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Mental Health and the Workplace

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The Commissioner for Public Sector Employment Office of the Public Employment and Review in collaboration with the Institute of Public Administration Australia (IPAA) are holding a forum on Mental Health and the Workplace.

This forum will consider mental health in the workplace, strategies to aid Employees and Managers and also cover relevant public sector legislation and policy. The South Australian Public Sector has a workforce of approximately 100,000 people. Based on Statistics from the Australian Bureau of Statistics 2008 (National Survey of Mental Health and Wellbeing) - this means that 6,200 of those people may be suffering from depression and 14,400 may be suffering from an anxiety disorder.

A mentally healthy workplace protects and promotes mental health and empowers people to seek help for depression and anxiety, for the benefits of the individual, organisation and community.

The Hon Minister O'Brien, Minister for the Public Sector and Minister for Finance will open this forum and the MC, speakers and panellists are as follows:

- **Ms Anne Burgess (MC)** - Assistant Commissioner, Public Sector Grievance Review Commission
- **Mr Warren McCann** - Commissioner for Public Sector Employment
- **Professor Michael Kidd AM** - Board Director, beyondblue, and Executive Dean, Faculty of Health Sciences, Flinders University
- **Ms Therese Fitzpatrick** - Workforce and Workplace Program Leader, beyondblue
- **Mr Craig Stevens** - Managing Solicitor, Crown Solicitor's Office
- **Dr John Brayley** - Public Advocate, Office of the Public Advocate, Attorney General's Department

This forum will consider strategies to aid employees and managers and also cover relevant Public Sector legislation and policy.

Referring an employee for a medical examination, particularly in the case of mental incapacity, can be distressing for the employee and colleagues and sometimes for the family of the employee. It can however be a useful strategy to inform the formulation of management options best fitted to the circumstances and possible limitations of the employee.

Some questions that will be answered during the **Mental health and the Workplace** forum are:

- What makes a mentally healthy workplace?
- How do you recognise the symptoms of depression and anxiety disorders?
- How can managers, human resource practitioners and colleagues best support employees with a mental health problem?
- How can this best be handled?
- Should a medical examination be an option of last resort or can it be a useful tool to provide support to employees?
- What about confidentiality, natural justice, process and procedural fairness?

Mr Warren McCann, Commissioner for Public Sector Employment will introduce the new Guidelines that have been prepared to assist Chief Executives and Managers involved in the consideration of possible reliance on Section 56.

This event is proudly supported by:



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Mental Health and the Workplace

Depression and anxiety disorders are common. Each year in Australia about one million adults experience depression and two million experience an anxiety disorder.

It can be difficult for people to admit they have depression or an anxiety disorder, and many people with these conditions are afraid to speak up at work in case they are treated differently. The actions of colleagues and managers can make a real difference to a person with a mental health problem.

The South Australian Public Sector has a workforce of approximately 100,000 people. Based on Statistics from the Australian Bureau of Statistics 2008 (National Survey of Mental Health and Wellbeing)- this means that 6,200 of those people may be suffering from depression and 14,400 may be suffering from an anxiety disorder.

A mentally healthy workplace protects and promotes mental health and empowers people to seek help for depression and anxiety, for the benefits of the individual, organisation and community.

The forum will consider mental health in the workplace, strategies to aid employees and managers and also cover relevant public sector legislation and policy. The forum is targeted at public sector human resource professionals and managers.

The Workplace

- What makes a mentally healthy workplace
- How to recognise the symptoms of depression and anxiety disorders
- How can managers, human resource practitioners and colleagues best support employees with a mental health problem

Legislation and Policy

Section 56 of the *Public Sector Act 2009* enables the Chief Executive of an agency (or their delegate) to require an employee to undergo a medical examination by a medical practitioner in circumstances where they believe that the employee's unsatisfactory performance may be caused by a mental or physical incapacity. Other public sector employment legislation in South Australia contains similar provisions. The power is a discretionary one.

The Commissioner for Public Sector Employment has prepared a guideline to assist Chief Executives and managers involved in the consideration of possible reliance on Section 56. Referring an employee for a medical examination, particularly in the case of mental incapacity, can be distressing for the employee and colleagues and sometimes for the family of the employee. It can however be a useful strategy to inform the formulation of management options best fitted to the circumstances and possible limitations of the employee.

How can this best be handled? Should a medical examination be an option of last resort or can it be a useful tool to provide support to employees? What about confidentiality, natural justice, process and procedural fairness?



Hon Michael O'Brien MP, Minister for Finance, Minister for the Public Sector

Michael O'Brien was appointed as the South Australian Minister for Employment, Training and Further Education, and Minister for Science and Information Economy in March 2009. He was subsequently given responsibility for the Road Safety portfolio.

Before gaining his Cabinet position, he was a Parliamentary Secretary and served on numerous Parliamentary Committees. After the State election in March 2010, Michael was appointed Minister for Agriculture, Food and Fisheries, Minister for Forests, Minister for Regional Development and Minister for Northern Suburbs.

In the Cabinet reshuffle on 8 February 2011, Michael was appointed Minister for Agriculture and Fisheries, Minister for Forests, Minister for Energy and Minister for the Northern Suburbs.

In the first Weatherill Cabinet, Michael was elevated to Minister for Finance and Minister for the Public Sector.



Warren McCann, Commissioner for Public Sector Employment, Office of Public Employment and Review

Mr McCann began his career in the Australian Public Service managing areas such as Executive Policy, Law Enforcement Policy including counter-terrorism, Federal Police, and Public Order and Police Affairs.

In the 1990s, Mr McCann's assignments included various senior positions in the Victorian State Government, notably as Chief Executive of the Ministry of Police and Emergency Services, Chief Executive of the Department of Justice and Chief Executive of the Department of Human Services. In the latter role, he was responsible for a budget of \$A7.3 billion and 9,500 staff.

In 2000, he crossed the state border to become the Chief Executive of the South Australian Department of the Premier and Cabinet. He continued in that role until November 2008 when he was appointed to his current role of Commissioner for Public Sector Employment, Office of Public Employment and Review.



Professor Michael Kidd AM, Board Director, beyondblue, and Executive Dean, Faculty of Health Sciences, Flinders University

Professor Michael Kidd AM is a general practitioner, primary care researcher and Executive Dean of Health Sciences at Flinders University. He is a past president of The Royal Australian College of General Practitioners and the next president of the World Organization of Family Doctors. He is a member of the board of beyondblue.



Therese Fitzpatrick, Workforce and Workplace Program Leader, beyondblue

Therese Fitzpatrick leads the work that *beyondblue* undertakes in workplace mental health, including research, program development and advocacy. She oversees the development and implementation of *beyondblue's* National Workplace Program and online awareness programs. Therese is an Occupational Therapist and prior to her work at *beyondblue* worked for in the mental health and employment sectors.



Anne Burgess, Assistant Commissioner of the Public Sector Grievance Review Commission

Ms Anne Burgess has recently been appointed Assistant Commissioner of the Public Sector Grievance Review Commission. She has had a long career in the public sector in the social justice arenas, holding the positions of Acting Commissioner for Equal Opportunity, Director of Office for Women and with responsibility for establishing a Drug Court.

Relevant to today's conference, Anne started her career as a social worker in mental health many years ago and held positions responsible for mental health reform in the late 1990's, culminating in her appointment as Director of Mental Health. She maintains her links to mental health today as she currently Chairs the Community Visitor's Scheme Advisory Committee.

In addition she is President of the Asthma Foundation of SA, a Director of Asthma Australia and the Chiropractic board of Australia.



Mr Craig Stevens, Managing Solicitor, Crown Solicitor's Office

Craig was a Police Officer for eight years and during the last years of service commenced university study. After some full time study, he worked for three years as an Industrial Officer at the Police Association of South Australia and at the same time finalised his studies on a part-time basis. Craig re-joined the public sector in 1998 and spent brief periods in Public Sector Workforce Relations, Cabinet Office and SafeWork SA in roles focussing on industrial and employee relations policy. He joined the Crown Solicitor's Office in the year 2001 as a solicitor and has been Managing Solicitor of the Industrial and Employment Team since December 2007. He is a President of the Industrial Relations Society of South Australia.



Dr John Brayley, Public Advocate, Office of the Public Advocate, Attorney General's Department

Dr John Brayley was appointed Public Advocate in July 2008. John has a background in both mental health and general health administration, as well as quality improvement. He is a former State Director of Mental Health in South Australia and Chief Advisor in Psychiatry. He holds an unpaid academic appointment as Associate Professor in Health Services Management at Flinders University.

The Public Advocate has a role promoting rights, reviewing programs, and identifying unmet or inappropriately met need for people who have a mental illness, brain injury, autism spectrum disorder, dementia, or any other condition that affects decision making capacity. It is an independent statutory role. Recommendations are made to relevant Ministers, and the position is accountable to the South Australian Parliament. The Public Advocate also acts as adult guardian of last resort.