

Hon Scott Stewart  
Minister for Resources

  
  
*Sent by email:* [minershealth@rshq.qld.gov.au](mailto:minershealth@rshq.qld.gov.au)

4 August 2023

Dear Minister Stewart,

**Re: Clarifying Obligations to manage psychosocial hazards in the Queensland Resources Industry**

Rio Tinto welcomes the opportunity to make this submission to Resources Safety & Health Queensland (RSHQ) to share our views on proposed legislation to manage psychosocial hazards in the Queensland resources industry.

Rio Tinto has a long and proud history in Queensland. We currently operate 3 open cut bauxite mines in Weipa, far North Queensland, employing over 1200 Queenslanders and engaging many more both directly and indirectly as contractors. Our Weipa operations are a diverse workforce with over 30% indigenous employment, ~17% of whom as local to the Cape York area and 28% female employees. We also operate 3 alumina refineries in the Gladstone region, employing over 2500 employees that region.

Rio Tinto is a leading global mining and metal group that focuses on finding, mining, processing and marketing the earth's natural resources. We have been in business over 150 years and remain focussed on the long term. Many of our operations, such as those mentioned above, are located in regional areas and we are deeply invested in the communities in which we live and operate.

We have read the discussion paper recommending amendments to Queensland's resources safety and health legislation to clarify operators' obligations to protect workers from physical and psychological harm arising from psychosocial risk... Overall, we feel this is a positive move for the mining industry in Queensland. Rio Tinto has been on a cultural journey following The Everyday Respect Report we openly shared in 2022. We agree that change is required to move the industry forward.

We support updating Queensland's resources safety and health laws to ensure psychosocial risks are managed, aligned with general Queensland work health and safety laws. We support the requirement for businesses to undertake a thorough psychosocial risk assessment and implementing practical controls to manage identified risks. We further support these controls being maintained and reviewed. This is something pockets of our business have been proactively doing in consultation with our Western Australian teams, where such legislative amendments have already been made.

We have seen positive outcomes through similar changes implemented in Western Australia, however, we would like to further understand the reporting obligations for incidents relating to psychosocial hazards and psychological injuries.

In the case of a safety incident, we understand the requirement for immediate reporting, however we have learnt through our Western Australian businesses that the “immediate” timeframe is not practical in many cases where a psychological injury/illness has been reported. In Western Australia, we have seen various incidents where an employee has reported a psychosocial injury and we have reported it only to later discover through a robust and independent investigation process that the cause of the injury was not work related. We have also found that these investigations can be slowed due to the employee’s fitness to participate, further putting pressure on reporting requirements.

We believe realistic and practical timeframes need to be considered for reporting requirements to avoid further distress to the injured person.

We would also like to further understand the process that would be followed in the event of a report being submitted to RSHQ. It is our view that an investigation into a psychological injury/illness requires a different approach to a traditional safety investigation. For example, while we involve site SSHRs in safety investigations, we do not feel this would be appropriate in the case of a reported psychological injury/illness as employees can be uncomfortable sharing information with those they do not know or not understand the role that person plays. Confidentiality is critically important. In our experience, employee’s suffering a mental health disorder or similar psychological injury/illness are often very reluctant to share details of their condition with anyone and especially someone unknown to them. For this reason, we recommend any external investigation process must be conducted by suitably qualified and trained individuals who have first considered internal investigation processes to avoid duplication. Our priority must always be the impacted person and we feel regulatory requirements should promote engagement between RSHQ and the reporting business to protect the person.

Rio Tinto supports the work of RSHQ and welcomes the opportunity to further contribute to shaping this legislation. If you would like to discuss any matters raised in this submission, please do not hesitate to contact Benjamin Briggs, Senior Manager Government Relations QLD on [REDACTED] or [REDACTED]

Yours sincerely,

*Armando Torres*

Armando Torres  
Managing Director Pacific Operations  
Rio Tinto