the controls applied to workers in the FIFO accommodation facilities are necessary in terms of health and safety. The level of appropriate control in the accommodation facilities should be addressed in the Code of Practice on FIFO work arrangements.

Noted.

DMP supports appropriate controls to ensure the employer's compliance with duty of care obligations, and will work with the MIAC to progress this issue.

Recommendation 21

That the Mental Health Commission, in conjunction with industry and non-government organisations, develop a training program for managers and supervisors in the resources industry to address mental health issues, including suicide prevention and managing mental health problems amongst colleagues and workers.

Noted.

The MHC will work with the MIAC to progress this recommendation.

Recommendation 22

That the Minister for Mines and Petroleum ensure that the Code of Practice on FIFO work arrangements include a requirement for training in mental health literacy for FIFO workers, their families and other resource workers.

Noted.

DMP and the MHC will work with the MIAC to progress the need for training in mental health at sites.

Recommendation 23

A peer-based support program such as Mates in Construction should be implemented at all FIFO sites, for both construction and production workers.

Noted.

The MHC will work with the MIAC to progress this recommendation.

Recommendation 24

That the Minister for Mines and Petroleum ensures that the Code of Practice on FIFO work arrangements include a requirement for consistent procedures for mental health evacuations across industry, to be developed in partnership with the Mental Health Commission and the Mental Health Law Centre.

Noted.

DMP and the MHC will work with the MIAC to progress the need for training in mental health at sites.

Recommendation 25

That the Minister for Mines and Petroleum ensure that the Code of Practice on FIFO work arrangements includes a provision requiring companies to have well developed policies in place to manage a suicide or suicide attempt within their workforce. The Mental Health Commission should be consulted in the development of such policies.

Noted.

DMP and the MHC will work with the MIAC to progress the need for training in mental health at sites

Recommendation 26

That the Mental Health Commission (Drug and Alcohol Office) conduct further research into the use of illicit drugs by FIFO workers, particularly the use of short-acting illicit and new synthetic substances, and the impact on mental health.

Noted.

The MHC will consider existing research that has been conducted in the area, to identify gaps in evidence that may be addressed through further study and as part of broader research to be considered in the context of recommendations 4, 12, 18, and 19.

Recommendation 27

Where possible, FIFO workers should be encouraged and enabled to engage with the local host community.

Supported.

Government representatives on the MIAC will seek to progress this recommendation through this mechanism.

Recommendation 28

Mining companies should engage with local host communities to ensure that the placement of accommodation facilities bring benefits to local communities, as well as benefits to the mental health of workers.

Supported.

Government representatives on the MIAC will seek to progress this recommendation through this mechanism.

Recommendation 29

That the Department of State Development investigate mechanisms to encourage resource companies to invest in providing workers the opportunity to reside in local communities in order to improve mental health.

Supported.

The Department of State Development (DSD) will progress the above recommendation in consultation with relevant stakeholders.

Recommendation 30

The Department of State Development should develop a strategic plan for the decision making process for the placement of FIFO accommodation camps, which must include consideration of workers' mental health and access to local communities. Such a plan should include a community impact assessment.

Noted.

DSD will work with relevant stakeholders to ensure that decision making for the placement of FIFO accommodation camps considers amongst other things, workers' mental health and access to local communities.

