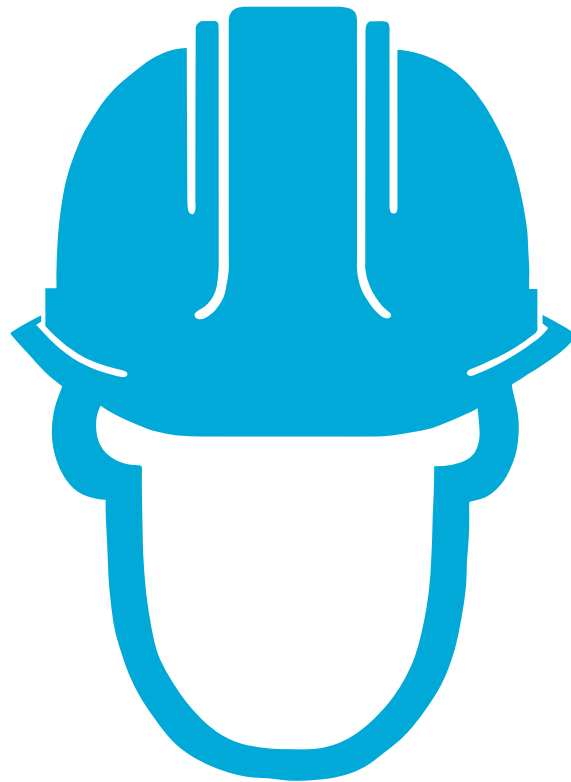


The Health and Safety at Work Act 2015

A TRADIE'S GUIDE TO THE LEGISLATION



BCITO
buildingpeople

ACKNOWLEDGEMENTS

This publication has been developed with the assistance of Site Safe New Zealand Inc. BCITO is grateful for the use of some graphics and terminology that are synonymous with Site Safe.

PUBLISHED BY

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THE HEALTH AND SAFETY AT WORK ACT 2015

On the 4th of April 2016, the Health and Safety at Work (HSW) Act became law, replacing the Health and Safety in Employment Act (1992).

Why did we need a new workplace health and safety law?

Nobody goes to work expecting to get hurt, sick or killed. But in New Zealand, far too many people do.

On average, 73 people per year die on the job, 1 in 10 is harmed and 600-900 die from work-related diseases. This costs \$3.5 billion per year.

And that's before you take into account the devastating emotional costs on the friends, family, loved ones and co-workers of those people hurt or killed on the job.

The primary short-term goal of the Government in passing the Health and Safety at Work Act is to achieve a 25% reduction in injuries and fatalities by 2020.

Purpose of the new Act

The main purpose of the Health and Safety at Work Act is to secure the health and safety of workers and workplaces; to ensure everyone goes home safely at the end of each day.

The Health and Safety at Work Act is about making everyone's responsibilities clear when it comes to keeping people healthy and safe in workplaces. It requires a cooperative approach to effective risk management. It encourages effective worker participation, clarifies responsibilities and accountabilities, and requires businesses, suppliers and officers (e.g. company directors) to do what they can reasonably practicably do to keep people safe.

DID YOU KNOW?

Our new health and safety law is based on Australia's. They've seen a 16% reduction in work-related deaths since 2012 and just reported the lowest number of work-related deaths in 11 years.

The main sections of the Act are:



For anyone familiar with the old Health and Safety in Employment Act, a snapshot of the Key Parts and Duties in the Health and Safety at Work Act, and how they have changed when compared to the old legislation include:

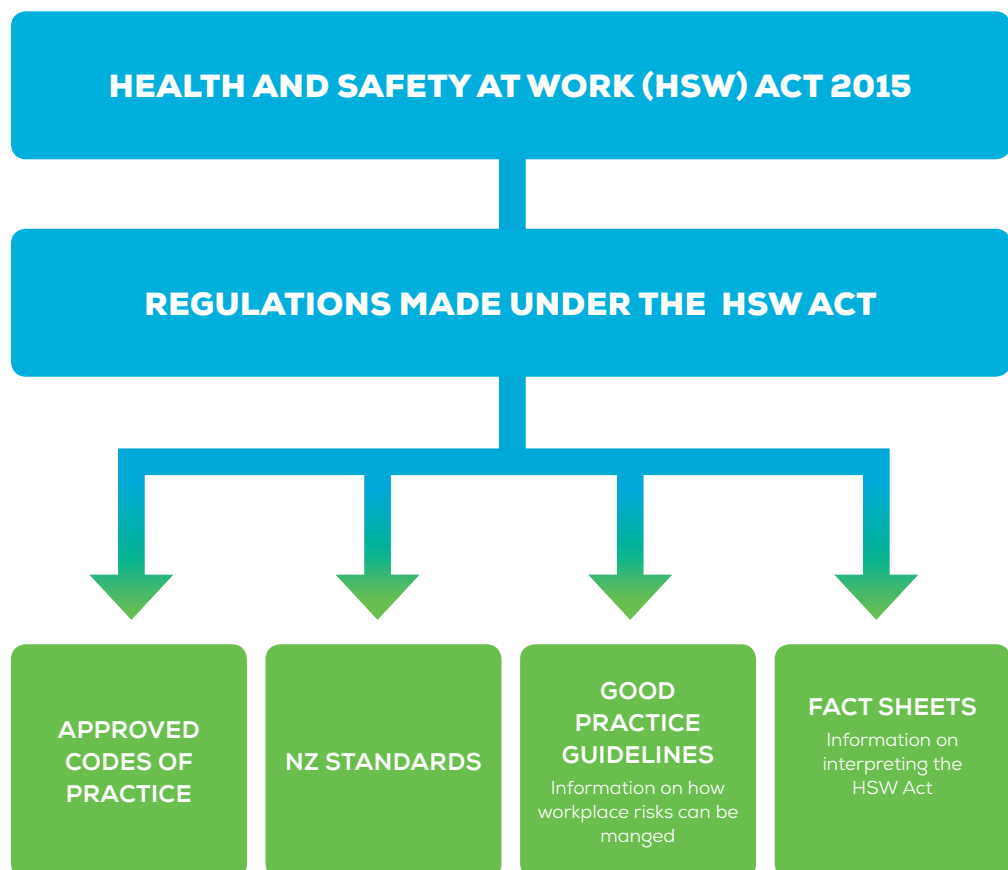
- ⊗ The regulator administering the legislation is called WorkSafe New Zealand
- ⊗ Specified duty holders replace the ones that were known as principals, persons in control of a place of work, employers, etc.
- ⊗ The “All Practicable Steps” concept was replaced by doing what is “Reasonably Practicable”
- ⊗ Multiple companies on a construction site must consult, cooperate and coordinate with each other if they share a health and safety duty
- ⊗ There was a change from managing hazards to managing risks
- ⊗ Designers have a specific duty to consider health and safety in project design
- ⊗ Consultants too are duty holders on construction projects
- ⊗ Officers of companies must exercise due diligence over the company’s health and safety activities
- ⊗ There are new worker engagement, participation and representation rules
- ⊗ The regulator for the use of hazardous substances in the workplace is WorkSafe New Zealand, replacing the Environmental Protection Authority

Who regulates it?

The Regulator for the Health and Safety at Work Act is **WorkSafe New Zealand**.

WorkSafe replaces what was referred to as OSH (Occupational Safety and Health), DOL (Department of Labour) and MBIE (Ministry of Business, Innovation and Employment). WorkSafe is a Crown Entity which means it is a stand-alone entity and not part of any other Government Department.

The primary structure and source for health and safety legislation is the Health and Safety at Work Act. The HSW Act requires and enables the development of a range of regulations for specific health and safety topics and practices. There is also a range of accompanying guidance and supporting documents produced by WorkSafe.



Flowchart showing the hierarchy of the health and safety legislative framework

REGULATIONS

Of the Regulations that fall out of the Health and Safety at Work Act that are in place, the ones that apply most to work in the construction industry are:

- ⊗ General Risk and Workplace Management
 - ⊗ Major Hazard Facilities*
 - ⊗ Asbestos
 - ⊗ Engagement, Worker Participation and Representation
 - ⊗ Work Involving Hazardous Substances
- * Major hazard facilities include places like refineries and smelters

Regulations and accompanying guidance are developed and provided by WorkSafe New Zealand over time. The first phase, at April 2016, includes over 30 pieces of guidance including:

- ⊗ Comprehensive Guide to the HSW Act covering what you need to know about general workplace health and safety
- ⊗ Approved Codes of Practice
- ⊗ Good practice guidance explaining how workplace risks can be managed and the requirements of the Health and Safety at Work Regulations
- ⊗ Fact sheets on key topics including:
 - What is a PCBU and what are its duties?
 - What is an officer and what are their duties?
 - What are the notification requirements for workplace incidents?
 - What does “reasonably practicable” mean?

Go to www.business.govt.nz/worksafe for more information.

General Risk and Workplace Management – Regulations

This regulation describes specific requirements for health and safety management. Some of the topics covered include:

- ⊗ Identifying and controlling risks including the hierarchy of controls
- ⊗ Training and supervision requirements
- ⊗ General workplace facilities including toilets, lunch and smoko areas, washing and drinking water
- ⊗ First aid requirements

- ⊗ Emergency plans
- ⊗ PPE
- ⊗ Other topics also covered include:
 - Communication with remote workers
 - Hazardous atmospheres
 - Falling objects
 - Worker exposure and health monitoring

Major Hazard Facilities – Regulations

Major hazard facilities (MHFs) are workplaces that have significant inherent hazards. They include workplaces that produce, use or store very large quantities of specified hazardous substances. Examples of MHFs include oil refineries and aluminium smelters. Failure to control these significant inherent hazards doesn't happen often, but when it does the consequences can be catastrophic.

If your job requires you to work in a major hazard facility you will be required to strictly comply with the facility's health, safety and environmental requirements.

Asbestos - Regulations

These Regulations prohibit any work involving asbestos except where expressly allowed through regulated processes. They require PCBUs to monitor, identify and manage asbestos risks, and ensure asbestos is removed through proper, controlled processes. There are rules on the licensing of asbestos removalists and assessors, with different licensing criteria for various classes of asbestos risk.

Worker Engagement, Participation and Representation - Regulations

These Regulations are supported by the Good Practice Guideline for Worker Engagement, Participation and Representation. This guideline outlines that workers:

- ⊗ must have a voice on health and safety matters
- ⊗ are directly affected by any risks created by a PCBU's work
- ⊗ know how a job is done and how it affects them
- ⊗ can help PCBUs to make better health and safety decisions
- ⊗ can help PCBUs to prioritise the health and safety matters that need to be addressed

All PCBUs must:

- ⊗ engage with workers on issues that may affect health and safety
- ⊗ have practices that provide **reasonable opportunities** for workers to participate effectively in improving health and safety

Engaging means:

- ⊗ **talking** with workers, Health and Safety Representatives (HSRs), unions and worker representatives about workplace health and safety matters
- ⊗ **sharing** information about health and safety matters so that workers are well-informed and know what is going on
- ⊗ **encouraging** workers to contribute their views
- ⊗ **listening to and considering** what workers have to say
- ⊗ **giving** workers opportunities to contribute to the decision-making process relating to health and safety matters
- ⊗ **considering workers' views** when decisions are being made
- ⊗ **updating workers** about what decisions have been made and what will happen next

Work Involving Hazardous Substances – Regulations

The transfer of workplace hazardous substances management from the Hazardous Substances and New Organisms (HSNO) Act into the new Health and Safety at Work Act means that WorkSafe New Zealand is now responsible for these functions rather than the Environmental Protection Authority (EPA).

The purpose of the Work Involving Hazardous Substances Regulations is to protect the environment and the health and safety of people and communities by preventing or managing the adverse effects of hazardous substances and new organisms.

Companies which work with identified hazardous substances may need a Test Certificate to demonstrate compliance with the Regulations. Access to a copy of the hazardous substance's Safety Data Sheet will also provide information about the substance including:

- ⊗ the hazards and associated risks
- ⊗ the specific ingredients of the substance
- ⊗ first aid and firefighting measures
- ⊗ spillage and accidental release measures
- ⊗ handling and storage requirements
- ⊗ controls for hazards and associated risks including personal protective clothing and equipment
- ⊗ information on protecting the environment
- ⊗ disposal considerations
- ⊗ transport information

PCBUs are responsible for maintaining a Hazardous Substances Inventory and providing workers with information relating to each hazardous substance. They also need to provide training in the use of any hazardous substance and check that workers are able to undertake their jobs safely.

DUTY HOLDERS UNDER THE ACT

Duty holders under the HSW Act are:

- ⊗ Person Conducting a Business or Undertaking, known as a PCBU
- ⊗ Officer
- ⊗ Worker

TITLE	OFFICER	PCBU	WORKER
JOB DESCRIPTION	Making decisions about the business	Running the business	Doing the work
HEALTH AND SAFETY DUTIES	Applying due diligence	Doing what is reasonably practicable	Taking reasonable care

What is a PCBU?

PCBUs are the primary duty holders under the Health and Safety at Work Act. Most duties and responsibilities identified in the legislation relate to PCBUs.

Despite the name a PCBU is not normally a “person”. A PCBU is typically a company or business. The only time a PCBU is an individual is in the case of a sole trader or self-employed person.

The PCBU concept reflects modern working arrangements better than the traditional employer/employee relationship. It captures the HSW Act’s requirement for all duty holders to **consult, cooperate and coordinate** their health and safety activities to meet their shared duties.

In a construction context, a PCBU is any company, sole trader or self-employed person involved in a construction project and includes:

- ⊗ Client
- ⊗ Main contractor
- ⊗ Consultant
- ⊗ Designers
- ⊗ Subcontractors
- ⊗ Suppliers

PCBU HAS THE PRIMARY DUTY OF CARE TO WORKERS

On a construction site, the duty of looking after workers falls to each of the different PCBUs operating on the site. The primary duty of any PCBU is to ensure, so far as is **reasonably practicable**, the health and safety of the workers it employs, engages, influences or directs.

All PCBUs on a construction site have a shared duty to workers and must think and act more broadly about who they affect through the conduct of the business or the undertaking.

SOME REASONABLY PRACTICABLE DUTIES FOR PCBU_s INCLUDE ENSURING THE:

- provision and maintenance of the work environment without risk to health and safety
- provision and maintenance of safe plant, structures and systems of work
- safe use, handling and storage of plant, substances and structures
- provision of information, training, instruction or supervision to protect all persons from risks to health and safety
- monitoring of health of workers and conditions at the workplace

REASONABLY PRACTICABLE

The HSW Act uses “**reasonably practicable**” as the test to determine what is or was able to be done by a PCBU in order to meet its health and safety obligations.

This means what could reasonably be done, at a particular time, to ensure health and safety, taking into account and weighing up all relevant matters.

Being reasonably practicable includes weighing up the following:

- 1** the likelihood of the risk or harm occurring
- 2** the degree of harm that might result from the risk or hazard
- 3** what is known (or could be reasonably expected to be known) about the risk or hazard and methods of eliminating or minimising it the risk
- 4** the availability and suitability of these methods of eliminating or minimising the risk
- 5** after assessing the extent of the risk and available methods of eliminating or minimising the risk, the cost associated with using these methods. This includes whether the cost is **grossly disproportionate** to the risk.

Just because a PCBU believes the cost of managing the risk or hazard is too great does not mean the job should proceed in the same manner it was done prior to the risk assessment taking place. The PCBU may need to have another look at the controls and the levels of risk in order to determine what else can be done to lower the risk.

At the end of the day, “**reasonably practicable**” pretty much means what it sounds like. For sensible, cautious business owners who understand their business, there is really no need to take unreasonable risks.

Some of the main references to this duty include PCBUs doing what is **reasonably practicable** to:

- ⊗ ensure the health and safety of workers
- ⊗ eliminate or minimise risks to workers

- ⊗ consult, cooperate and coordinate with other PCBUs on a construction site
- ⊗ design plant and structures without risks
- ⊗ engage with workers on health and safety matters

Who is an Officer?

An officer is a person within a PCBU company with a senior governance role that allows them to exercise significant influence over the management of the entire business. An officer could be a:

- ⊗ Chief Executive
- ⊗ Board member
- ⊗ Director
- ⊗ Partner

OFFICER DUTY TO EXERCISE DUE DILIGENCE OVER THE PCBU

Officers have a duty to exercise **due diligence** to ensure that the PCBU is putting the right focus on health and safety in the workplace. While it's not their role to directly ensure the health and safety of the PCBU's workers, officers are the ones who direct and guide the organisation. It is their decisions that ensure the success or failure of any health and safety initiatives and therefore it is their role to strongly influence a safety culture at all levels inside the PCBU.

Due diligence as it is defined in the HSW Act is broadly the same as the concept of due diligence that directors already know in a wider business sense for things like managing financial risk or business objectives.

DUE DILIGENCE MEANS:

- keeping up to date with health and safety knowledge and practices
- understanding the nature of hazards and risks
- ensuring there are resources and processes in place to eliminate or minimise hazards and risks
- ensuring there are processes in place for timely information and response to incidents, hazards and risks
- ensuring that health and safety processes are actually implemented within the PCBU

Officer versus PCBU duties

The officer's duty is not the same as the PCBU's duty. Officers do not have to be reasonably practicable to ensure the health and safety of workers but they must exercise due diligence to ensure the PCBU is meeting its health and safety obligations. The duty of an Officer is meant to enhance and support the PCBU.

DESIGNERS AS PCBU_s

Designers of plant and structures are considered PCBU_s.

Designers must, so far as is **reasonably practicable**, ensure that plant, substances and structures are designed to be without risks to the health and safety of persons who:

- ⊗ in the workplace, use the plant, substances, or structures for purposes they were designed for
- ⊗ handle the substances in the workplace
- ⊗ store the plant or substances in the workplace
- ⊗ construct the structures in the workplace
- ⊗ carry out any reasonably foreseeable activity (such as inspection, cleaning, maintenance, or repair) in the workplace

In other words, designers should consider the “whole life” costs of a project not just the costs of construction. Therefore they need to consider the health and safety of:

- ⊗ construction workers while the structure is under construction
- ⊗ users once it is constructed
- ⊗ maintenance workers during its lifetime
- ⊗ demolition workers at some time in the future

DESIGNERS ARE EXPECTED TO FACTOR HEALTH AND SAFETY INTO:

- their designs
- the expected methods of construction for their designs
- their approach to the tendering and negotiating processes
- communications with other PCBU_s, including contractors

CLIENTS AS PCBU_s

The client for a construction project also shares a duty to workers and must work with the designer and other PCBU_s to meet this duty. A client who commissions construction work is expected to consult with the designer about how to ensure that health and safety risks arising from the design during construction are eliminated or minimised.

The client as a PCBU is also expected to provide the designer with any information relating to the hazards and risks associated with the site where the construction work is to be carried out.

ALL PCBUS SHARE THE DUTY TO CONSULT, COOPERATE AND COORDINATE ACTIVITIES

All PCBUs with a shared duty to workers (such as those on a construction site) must consult, cooperate and coordinate activities with each other, as far as is reasonably practicable.

The main contractor has a duty to the workers they influence or direct (which is usually all workers on site) when doing things like:

- ⊗ setting work deadlines
- ⊗ outlining requirements for the use of plant and equipment
- ⊗ identifying the general method of work
- ⊗ coordinating and overseeing the project in its entirety

Each individual PCBU, including all the other contractors, designers, suppliers, etc. has duties to its workers and others. Together, these PCBUs must ensure they are doing all that is **reasonably practicable** to keep the site safe for everyone. In a nutshell, this means that everyone has a duty.

EXAMPLES

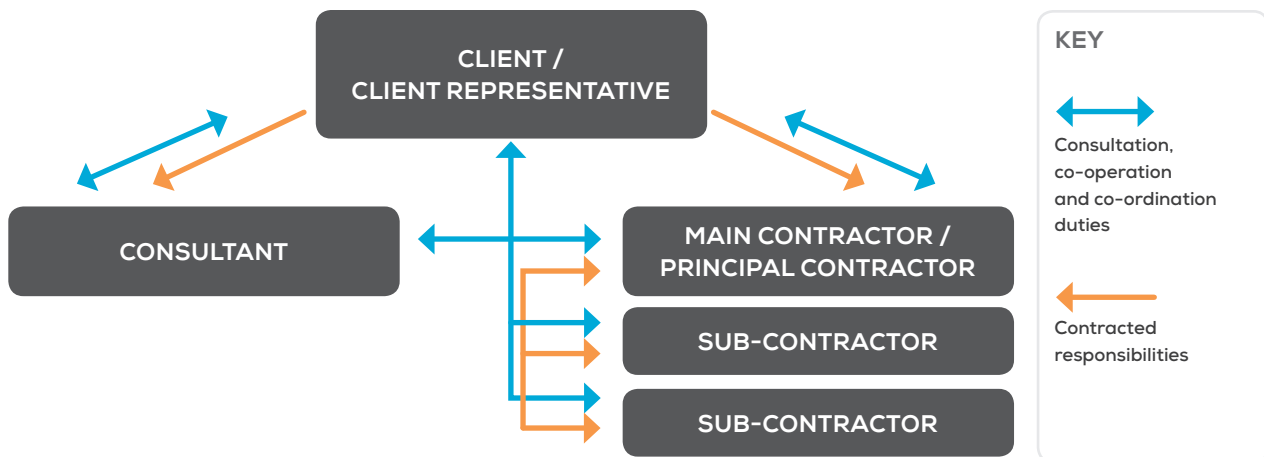
Where scaffolding is used in a workplace, each PCBU in the chain must discharge its duty to ensure the health and safety of workers. The scaffolding must be designed, supplied, assembled and used to ensure it won't risk the health and safety of those who use it, are close to it or maintain it in the workplace.

A construction site where a labour hire worker from one PCBU is working for another PCBU. In this case, all PCBUs in the workplace have a duty to consult, cooperate and coordinate on health and safety matters. This is a fundamental part of the HSW Act's design that ensures that all PCBUs work together for the health and safety of everyone in the workplace.

To meet this duty the PCBUs should have a range of formal and informal methods of consulting, cooperating and coordinating. They also need to keep records relating to these activities. Some methods used to consult, cooperate and coordinate could include:

- ⊗ pre-qualifying contractors on the project based on past health and safety performance
- ⊗ sharing information on what each PCBU is doing before and after work starts
- ⊗ sharing documentation like:
 - Hazard and Risk Registers
 - Task Analysis
 - Safe Work Method Statements

- ⊗ completing Site Specific Safety Plans (each PCBU should complete one of these)
- ⊗ conducting site inductions
- ⊗ meeting regularly to discuss health and safety in both formal and informal ways
- ⊗ monitoring the work to ensure workers are safe



This diagram shows the typical contractual agreements on construction projects and also the consultation, cooperation and coordination relationships for PCBUs that share a duty to workers.

A PCBU that has less direct control and influence over the site concerned can generally fulfil its duty through arrangements with the PCBU that is closer to the work and has more influence and control.

Who is a Worker?

A worker is anyone who carries out work for a PCBU or others who spend time on the site including:

- ⊗ an employee
- ⊗ an apprentice or trainee
- ⊗ a contractor or sub-contractor
- ⊗ an employee of a contractor or sub-contractor
- ⊗ an employee of a labour hire company
- ⊗ a person gaining work experience
- ⊗ a volunteer
- ⊗ a visitor

WORKER DUTY TO TAKE REASONABLE CARE

Workers and other persons at a workplace have a duty to take **reasonable care** to ensure their own and others' health and safety.

REASONABLE CARE DUTIES FOR WORKERS

- Ensure their own and others' health and safety at work
- Ensure acts and omissions do not adversely affect the safety of others in the workplace
- Comply with reasonable instructions given by the PCBU
- Cooperate with policies and procedures of the PCBU

THE MOST IMPORTANT THINGS THAT YOU CAN DO AS A WORKER ARE TO:

- ⊗ Look after yourself and your mates. Don't take shortcuts around known safety rules just because you think you might be able to do the job easier or faster.
- ⊗ Report all hazards, risks, incidents, accidents and injuries. Doing this will allow you, your workmates, the organisation you work for and the organisations you work with to identify ways to stop these things from causing harm to you and your mates.

HAZARD IDENTIFICATION, RISK ASSESSMENT AND MANAGEMENT

The Health and Safety at Work Act 2015 requires all PCBUs to manage risks to workers. Risk is the possibility that harm (death, injury or illness) might occur to people who are exposed to any hazard.

To manage risks, all PCBUs are required to identify any reasonably foreseeable hazards that could give rise to health and safety risks. The level of risk for each hazard must then be assessed.

Step by step risk management process

#1	Identify hazards – find out what could cause harm
#2	Assess risks – understand the nature of the harm that could be caused by the hazard, how serious the harm could be and the likelihood of it happening
#3	Control risks – implement the most effective control measures that are reasonably practicable in the circumstances
#4	Assess residual risk – in the same manner as before once the controls are in place
#5	Review control measures to ensure they are working as planned

Each PCBU must have a process in place to identify hazards and assess risks. Identified hazards are recorded in a hazard or risk register, or some other place known to all affected parties. Someone in each PCBU should be responsible for assessing the hazards and determining the level of risk for each. Workers should also assess risks while planning and preparing to do each job. This can be done while completing processes such as Step Back 5x5, 7 Point Analysis and Task Analysis.

#1 Identify hazards

The first step in the risk management process is to identify the hazards.

Examples of hazards include:

- ✘ the construction workplace itself, including its location, layout, condition and accessibility
- ✘ incorrect use of ladders, incorrectly erected equipment, unguarded holes, penetrations and voids, unguarded excavations, trenches, shafts and lift wells, unstable structures such as incomplete scaffolding or mobile platforms, fragile and brittle surfaces such as cement sheet roofs, fibreglass roofs, skylights and unprotected formwork decks
- ✘ falling objects, for example tools, equipment or debris
- ✘ collapse of trenches
- ✘ structural collapse
- ✘ the handling, use, storage, transportation or disposal of hazardous chemicals
- ✘ asbestos and materials containing asbestos
- ✘ welding fumes, gases and arcs
- ✘ hazardous manual tasks, for example heavy lifting or digging holes
- ✘ the interface with other works or trade activities
- ✘ the physical working environment, for example the potential for electric shock, immersion or engulfment, fire or explosion, slips, trips and falls, people being struck by moving plant, exposure to noise, heat, cold, vibration, radiation, static electricity or a contaminated atmosphere, and the necessity to be in a confined space

STEP BACK 5X5

This is a process where you step back 5 paces from the job and spend 5 minutes thinking about and planning to do the job.

- ✘ observe your surroundings
- ✘ think the job through and identify anything that could go wrong
- ✘ consider the ways in which you or others could be injured doing the job
- ✘ consider how severe the injuries might be if indeed anyone is injured

If you are not confident or comfortable doing the job because you think the risk is too high, stop and talk to your boss.

7 POINT ANALYSIS

WHILE DOING YOUR STEP BACK 5X5, ASK YOURSELF WHETHER YOU CAN:

- Come in contact with an energy source
- Come in contact with a hazardous substance
- Be struck by or strike against anything
- Be caught in, on or between anything
- Slip, trip or fall to the same or lower level
- Strain or sprain a muscle
- Be injured by poor job or plant design

HAZARD REGISTER

A Hazard Register is a written document listing the hazards on a site or for a job. A Hazard Register could be a master list of hazards or a list of site-specific hazards for any particular site. Every PCBU should have a Hazard Register in the workplace. It is normally kept on the site or in a vehicle. It should be accessible to everyone and should be reviewed and updated regularly. The hazard register often lists how hazards are to be controlled as well as what they are. Once hazards are identified and reported, they can be assessed for risk and controlled.

ACCIDENT REGISTER

An Accident Register is a written document where accidents, incidents and near misses are recorded. Every PCBU should have an Accident Register in the workplace. Accidents don't always result in serious harm the first time they occur. In fact, accidents, near misses or incidents often occur several times over a period of time before there is a serious injury. If an unplanned event may cause harm, it is classed as an accident and should be reported before an injury occurs. Therefore, everyone should report all near misses and incidents, not just accidents that cause harm or an injury. Reporting near misses and incidents allows hazards to be controlled before anyone is seriously injured.

TASK ANALYSIS AND SAFE WORK METHOD STATEMENT (TA AND SWMS)

A Task Analysis (TA) and Safe Work Method Statement (SWMS) are similar types of job plans that help PCBUs systematically identify hazards, and assess and control risks. The purpose of a TA or SWMS is to enable everyone in the workplace to understand the nature of the work and how it can be carried out in a safe manner. It sets out the work activities in a logical sequence, identifies hazards and describes control measures. Any activity, no matter how simple or complex, can be broken down into a series of basic steps that permit a systematic analysis of each part of the activity for hazards and potential accidents.

The 8 basic steps in the Task Analysis process are:

- 1** Examine your site activities or jobs on the project schedule
- 2** For each activity or job, identify the specific tasks or steps that will see the job through from start to finish. Typical steps include:
 - deliver materials and plant to site
 - shift materials and plant to the work area
 - access the work area
 - set up plant and equipment
 - do the job
 - finish and clean up
- 3** Identify specific hazards in each step using Step Back 5x5, 7 Point Analysis or other hazard identification methods
- 4** Assess the initial level of risk (without controls in place) for each hazard using a risk matrix
- 5** Determine required controls and rank them according to the Hierarchy of Control. The aim is to put the best possible controls in place so if they're all pretty low on the hierarchy, it might pay to see whether there are other controls that would have a better effect
- 6** Assess the residual level of risk (with controls in place) for each hazard using a risk matrix
- 7** Implement the controls and monitor by assigning responsibilities and carrying them out
- 8** Follow up to verify that the controls are working as planned and the risk level is at an acceptable level

See page 21 for an example of a completed Task Analysis.

TOOLBOX TALKS

A Toolbox Talk is a 10-15 minute group discussion about how to do a job (or a particular aspect of a job) safely. Some businesses undertake Tool Box talks at the start of every day while others hold them every one or two weeks or prior to new work starting. Regardless of their frequency, the important thing is that they happen and the focus is safety.

Toolbox Talks provide workers with an opportunity to participate in health and safety discussions and decisions. Toolbox Talks are a great way for people to share information where they:

- ⊗ Know of hazards and risks that are not controlled
- ⊗ Know of a better way to do your job
- ⊗ Have experienced incidents or accidents
- ⊗ If there are things that are worrying you about your safety

Task Analysis example - Install Roof Trusses

Sequence of basic steps <i>(Describe each step in the activity. Follow the flow of the product or the process).</i>	Potential hazards and risks <i>(Describe the key hazards and risks for each step – there will normally be more than one per step. Number each hazard e.g 1a, 2a, 3a).</i>	Initial risk assessment <i>Before the controls are in place. (Refer to the risk assessment matrix).</i>	Control methods and level of control <i>Describe what will be done to control the risk and then refer to the hierarchy of controls.</i>				Residual risk assessment <i>After all controls are in place. (Refer to the risk assessment matrix).</i>
			Control method	Level	Control method	Level	
1 Deliver materials to site <i>Step No.</i>	Traffic accidents	High	Traffic management plan	5	STMS	5	Moderate
			Hi-viz	6			
	Public injuries	High	Watchman	5	Cordon off the area	5	Moderate
	Struck by materials being unloaded	High	Dogman	5	Rope-off area round truck	5	Moderate
			Check strops before to use	5			
	Cuts	Moderate	Wear gloves	6	Supervision	5	Low
			Training/toolbox talks	5			
Strain and sprain	Moderate	Good lifting techniques	5	Get help when needed	4	Moderate	
		MMH training	5				
2 Access roof <i>Step No.</i>	Slip, trip and fall from height	High	Keep area tidy	1	Supervision	5	Low
			Training/toolbox talks	5			
			Supervise until competent	5	Edge protection + scaffold	3	Moderate
			Proper ladder installation/use	5	Safety shoes	6	
			Height & ladder training	5			
3 Install roof trusses <i>Step No.</i>	Slip, trip and fall from height	High	Hard hat	6	Roped off area below work	5	Moderate
			Inspect and tag strops	5			
			Supervise until competent	5	Edge protection + scaffold	3	High
			Proper ladder installation/use	5	Height & ladder training	5	
			Use ropes to lift tools	5	Safety shoes	6	
Struck by falling object	High	High	Hard hat	6	Roped off area below work	5	Moderate
			Tagged strops	5	Certified crane/hi-ab	5	
			Dogman	5	Cancel in high winds	5	
			Protective clothing	6	Sun cream	6	Low
			Training/toolbox talk	5			
			Ear muffs	6	Supervision	5	Low
			Training/toolbox talk	5			
			Wear eye protection	6	Supervision	5	Low
			Training/toolbox talk	5			
			Gloves	6	Supervision	5	Low
			Training/toolbox talk	5			
			RCD	3	Testing & tagging	5	Moderate
Daily checks	5						
4 Clean and tidy site <i>Step No.</i>	Slip, trip and fall from height	High			As per step 3 (above)		Moderate
					As per step 3 (above)		Low
					As per step 3 (above)		Low

Please note that while the Site Safe Task Analysis (TA) and Safe Work Method Statement (SWMS) template has been used, the cover sheet that makes it site, contractor, job and worker-specific has been removed. To download a copy of Site Safe's TA and SWMS template, go to www.sitesafe.org.nz.

#2 Assess risks

A risk assessment involves considering what could happen if someone is exposed to a hazard and the likelihood of it happening. A risk assessment helps to determine:

- ⊗ how severe a risk is
- ⊗ whether any existing control measures are effective
- ⊗ what actions should be taken to control the risk
- ⊗ how urgently actions need to be taken

To **assess** the risk hazard, consider the factors that determine:

- ⊗ the **likelihood** of a hazardous event occurring (such as a fall or amputation)
- ⊗ the **severity** of the harm that may occur

A risk assessment can be undertaken with varying degrees of detail depending on the type of hazards and the information, data and resources that are available. It can be as simple as a discussion with workers or involve specific risk analysis tools and techniques recommended by safety professionals.

Risk assessment is not a precise science and often parties disagree on risk levels. People can view risk differently depending on their training and experience. Someone who has seen another person fall from a roof, for example, may believe that the risk is higher than someone who has never seen it happen.

The object of risk assessment is to encourage discussion of the hazards, factors and controls and to try to make a group decision recognising that you won't always agree on everything.

All hazards have the potential to cause different types and severities of harm, ranging from minor discomfort to a serious injury or death.

Any combination of the likelihood of a hazardous event and the severity of the injury helps to decide whether the risk falls into one of the following categories:

- ⊗ Critical
- ⊗ High
- ⊗ Moderate
- ⊗ Low
- ⊗ Very Low

RISK ASSESSMENT MATRIX		CONSIDER THE LIKELIHOOD OF A HAZARDOUS EVENT OCCURRING				
		Very unlikely to happen	Unlikely to happen	Possibly could happen	Likely to happen	Very likely to happen
CONSIDER THE SEVERITY OF INJURY/ILLNESS	Catastrophic (e.g fatal)	Moderate	Moderate	High	Critical	Critical
	Major (e.g Permanent Disability)	Low	Moderate	Moderate	High	Critical
	Moderate (e.g Hospitalisation/Short or Long Term Disability)	Low	Moderate	Moderate	Moderate	High
	Minor (e.g First Aid)	Very Low	Low	Moderate	Moderate	Moderate
	Superficial (e.g No Treatment Required)	Very Low	Very Low	Low	Low	Moderate

In order to determine the risk levels of hazards, a Risk Matrix (such as the one shown above) can be a useful tool. This is the Risk Matrix developed by Site Safe to help construction companies assess risk.

#3 Control risks - the Hierarchy of Controls

Some control measures are more effective than others and they can be ranked from the highest level of protection and reliability to the lowest. PCBUs must control risks in a specific order of priority..

THE PRIORITY, OR HIERARCHY, FOR CONTROLLING RISKS IS TO::

- Eliminate the risk
- Minimise the risk

The most important step in managing risks involves **eliminating** them so far as is reasonably practicable. When the hazard and risk are eliminated, they no longer exist. It is however not always possible to eliminate hazards and risks, so they need to be managed by **minimising** them so far as is **reasonably practicable**.

The controls that a PCBU chooses should have the greatest impact on the level of risk for any hazard. The simple way to remember this is, "the better the control, the lower the risk".

Eliminating the risk

This means removing the hazard or hazardous work practice from the workplace. This is the most effective control measure and must always be considered before anything else.

ELIMINATION EXAMPLES

- ⊗ Eliminating the risk of a fall from height may be able to be done by doing the work at ground level
- ⊗ Eliminating the risk of a trench collapse can be done by filling in the trench when it is no longer necessary to have it open
- ⊗ Eliminating the risk of back injury (or other associated manual handling strains and sprains) may be done by getting a mechanical lifting/moving device to lift and move the objects

Minimising the risk by using any one or a combination of the following control measures

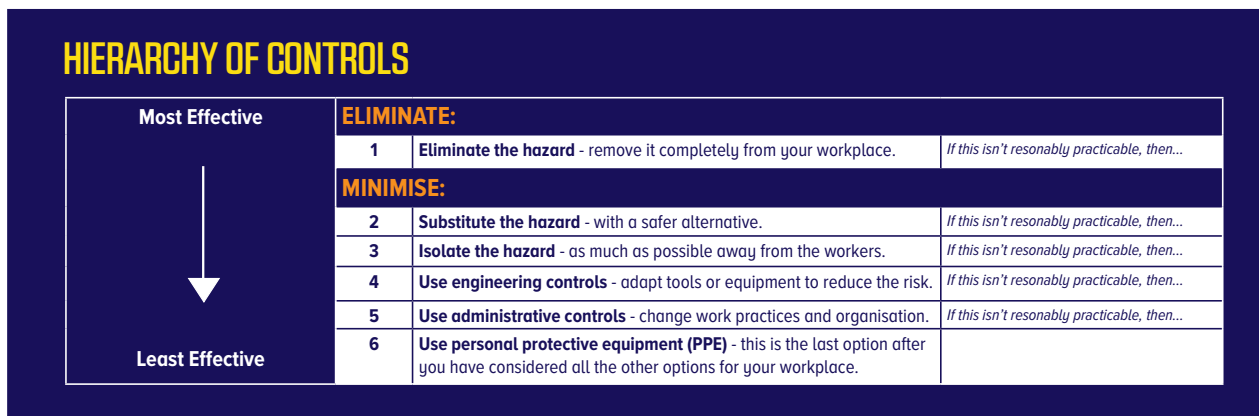
There is also a hierarchy associated with control measures that minimise hazards and risks. When minimising a hazard, the controls higher on the list are more effective in managing the risk.

<p>Substitution controls: these could include things like using a different type of chemical which is not as toxic as another, or using a different building material.</p>
<p>Isolation controls: these are barriers that keep workers and the hazard apart. Separation is another word to use as a method of isolation</p>
<p>Engineering controls: these could include sound enclosures around loud plant or an airborne extraction systems, such as fans and ducting that remove hazardous vapours from a confined or enclosed space or room</p>
<p>Administrative controls: these could include things like training, policies and putting up signs and warnings, and many of the things that under the old law were considered minimisation (except PPE)</p>
<p>Personal Protective Equipment (PPE): this is gear and clothing that you wear as the first line of defence</p>

Substitution, isolation and engineering controls are most effective when minimising a risk. Administrative and PPE controls should be used in conjunction with other controls further up the hierarchy.

Controls may involve just a single measure or a combination of different measures that together provide the highest level of protection that is reasonably practicable.

Some problems can be fixed easily and this should be done straight away. Others need more effort and planning to resolve. Of those requiring more effort, focus should in the first instance be on those hazards that involve the highest level of risk.



The diagram above is one way of illustrating the hierarchy of control for use when eliminating and minimising hazards and risks. This interpretation of the hierarchy of control was developed by Site Safe.

#4 Assess residual risk

Initial risk

The level of any hazard is normally the risk level **without** controls in place

Residual risk

The level of any hazard is normally the risk level **with** the planned controls in place and working

RISK ASSESSMENT MATRIX		CONSIDER THE LIKELIHOOD OF A HAZARDOUS EVENT OCCURRING				
		Very unlikely to happen	Unlikely to happen	Possibly could happen	Likely to happen	Very likely to happen
CONSIDER THE SEVERITY OF INJURY/ILLNESS	Catastrophic (e.g fatal)	Moderate	Moderate	High	Critical	Critical
	Major (e.g Permanent Disability)	Low	Moderate	Moderate	High	Critical
	Moderate (e.g Hospitalisation/Short or Long Term Disability)	Low	Moderate	Moderate	Moderate	High
	Minor (e.g First Aid)	Very Low	Low	Moderate	Moderate	Moderate
	Superficial (e.g No Treatment Required)	Very Low	Very Low	Low	Low	Moderate

The same Risk Matrix should be used for initial and residual risks. Above is the Risk Matrix developed by Site Safe to help construction companies assess risk.

Acceptable Risk

PCBUs should have a policy that tells workers what the acceptable level of risk is for jobs undertaken by the business. This policy should outline what to do when a hazard is at or above the acceptable level of risk. The same job may have a different acceptable level of risk depending on the site and circumstances under which that job is being undertaken. This reinforces the notion of hazards, risks and the associated controls needing to be site-specific.

Where the risk is higher than is deemed to be the acceptable risk for that job, the logical thing to do is to stop and discuss what other controls should be put in place to lower the risk to (or below) the acceptable level.

#5 Review control measures

The control measures that are put in place to protect workers' health and safety should be reviewed regularly to make sure they are effective. A review should occur on a regular basis and can be done by using the same methods as the initial hazard identification process.

COMMON REVIEW METHODS INCLUDE:

- workplace observations
- audits or inspections
- formal or informal discussions
- consultation
- testing and analysing records and data

Reviewing the control measures also involves considering whether a higher level control measure has become reasonably practicable.

When reviewing control measures, the Task Analysis (TA) and Safe Work Method Statement (SWMS) should also be reviewed and revised where necessary.

If problems are found, it is important to go back through the risk management steps, review the information, and make further decisions (and possible revisions) in relation to control measures.

It is also important to consider changes to the workplace that could have an impact on the control measures and level of risk. Changes to the workplace include:

a change to the physical workplace itself or any aspect of the work environment

a change to a system of work, process or a procedure, or the introduction of new or different people

RISK ASSESSMENT EXAMPLE



IDENTIFIED HAZARD:	Fall from roof
RISK ASSESSMENT:	Consider the level of risk for the following controls :
No Controls	a fall is highly likely and it could be fatal. The risk would be deemed critical (this is the initial risk level)
PPE (harness) Control	a fall is still highly likely but it would not be fatal as the worker would be suspended by the harness and therefore not hit the ground. The risk might be deemed moderate (this is the residual risk level using a harness as the control method)
Isolation (edge protection) Control	with edge protection the likelihood of a fall might now be unlikely to happen as the barrier would block the fall. The risk might now be deemed low (this is the residual risk level using edge protection as the control method)

In this example, some other factors that could affect the likelihood and severity of the fall (and resulting injury) could include:

- ⊗ The pitch of the roof (the greater the pitch, the easier it is to slip)
- ⊗ The number of workers involved (in some instances, there is safety in numbers as it is not a case of one person trying to do everything)
- ⊗ The weather conditions (is it wet or dry?)
- ⊗ The length of time it will take to do the job (a two-minute job to tighten some fixings is very different to a day-long job to replace the roofing sheets)
- ⊗ The person doing the job (an experienced worker versus someone new to the job)

REMEMBER

People do not always agree on the initial level of risk because the process is subjective. However, the better the controls that are put in place, the less subjective it is when determining the residual level of risk

SITE SPECIFIC SAFETY PLANS

A Site Specific Safety Plan (SSSP) is a plan describing the safety activities a PCBU will undertake on a specific site. A SSSP is one reasonably practicable step PCBUs are likely to take. It forms an agreement between the parties to a construction contract as to how health and safety will be managed on a specific site, for the specific jobs that need to be done. It helps each PCBU to:

- ⊗ define its safety activities on the site
- ⊗ communicate and coordinate safety activities with other PCBUs
- ⊗ monitor the work to ensure that the controls that have been put in place are working and effective

Some factors that influence a SSSP include:

- ⊗ the type of project and size and complexity of work to be undertaken including the:
 - types and numbers of trades involved
 - types of plant and equipment necessary to undertake the work
 - types and levels of risk associated with the work being done
- ⊗ the project location, access, security and layout
- ⊗ whether it is a service or maintenance project, or a new construction project
- ⊗ the surrounding environment

As a rule of thumb, small, short, simple jobs are unlikely to need the same level of safety activities as large, long, complex projects.

The different parts of a SSSP that may be considered on any job include:

- ⊗ the name of the PCBU which developed the plan and the site to which the plan applies
- ⊗ the name of the PCBU's representative who is responsible for health and safety performance on the site
- ⊗ any notifiable work that may be undertaken
- ⊗ the hazard and risk assessment processes being used (such as Task Analysis [TA] and Safe Work Method Statement [SWMS]; Hazard Registers, Accident Registers etc)
- ⊗ any hazardous substances that may be brought onto the site
- ⊗ the method of involving workers in safety (such as Health and Safety Representatives [HSRs], Toolbox Talks, job planning, coordination meetings, etc.)
- ⊗ emergency plans and procedures
- ⊗ accident reporting and investigating procedures
- ⊗ safety inspections and reviews
- ⊗ training, competence and induction methods, activities and records
- ⊗ monitoring methods



To download a copy of Site Safe's SSSP template and a comprehensive guide on how to develop a SSSP, go to:

www.sitesafe.org.nz

WORKER ENGAGEMENT, PARTICIPATION AND REPRESENTATION

Health and Safety Representatives

Not everyone is confident speaking up to the boss. Examples of the types of workers who might find it challenging include temporary workers, contractors, young workers or workers from cultures where challenging authority is considered disrespectful. Health and Safety Representatives (HSRs) can give these workers a voice on health and safety matters.

Representation means that workers choose one or more people to speak or act on their behalf. If a PCBU uses worker representation as part of its participation practices, it can and should have other participation practices too.

Effective representation helps a PCBU to meet its duty to engage with workers but it does not replace the duty in its entirety.

HSRs INCLUDE THOSE WHO ARE:

- elected (chosen by the members of their work group to represent them on health and safety matters)
- trained (attended and completed training that has been prescribed by or under the Regulations)

HSRs are an effective way to ensure workers can participate in health and safety management. HSRs contribute to effective consultation when they are:

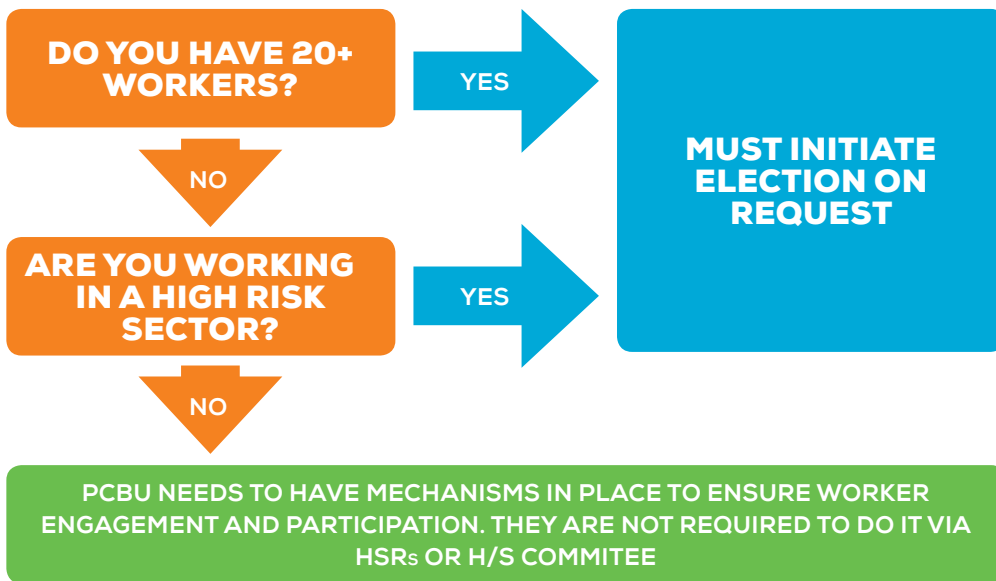
- ⊕ approachable
- ⊕ confident
- ⊕ solutions-focused
- ⊕ persistent (even when there is resistance or conflict)
- ⊕ able to engage other workers to identify and resolve issues
- ⊕ knowledgeable, or able to find out where and how to find out what they need to know.
- ⊕ given the opportunity to engage in health and safety matters and decisions.

ELECTIONS OF HEALTH AND SAFETY REPRESENTATIVE REQUIREMENTS

Any worker of a PCBU can notify the company that he or she wishes one or more HSRs to be elected to represent the workers who carry out work for the PCBU.

Where any one or more workers in a high-risk sector business does notify the PCBU, it must initiate the election of one or more HSRs to represent the workers who carry out work for that business or undertaking.

A PCBU can also instigate the election of one or more HSRs to represent workers who carry out work for it.



This diagram illustrates when a PCBU must initiate the election of one or more HSRs.

FUNCTIONS

The functions of a Health and Safety Representative for a particular group of workers are to:

- ⊗ represent the workers in health and safety matters
- ⊗ investigate complaints from workers regarding health and safety
- ⊗ represent the workers in matters relating to health and safety if requested
- ⊗ monitor the measures taken by the PCBU that are relevant to health and safety
- ⊗ inquire into anything that appears to be a risk to the health or safety of the workers arising from the conduct of the PCBU
- ⊗ make recommendations relating to workplace and worker health and safety
- ⊗ provide feedback to the PCBU about whether the HSW Act and Regulations are being complied with
- ⊗ promote the interests of workers who have been harmed at work, including in relation to arrangements for rehabilitation and return to work
- ⊗ promote and support the PCBU's legitimate and reasonable health and safety policies and procedures.

TRAINING

Elected HSRs are entitled to two days' paid leave per year to attend health and safety training. A worker who is elected does not have to be trained before being considered an HSR. However each HSR should be encouraged to take up the entitlement to HSR training as soon as possible.

Training provides the basic knowledge and skills that an HSR needs including details of health and safety legislation and the rights and responsibilities of everyone in the workplace.

Training also helps HSRs to:

- ⊗ be more aware of the health and safety issues in their own workplaces
- ⊗ strengthen communication skills
- ⊗ develop negotiation techniques
- ⊗ build self-confidence
- ⊗ obtain the knowledge and strategies needed to represent fellow workers effectively

A **trained** HSR can issue a **Provisional Improvement Notice** to a person that they reasonably believe is breaching (or is likely to) a provision of the HSW Act or Regulations.

PROVISIONAL IMPROVEMENT NOTICE

A Provisional Improvement Notice (PIN) is a written notice issued to a duty holder (such as a PCBU) by an HSR who has completed and achieved formal health and safety training. The type of health and safety training is prescribed in the Worker Engagement, Participation and Representation (WEPR) Regulations.

The PIN tells the person what the health and safety issue is and can include recommendations on how to resolve the issue.

If a PIN is given to a worker, a copy must also be given to the PCBU.

RIGHT TO REFUSE UNSAFE WORK

The HSW Act protects workers who have concerns about workplace health and safety. Workers should be able to carry out health and safety-related actions without worrying that there may be negative consequences for them personally, such as being demoted or losing their jobs. The two key protections are:

- ⊗ the right for workers to explain their issues to the PCBU and refuse work (or refuse to continue work) if they believe it is unsafe
- ⊗ protection from discrimination and dismissal for carrying out health and safety-related activities or raising health and safety issues or concerns

A **trained** HSR can direct a worker to **stop work** if they have a reasonable belief that carrying out the work would expose the worker or anyone else to a serious risk to their

health or safety arising from an immediate or future exposure to a hazard.

Before directing work to stop, the HSR must first attempt to resolve the matter by consulting with the PCBU. If the matter is not resolved in a reasonable amount of time, the HSR can direct the work to stop.

However, the HSR need not consult with the PCBU first if the risk is so serious and immediate that there is no time to consult before giving the direction to stop. In that case, the HSR must consult the PCBU as soon as possible **after** giving the direction to cease work.

WorkSafe New Zealand provides a free mediation service for employers and employees experiencing employment relationship problems resulting from health and safety disagreements or conflicts. If the problem is not resolved in mediation, the Employment Relations Authority can investigate issues and decide on the most appropriate course of action.

The Employment Relations Authority is an investigative body that operates in an informal way. It looks into the facts and makes a decision based on the merits of the case, not on legal technicalities.

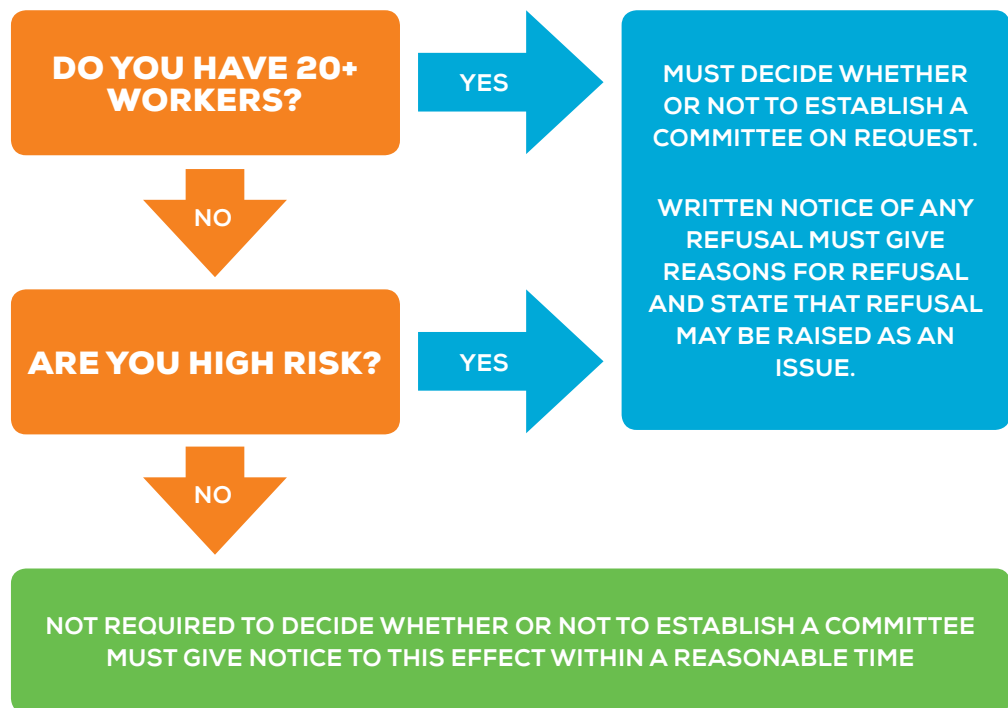
Health and Safety Committees

Health and safety committees are a great way for PCBUs to:

- ⊗ support ongoing improvement in health and safety
- ⊗ engage with workers
- ⊗ provide opportunities for workers to participate in health and safety decisions

REQUIREMENTS FOR ESTABLISHING A HEALTH AND SAFETY COMMITTEE

If five or more workers or one HSR from a high-risk sector business makes a request for a Health and Safety Committee, the PCBU must consider the request and either accept or decline. The request can only be declined if the PCBU is satisfied that the existing worker participation practices are effective. All declined requests must be explained and workers advised that they are entitled to raise the matter under a resolution process.



This diagram illustrates the health and safety committee establishment process.

FUNCTIONS OF A HEALTH AND SAFETY COMMITTEE

A Health and Safety Committee's main functions are to:

- ✦ make it easy for the PCBU and workers to cooperate on ways of ensuring workers' health and safety at work
- ✦ assist in developing standards, rules, policies and procedures for workplace health and safety
- ✦ make recommendations relating to workplace health and safety
- ✦ carry out other tasks that are agreed between the PCBU and the committee (or those that are set down in Regulations).

A Health and Safety Committee can be an efficient participation practice in a workplace that has multiple PCBUs with overlapping duties, like a construction site. Committee members can be drawn from each PCBU. This helps a PCBU which shares responsibility for health and safety with other PCBUs to meet the requirement to **consult, cooperate and coordinate** activities with other PCBUs.

There are some different requirements for worker representation on committees depending on whether the company is operating in a high-risk industry or not.

A committee should be made up of at least 50% workers. HSRs may be committee members but committee members are not automatically HSRs.

HIGH RISK SECTORS AND HEALTH AND SAFETY REPRESENTATIVES AND COMMITTEES

All PCBUs, whether they are small or large, low-risk or high-risk, are required to engage, as far as reasonably practicable, with workers on matters of health and safety that affect them. They also have to have worker participation practices that give workers reasonable opportunities to participate effectively in improving workplace health and safety.

Small businesses with fewer than 20 workers in low-risk sectors are excluded from the requirement to have HSRs and Health and Safety Committees when requested by workers. This change does not stop small, low-risk businesses from voluntarily deciding to have HSRs and committees as a way of meeting their worker participation obligations.

All other businesses, including small businesses in high-risk sectors, have to initiate an election for a HSR when requested.

The construction industry is identified as a high-risk industry.

ENFORCEMENT OF THE HSW ACT

Worksafe NZ inspectors have the following “Notices” at their disposal.

IMPROVEMENT NOTICES

Where an inspector reasonably believes that someone is breaching (or is likely to breach) the HSW Act or Regulations, they can issue an **improvement notice** to remedy the breach.

The improvement notice stipulates a reasonable deadline for compliance with the notice. This period of time is known as the compliance period. An inspector may also extend the compliance period by issuing a written notice.

PROHIBITION NOTICES

Where an inspector reasonably believes a workplace activity is occurring (or is likely to occur) involving a serious risk to health or safety of anyone arising from an immediate or potential exposure to a hazard, they can issue a **prohibition notice** (including by verbal direction).

The person given the notice must stop carrying out the activity, as directed, until the inspector is satisfied that the matter or activity giving rise to the risk has been remedied.

Where reasonable steps are not taken, Worksafe NZ may take **remedial action** to make the workplace or situation safe.

INFRINGEMENT NOTICES

WorkSafe NZ can issue a person with an infringement notice requiring payment of a fine for breach of an infringement offence.

Infringement offences are breaches of specific health and safety obligations in the HSW Act or Regulations. The amount of the fine for each infringement offence is set out in Regulations.

A person issued with an infringement notice only has limited grounds to have the Court consider the matter.

Offences and Penalties

The following table outlines the fines and penalties for various offences of the HSW Act.

			MAX. PRISON TERM	MAX FINE
Offence of reckless conduct in respect of a health and safety duty (clause 42)	A person who has a health and safety duty, without reasonable excuse, engages in conduct that exposes a person to a risk of death or serious injury or illness, and the person is reckless as to the risk	Individual (eg a worker)	5 years and/or	\$300,000
		Officer of a PCBU or an individual who is a PCBU (eg self-employed)	5 years and/or	\$600,000
		Body Corporate (eg a company)	-	\$3 MILLION
Offence of failing to comply with health and safety duty that exposes individual to risk of death or serious injury or illness (clause 43)	A person who has a health and safety duty fails to comply with the duty and that failure exposes a person to the risk of death or serious injury or illness	Individual (eg a worker)	-	\$150,000
		Officer of a PCBU or an individual who is a PCBU (eg self-employed)	-	\$300,000
		Body Corporate (eg a company)	-	\$1.5 MILLION
Offence of failing to comply with a health and safety duty (clause 44)	A person that has a health and safety duty fails to comply with that duty	Individual (eg a worker)	-	\$50,000
		Officer of a PCBU or an individual who is a PCBU (eg self-employed)	-	\$100,000
		Body Corporate (eg a company)	-	\$500,000

ACCIDENT INVESTIGATION

An **accident** is an event (or action) that causes any person to be harmed or that in different circumstances might have caused harm. This means that an accident is **NOT ONLY** when there is an injury.

An **incident** is the same thing as an accident. It is an event or action that might have caused someone harm. A **near miss** is the same as both an accident and an incident. It is something that could have caused someone to be harmed.

All accidents, incidents and near misses should be investigated to stop them from happening again and possibly resulting in a more serious injury or even death.

Accidents, incidents and near misses occur on all construction sites. The causes of accidents and incidents are broken down into two types:

Root causes – these are the organisational and system-wide failures that encourage, allow or fail to stop any unsafe action or mistake to be made.

Contributing causes – these are the unsafe acts or mistakes that are made on construction sites.

Identifying an accident's root cause is not easy. This is because the contributing causes are usually more immediate and obvious. If a worker climbs a ladder that is not tied off or secured, everyone can point to the unsafe act. Many people rush to judge an unsafe act by a worker without identifying the organisational or system-wide failure that led to it.

When identifying root causes, keep asking questions until you get to the ultimate source. Failure to identify root causes of accidents (and then address them) inevitably leads to more accidents happening. Unsafe acts will continue to happen until such time as the organisational and system-wide failures are identified and corrected.

The types of questions you need to ask include things like:

- ⊗ Why was the act required, needed or encouraged?
- ⊗ Why wasn't it stopped before the accident?
- ⊗ Where was the supervision?
- ⊗ Have the workers been trained?
- ⊗ How many times has it already happened?
- ⊗ Do we recognise those workers who do it right?
- ⊗ Were the right tools and equipment available?

Steps in the Accident Investigation Process

#1	Gather Information
#2	Analyse the information and identify the root causes
#3	Recommend and implement corrective actions
#4	Follow up

#1	Gather Information	
	Some of the possible sources of information for any accident could include:	<ul style="list-style-type: none"> ⊗ physical evidence such as photos, equipment, weather conditions, etc. ⊗ witnesses who saw what happened including anyone involved in it or observers of it ⊗ documentation such as training and competence records, audits, hazard or incident registers, toolbox talk meeting minutes, task analysis, etc.
#2	Analyse the information and identify the root causes	
	<p>The purpose of analysing all the information gathered is primarily to identify the root causes. Contributing causes are usually pretty obvious and require little analysis as they are the unsafe acts and conditions. Identifying the root causes however allows you to discover what allowed the contributing causes to happen in the first place.</p> <p>Root causes often include things like problems around:</p>	<ul style="list-style-type: none"> ⊗ planning ⊗ motivation and culture ⊗ training or supervision, ⊗ peer pressure ⊗ production demands ⊗ mixed messages from those in charge ⊗ failure to stop any unsafe act at any time

#3

Recommend and implement corrective actions

It is important that corrective actions address the root causes. This primarily means that corrective actions are things that management need to own and address if change is to happen at the coalface. That's not to say there shouldn't also be corrective actions assigned to the contributing causes but change is unlikely if the root causes (organisational and system-wide failures) are not addressed. In order to implement corrective actions, the following actions should be considered in the process:

- ✦ assign responsibility for each action required
- ✦ set a target date
- ✦ define and implement kpis to measure when the responsibilities are completed
- ✦ provide performance feedback by communicating results

#4

Follow up

There is always a need to follow up and monitor progress to check that corrective actions are taken and are working. KPI measurement criteria, feedback from workers and actual observations should determine if solutions are effective.

Re-training workers and running toolbox talks are not the only corrective actions required to solve root causes. While these activities tell workers what to do, they do not address the system-wide failures that allowed the unsafe acts or unsafe conditions to occur in the first place.

Follow-up sometimes means there is the need to change or add to some of the initial corrective actions, define new responsibilities, and set new target dates and measures to achieve success. The important thing to remember is that on going monitoring and a preparedness to change are the best ways to prevent accidents in the future.

EMERGENCY PROCEDURES

Plans and procedures for emergencies need to be in place because it is difficult for people to think straight under pressure yet there is extreme pressure on people to act properly in emergency situations. Unless plans have been made, training provided, and contingencies planned, people do have the tendency to panic. This can make the situation, the damage, and any injuries worse.

The overall goal in emergency planning is to identify ahead of time the things that can possibly go wrong and decide how they need to be dealt with.

An **Emergency Plan** is required on every construction project. The exact type and content of the plan depends on factors such as those already described for determining the type and content of site specific safety plans. Emergency plans depend on specific project activities and the risks involved.

The aims of emergency plans are to:

- ⊗ inform people what they need to do in the case of an emergency
- ⊗ minimise panic and poor decision-making
- ⊗ identify the location of alarms, warning systems and emergency services
- ⊗ establish how to treat injured people quickly and efficiently
- ⊗ minimise damage to property
- ⊗ get back to normal as quickly as possible
- ⊗ protect the business' brand and image

The types of emergencies which will need to be covered in your emergency procedures include:

- | | |
|------------------------|------------------------|
| ⊗ Fire and Smoke | ⊗ Trench collapse |
| ⊗ Flood | ⊗ Falls |
| ⊗ Storm | ⊗ Structure collapse |
| ⊗ Earthquake | ⊗ Road accidents |
| ⊗ Hazardous substances | ⊗ Plant accidents |
| ⊗ Spills and contact | ⊗ Equipment failure |
| ⊗ Criminal action | ⊗ Any serious injury |
| ⊗ Explosion | ⊗ Confined space entry |
| ⊗ Landslide | |

Eight Steps for Emergencies

#1	Identify specific emergency situations (such as those above)
#2	Define evacuation and rescue procedures for everyone on site
#3	Assign specific responsibilities and actions to individuals
#4	Plan for quick medical treatment
#5	Communicate with all other PCBUs during the emergency
#6	Plan to minimise damage and harm
#7	Train personnel and practise the emergency plan regularly
#8	Review and revise the emergency plan

Emergency Rescues

Some job activities and potential emergencies will likely require a rescue.


These could include:

- ✘ working at heights, especially in harnesses
- ✘ working in confined spaces
- ✘ structure or ground collapse
- ✘ work in and around excavations

This is an example of an emergency plan template developed by Site Safe for use when preparing for emergencies. To download a copy go to www.sitesafe.org.nz.

Date:
Company
Site Name

 Complete pre-start
 Onsite



Emergency response plan

You need to have an emergency response plan to deal with any incidents that arise from activities requiring a rescue as identified in the Site-Specific Safety Plan Agreement. Please complete an emergency response plan for each identified activity. The subcontractor (Party 2) completes the plan, which does not replace any overarching emergency response plans in place. Consider the roles and responsibilities for yourself, trained specialists, equipment operators, and emergency services.

<p>Type of emergency <i>e.g. Fall from height while wearing a harness</i></p> <input style="width: 100%; height: 20px;" type="text"/>	<p>Location <input style="width: 100%; height: 20px;" type="text"/></p>
<p>Describe work activity <i>e.g. Working from MEWP and fall off</i></p> <input style="width: 100%; height: 20px;" type="text"/>	<p>PCBU1 <input style="width: 100px;" type="text"/> PCBU2 <input style="width: 100px;" type="text"/></p> <p>Supervisor <input style="width: 100%; height: 20px;" type="text"/> Date <input style="width: 30px;" type="text"/> <input style="width: 30px;" type="text"/> <input style="width: 30px;" type="text"/></p>
<p>Describe the rescue method <i>e.g. Safety watcher on the ground releases the bleed valve, and lowers the unit to the ground</i></p> <input style="width: 100%; height: 20px;" type="text"/>	<p>List any equipment required <i>e.g. MEWP, cherry picker, scissor lift, ladder, breathing apparatus etc.</i></p> <input style="width: 100%; height: 20px;" type="text"/>

Name each person involved in the rescue <small>First name and last name</small>	Their role or responsibility in the rescue is to: <small>e.g. release the bleed valve</small>	List the training required <small>e.g. competence using MEWP</small>	Provide contact details <small>Phone number</small>

Emergency response plan
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