

# Health and Safety at Work Strategy 2018-2028

## CONSULTATION

April 2018



**New Zealand Government**  
Te Kāwanatanga o Aotearoa



# Minister's foreword



Healthy and safe work is a key priority for the Government. We are determined to improve New Zealand's record in injuries and deaths at work. Too many New Zealanders are made sick or are injured by their work. Too many never make it home at all.

Thankfully, New Zealand has made good progress in reducing the rate of acute harm in recent years. This progress represents the collective work of businesses, workers, unions and industry sectors to drive sustained health and safety change. Seven years on from the tragedy at Pike River Mine, the progress we have made is a testament to the hard lessons we have learned, and the hard work we have committed to doing to ensure a tragedy like Pike does not happen again.

Despite this progress, urgent work remains. Deaths at work have declined but there are still too many. Deaths from work-related disease may be as many as ten times the number of deaths from acute harm each year. The health and safety system needs to strongly address the causes of occupational disease more and this includes psychosocial risks like stress, fatigue and all types of violence at work.

New Zealand is yet to count itself among world leaders in health and safety. My ambition is that we can be among world leaders for healthy and safe workplaces.

The Strategy creates a firm platform for change where everybody can work towards a common vision and set of priorities. I want to move us towards a health and safety system that puts working people at the heart of our efforts.

I look forward to receiving your feedback on the draft Strategy. Your input will help to determine where we invest our future efforts.

I am ambitious for New Zealand and ambitious for our health and safety system. Together, we can and will make New Zealand a healthier and safer place to work for all.

Hon Iain Lees-Galloway

**Minister for Workplace Relations and Safety**

# Why do we want to hear from you?

## What this is about

The Health and Safety at Work Strategy (the Strategy) will set out a plan for improving health and safety at work over the next 10 years.

We are seeking your feedback to improve this draft strategy. Once it is finalised, we will use it to create action plans to deliver change.

## What the Strategy does

The Strategy sets out a plan to create a health and safety system that's capable of delivering world-class health and safety outcomes. It has four key roles:



## Who will help deliver it

This Strategy involves everyone who influences health and safety at work - that is, everyone in the health and safety at work system.

This includes government agencies, industry groups and businesses, workers, unions and worker representatives, training organisations and specialist advisors, iwi and community groups, and workers.

## Your feedback

We need feedback to ensure the draft Strategy provides a shared platform to bring about change. Information on submitting is on page 17 of this document. Once finalised and agreed by the Government, the Strategy will be used to develop joint action plans and activities across the system to achieve our priorities.



# What is the health and safety system?

To deliver sustained improvements in health and safety performance the system needs to put workers at its centre. To do this the centre needs a clear view of the system supports required to ensure healthy and safe work environments. This is underpinned by the regulatory environment.

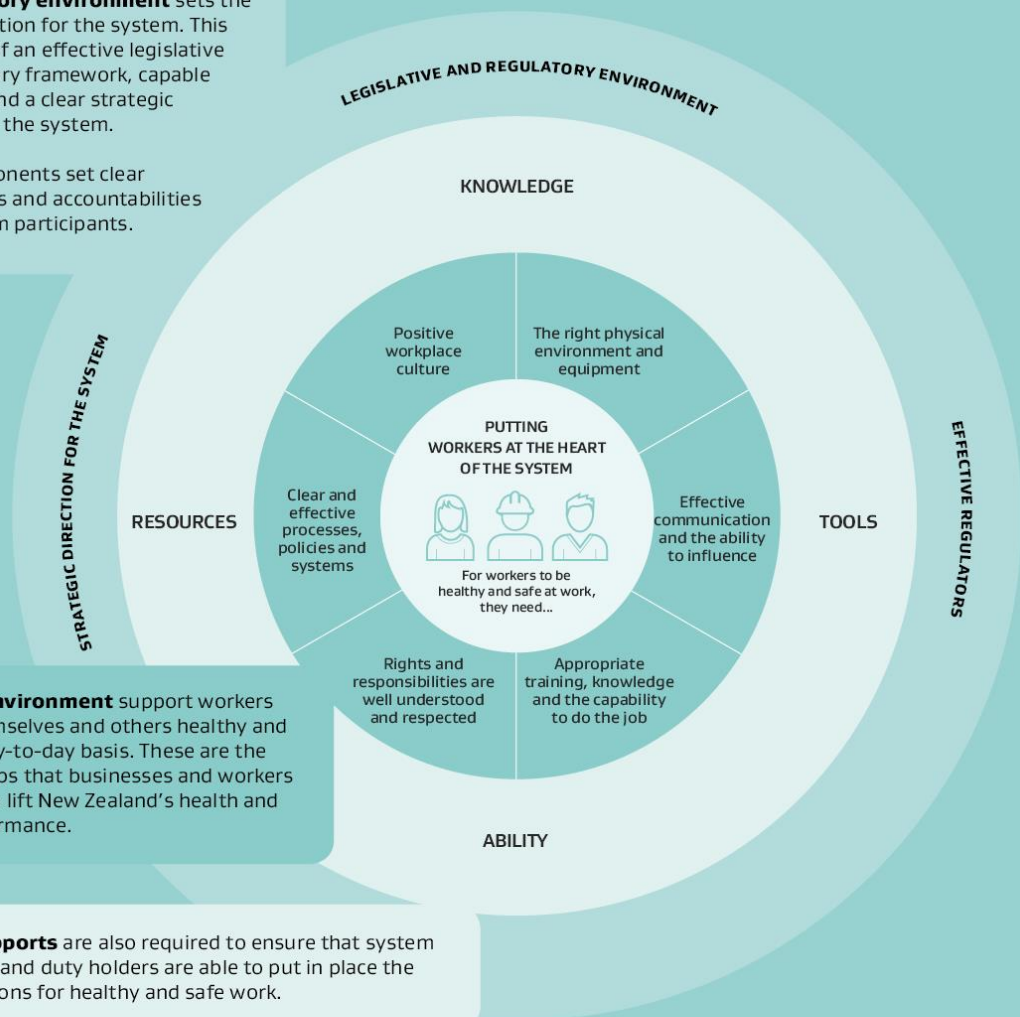
## The New Zealand health and safety system

The **regulatory environment** sets the base foundation for the system. This is made up of an effective legislative and regulatory framework, capable regulators and a clear strategic direction for the system.

These components set clear rights, duties and accountabilities for all system participants.

The **work environment** support workers to keep themselves and others healthy and safe on a day-to-day basis. These are the practical steps that businesses and workers must take to lift New Zealand's health and safety performance.

**System supports** are also required to ensure that system participants and duty holders are able to put in place the right conditions for healthy and safe work.



### The regulatory framework

The Health and Safety at Work Act 2015 (the Act) sets out the overarching duties and obligations that businesses need to meet. The Act is supported by regulations, which provide an extra level of detail and set the minimum standards that people need to meet their general duties in particular situations.



# What are the Government's priorities?

## *Ambitious and comprehensive targets for the system*

The Government is focused on significantly improving New Zealand's health and safety outcomes, including for all workers. We want to ensure that we are reducing all significant harm, broadening our focus from just acute harms to include wider health and psychosocial risks. To achieve this focus, **the Government will develop broader measures and targets, including work-related health, to replace the current injury focused targets when they expire in 2021.**



## *A durable and proportionate regulatory framework*

Significant improvements in health and safety outcomes require a durable regulatory system, supported by a **strong regulator**. This Government will continue an **ambitious multi-year work programme to review health and safety at work regulatory settings**. This will ensure that the regulatory framework is effective and proportionate to the level of risk, and simple and easy to understand. It will also ensure that the regulatory system is targeted towards the areas that will make the most difference to health and safety at work, and able to respond to the challenges of new and evolving technology and risks.

**We will review the effectiveness of the legislation in 2020 to test whether we have the right settings.**



## *Workers at the centre of the system*

Ensuring that workers have the ability to influence health and safety outcomes is essential for achieving significant gains. The Government wants to ensure that all workers are engaged, can participate and are represented as part of health and safety system at work.

**The Government will ensure that the regulatory framework enables all workers to be represented**, as well as increasing the capability of all parts of the system to ensure businesses and leaders can make this happen.



## *Stronger sector leadership*

Industry and sector groups play an important part in leading approaches and solutions to help businesses, including small and medium sized enterprises (SMEs) manage their health and safety risks. We want to strengthen the role sector groups play in leading work to lift outcomes across sectors, particularly where these are high risk. **The Government will enable a strong tripartite, sector-led approach to improving health and safety performance, together with WorkSafe as a system leader.**



# Why do we need a Strategy?

New Zealand's level of work-related harm is still high by international standards

The level of work-related harm is improving but from a low base. Over the last five years, more than 250 people were killed and almost 2,000 seriously injured at work. It is estimated that around 600-900 people die every year from **work-related ill health** with many more living with health conditions caused by their work.

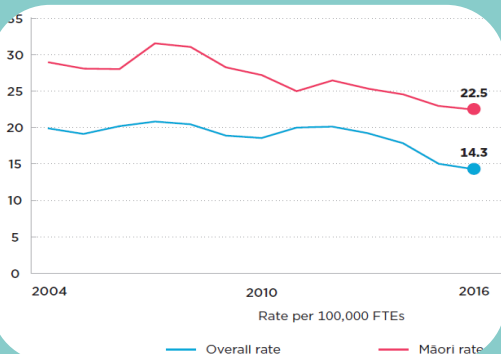
Some **population groups** are at greater risk of harm, such as Māori, Pasifika, migrants, older workers, and

youth. For example, Māori workers are 44% more likely to be seriously injured at work than the general population.

New Zealand faces specific challenges that have a direct impact on the country's health and safety performance. Some of these challenges include addressing health and safety issues related to our greater proportion of SMEs and higher risk industries and sectors.

In 2012, the **Independent Taskforce on Workplace Health and Safety** reviewed New Zealand's health and safety at work system in response to the Pike River disaster.

## Serious non-fatal work-related injury – Māori and overall rates

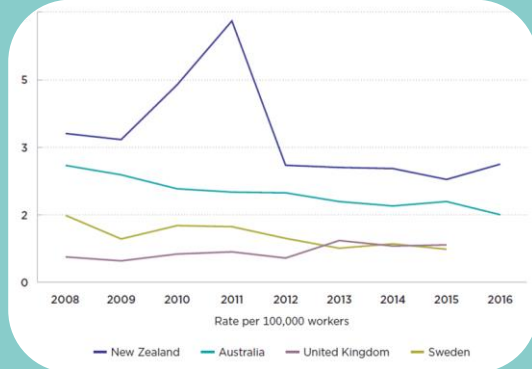


progress has been made since that time to **strengthen** these aspects of the system through the government response to the Taskforce's report, *Working Safer* (see right).

However, not all the challenges in the system are able to be addressed through legislation, regulation or enforcement alone.

Achieving a sustained change requires **everyone working together** and **helping each other across the system** to improve the system's **capability**, including making sure people have the attitude, skills and knowledge to meet their duties under the Act and regulations.

There is a significant opportunity to **coordinate, support and align** this work towards a **common goal**.



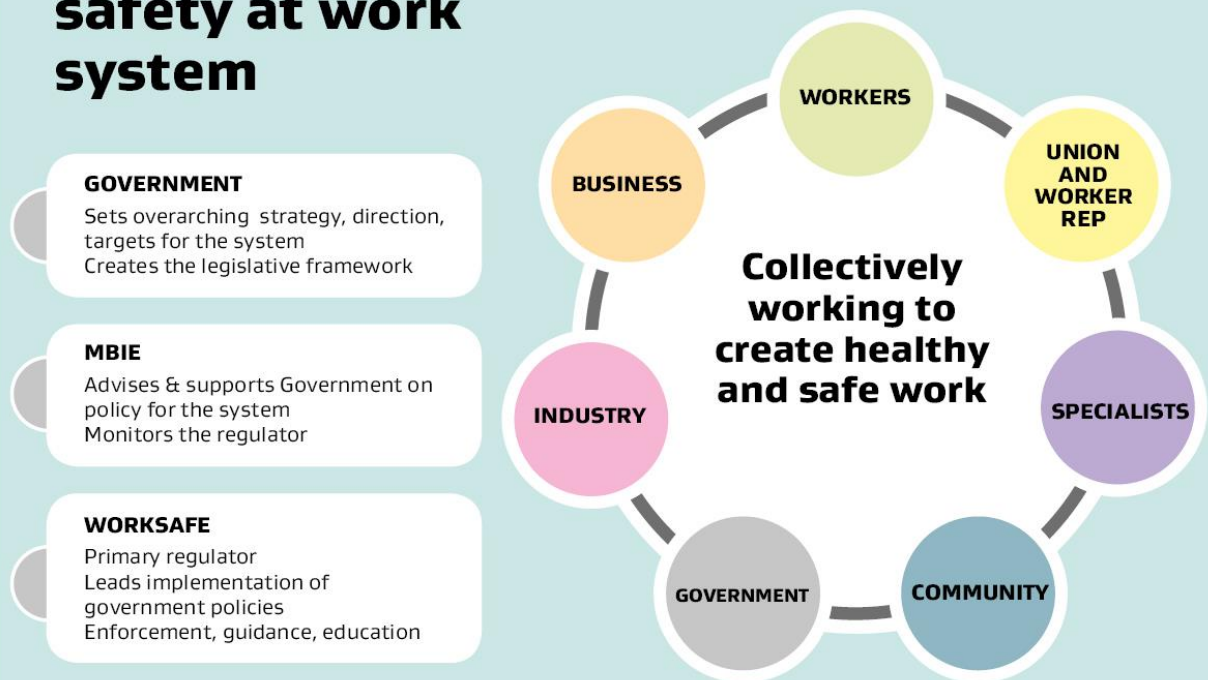
## International comparison of fatal work-related injury rates (per 100,000 workers)

### Key changes since 2012

- Creation of WorkSafe as a strong primary regulator.
- New overarching legislation.
- Higher penalties for key offences, new duties on business leaders, and new tools to improve compliance (e.g. enforceable undertakings).
- Beginning a regulatory reform programme to ensure we have a coherent, proportionate regulatory framework.
- The first set of new regulations made under the Act (2015 – 2017), including regulations for major hazard facilities.
- Strengthened capacity in the High Hazard Unit in WorkSafe.

# Roles in the health and safety at work system

The health and safety system is the network of people and organisations with a common interest and influence in creating healthy and safe work. All the groups in the circle below have a different part to play.



**UNIONS AND WORKER REPRESENTATIVES**  
Represent and support workers so they have the tools, skills, opportunities and environment to work in healthy and safe ways

**INDUSTRY**  
Support businesses and business leaders to understand and manage risks well, engage workers, and innovate

**The tripartite relationship between government, unions and industry is supported by input from expert and community groups**

**UNIVERSITIES AND RESEARCH INSTITUTIONS**  
Improve knowledge of risks and how to manage them well across the system

**WORKERS**  
Participate in and influence health and safety systems, processes, and practices at work

**BUSINESS**  
Manage health and safety risks.  
Engage with workers.  
Innovative solutions

**SPECIALIST ADVISORS & TRAINING ORGS**  
Support the health and safety knowledge and capability of workers, businesses and industry

**IWI AND COMMUNITY GROUPS**  
Use influence and relationships to support better outcomes for workers and businesses

**Designated agencies regulate health and safety in different parts of the system...**

**MARITIME NZ**  
Health and safety regulator for the maritime sector

**CAA**  
Health and safety regulator for the aviation sector

**... while other government agencies have roles at the interface of the health and safety system and other systems**

**ACC**  
Harm prevention, rehabilitation and compensation

**LABOUR INSPECTORATE**  
Employment standards

**NZTA**  
Road and rail safety

**EPA**  
Hazardous substances outside the workplace

**NZ POLICE**  
Commercial Vehicle Safety Team

**COUNCILS**  
Building safety, hazardous substances



# The draft Strategy



## Our vision:

### All New Zealanders are healthy and safe at work

Good health and safety supports the wellbeing of workers and is good business. Work contributes to a person's health and wellbeing when it is stimulating and potential **risks are managed well**. When a person is well and feels safe they are more likely to be productive and engaged. The costs of poor health and safety are often not just paid by individuals but also their whānau and communities.

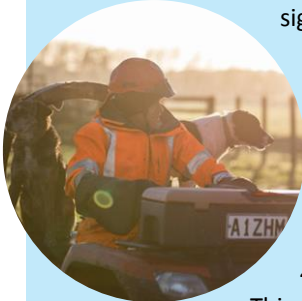
Good health and safety reduces the economic cost of work-related deaths, injuries and ill-health. Keeping people healthy and safe at work is not a trade-off with profitability, but is **fundamental** to the strength and productivity of New Zealand's economy.

In 10 years we want New Zealand's rates of **work-related harm to have decreased significantly to world class health and safety** levels. To achieve this, the people and organisations within the health and safety at work system need to be **capable** of managing risks.



# Goal 1: A system focused on what will make the biggest impact

We need to ensure effort is focused in the right areas. Fatalities, serious injuries and health risks are crucial to reduce. Risks can also have other significant **impacts on workers, or others**, such as time away from work. What has the biggest impact will be different for each business.



One way that Government is focusing on what will make the biggest impact is through ACC and WorkSafe's joint *Reducing Harm in New Zealand Workplaces – An Action Plan 2016-19*.

This action plan targets injury and harm prevention programmes at sectors and harms that make the largest contribution to work-related fatalities, harm and ill health.

There are certain groups that are at greater risk of harm at work. Some businesses have greater challenges managing risk well. We have identified the **three priority areas** that will make the biggest impact in reducing our harm rates.

## In ten years New Zealand will have:

- A significant reduction in fatalities, serious injuries and work-related ill-health, including reducing disparities between groups of workers.
- Good health and safety risk management practices integrated as part of doing business well.
- Businesses recognise and prioritise the wellbeing and health of their workers, not just their safety.
- SMEs and high risk sectors that are able to manage their risks effectively, and all businesses protect workers at the greatest risk of harm.

## Impact priority 1: Ensure all businesses have proportionate and effective risk management

In 2016/17 79% businesses had processes in place to identify, assess, manage and review their business's main health and safety risk and hazards but 39% thought most efforts had no real impact on keeping workers healthy and safe.

Good health and safety is about **effective risk management**. We need to ensure that the **effort** going into managing risks is **proportionate** to the harm they cause. **Good risk management** means having clarity about all the risks in the business, and managing them in a **systematic** way. This includes poorly managed risks, such as work-related health and psychosocial risks.

Achieving a sustained reduction in risk requires a **culture that reinforces and promotes the value of good health and safety**, celebrates those who do well and holds people to account for not meeting minimum standards. A positive health and safety culture encourages a common and **accepted way of working to manage risk**. It informs a shared understanding about working practices, risk tolerance and the response to accidents and near misses.



## Impact priority 2: Support business with greater need SMEs



SMEs represent around 490,000 enterprises in New Zealand, employing around **600,000** workers. SMEs are more likely to face financial and resource **constraints**, and to have **informal** management and worker representation practices. Access to reliable and relevant health and safety **advice** is a particular challenge.

We need to ensure that the challenges that SMEs face do not impact on their ability to implement good health and safety.

In 2017 only 59% of businesses with fewer than 20 employees agreed that health and safety processes were proportionate to their risks compared to 75% of businesses with 100 or more employees

## High risk sectors

Several sectors account for a large proportion of work-related harm in New Zealand.

Some sectors and businesses have **greater or more complex risks** due to the nature of the work they do, and will need an extra focus on the processes to manage these risks (for example major hazard facilities). Some businesses and sectors are currently not **managing their risks well**, and this is contributing to high rates of harm.

We need to ensure that the health and safety at work system focuses on high risk sectors.

Improving performance in these sectors will mean shifting attitudes and cultures, as well as lifting capability to ensure people know how to manage risks effectively.



## Impact priority 3: Support workers with greater need

### Māori

Māori workers are over-represented in injury statistics, Māori workers are also over-represented in high risk occupations. Māori workers are also over-represented in high risk occupations, have lower education levels (such as lower literacy), and poorer health, all factors that contribute to greater risks of workplace harm.

We need to ensure that Māori workers are not at greater risk of injury and illness at work. This requires that the health and safety at work system meets Māori needs, such a developing appropriate models of engagement, participation and representation, as well as ensuring workplaces support Māori workers' wellbeing.

The most recent figures show that Māori are 44% more likely to suffer a serious non-fatal injury, the largest gap since 2006-08 (52%)

Māori are more likely to have temporary and precarious employment arrangements than average, increasing the risks. Workers in temporary and precarious employment tend to carry out the most hazardous work, work in poorer conditions with less control over their work, and are less likely to receive training. As they may be less inclined or able to take sick leave, minor injuries and illnesses can become aggravated.

### Workers at greater risk

We need to ensure that the health and safety at work system meets the needs of workers at greater risk of harm (such as Pasifika, migrants, younger and older workers). Similar to Māori, these groups are at greater risk through factors associated with employment and financial status, education levels (such as lower literacy), and/or health.

Pacific workers are 20% more likely to make a work-related injury claim

Young workers (15-24) and older workers (over 65) are the age groups with the highest incidence of work-related injury claims (137 and 124 per 1,000 full-time equivalent employees (FTEs) respectively, compared to 107 for the overall population).

Valuing and supporting diversity in the workplace is also a contributor to psychosocial wellbeing through building inclusive and culturally competent workplaces.



## Goal 2: A capable system where everyone plays their part

Lifting our health and safety performance requires **everybody to play their part** from workers and businesses through to government, sectors and unions, using their **influence, expertise** and **insights**.



Roles and responsibilities across the system must be **integrated** and **aligned** so everyone is clear about how they can work together, and what tools they have to influence change. They also need the right resources and support for the role they play.

Government has an important **leadership role** in making change happen, but it is something it cannot do alone. Getting better outcomes will require **everyone playing their part**.

We have identified **four priority areas** which together will lead to improved **capability** in the system to manage risks.

### In ten years New Zealand will have:

- Everyone in the system understanding their role and accountabilities in improving health and safety at work, and how this links in with others' roles and accountabilities.
- People and organisations sharing information to support each other to play their part effectively and efficiently.
- Roles and expectations that are appropriate and matched by the ability to fulfil them for everyone in the system.

## Capability priority 1: Ensuring leaders at all levels prioritise health and safety

Good leadership is about **prioritising** and **resourcing** health and safety. This means **integrating** health and safety into how a business works, and **supporting** a good health and safety culture. Improving health and safety requires leadership from Government and its agencies, sectors, businesses, and workers and their representatives.

We need to ensure:

- Leaders use influence across sectors and supply chains, and use their networks to create 'learning systems' by sharing success, failure and best practice.
- Leaders have strong accountability and clear responsibilities for health and safety, holding each other to account.
- Government proactively models good health and safety practice, (e.g. as a large employer and through wider government priorities and processes such as procurement).



In 2016, only 63% of employers put health and safety in their top three most important work/business considerations

### *The role of leaders across the health and safety at work system*

- For **Government** leadership means ensuring the legislative and regulatory framework and implementation supports effective risk management. Government also leads by demonstrating best practice in its workplaces and supply chains.
- For **sectors** leadership means working across businesses (including SMEs) to develop sector-wide approaches to shared issues, promoting best practice and supporting businesses.
- For **businesses** leadership means ensuring that good health and safety management is prioritised and resourced, including supporting the contribution of workers.
- For **workers** leadership means contributing to processes which create healthy and safe systems of work.



## Capability priority 2: Enabling workers to engage, be represented and participate



Effective worker engagement, representation and participation is fundamental to **effective risk management**. It helps create **workplace cultures** that support good health and safety, and business performance. A genuine **commitment** to involving workers at all levels is critical to create healthier, safer and more engaged work and workplaces.

In 2015/16, 51% of employers said they had a “formal system” for employees to participate in managing health and safety

We need to ensure:

- All workers are able to participate, engage and be represented, including in SMEs and remote businesses.
- Workers and their representatives play a key role in the management of risk evaluation and control, and receive the training and support they need to do this.
- Leaders understand the value of involving their workers to create healthy and safe systems of work, and ensure this happens in a meaningful way.

## Capability priority 3: Lifting specialist capability

For risks to be well managed, people need to be able to access **specialist skills** when they need them. We need to lift the **accessibility** and **quality** of specialist advice, services and tools, and ensure that businesses have the capability and support to manage risks well.

We need to ensure:

- The specialist health and safety workforce has the capability and capacity to advise businesses of all sizes on managing risks effectively.
- Businesses understand the specialist capability they require and are able to source it, including for SMEs.
- The educational system and framework around health and safety competency is strengthened with risk concepts embedded in relevant training and education.



Only 27% of professionals agreed that professionals in New Zealand were as competent and qualified as their overseas counterparts

## Capability priority 4: Better information to improve decision making



**Good quality and timely** information is crucial to identify **risks** and understand the **drivers** of harm. Mechanisms for **sharing** information across the health and safety at work system need to be strengthened to support **better risk management practices** including **evaluation and alignment** of effort.

Despite improvements, the current approach to collecting and analysing data is still fragmented, causing confusion and inconsistent interpretation of the risks and harm.

We need to ensure:

- The right data and analysis is available to support people and organisations to measure and focus on what matters.
- Researchers, Government, sectors, businesses and unions share insights and work together on research, evaluation, data and intelligence projects.
- Information on emerging risks and best practice is shared effectively and provides a robust base to inform interventions.

Most work-related diseases cannot be monitored in the same way as injuries because of the long period between exposures and symptoms



# Tracking performance

We are developing a **comprehensive measurement framework** to track the Strategy's impact on the performance of the health and safety at work system. This framework will be released with the final Strategy and will include a balanced suite of **indicators** measuring attitudes and behaviour, **lead** and **lag** indicators of harm, and **qualitative** and **quantitative** assessments.



Progress towards our **vision** of improving the wellbeing of all workers through healthy and safe work will be measured using indicators of:

- Acute risk – work-related deaths and injuries
- Chronic risk – work-related ill health and disease
- Catastrophic risk – major events with the potential for significant acute or chronic harm.

Indicators of acute harm are the most readily available of the three, drawing from the existing Serious Injury Outcome Indicators and ACC injury data.

Better work-related health measures could be based on exposure to work-related health risks, rather than disease rates because of the complexity of work-related health. For example ill-health conditions often have multiple causes and long latency periods.

Similarly, catastrophic events are complex and can occur across a broad range of industries. We propose focusing on the presence of robust process safety practices alongside identification and response to precursor events.

Strategy outcome	Proposed measure	Proposed indicator	Availability and timeframe
All New Zealanders are healthy and safe at work	Fewer work-related deaths and serious injuries	Fatal and serious injury; high-impact (notifiable) injury; injuries resulting in significant time away from work	Official statistics and injury data (currently available)
	Better work-related health	Exposure to and management of work-related health risk factors	Forthcoming exposure and health surveys (from 2019)
	Prevent catastrophic harm	Process safety practices; precursor events and response	<i>To be confirmed</i>

The performance framework will evolve alongside the Strategy to ensure we put in place the right indicators. It will require new measures and data sets to be created, and as the system matures the framework will become more comprehensive. **Targets** will be set during the term of the Strategy, replacing existing targets. This will give us time to ensure we put the right measures and targets in place.

## Monitoring and reporting our performance

Monitoring of the Strategy and its impact will be based on the performance framework. This monitoring will give the Government and public a way to assess the Strategy's impact. It will also give system participants an indication of the difference they are making.

It is expected that performance will be reported annually, and that reporting will become more comprehensive as the system matures and the performance framework develops.

The framework will also provide a guide that system participants can use to align their own strategic and performance frameworks, and demonstrate how their activities contribute to health and safety outcomes. As an example this framework will inform WorkSafe's strategic planning and accountability documents.



# Putting the Strategy into action

The success of the Strategy depends on our ability to translate the vision and intentions into action. Delivering the strategy is not something that can be done by government alone. It will require people from across the system using the skills, tools and influence they have to collectively drive better outcomes.

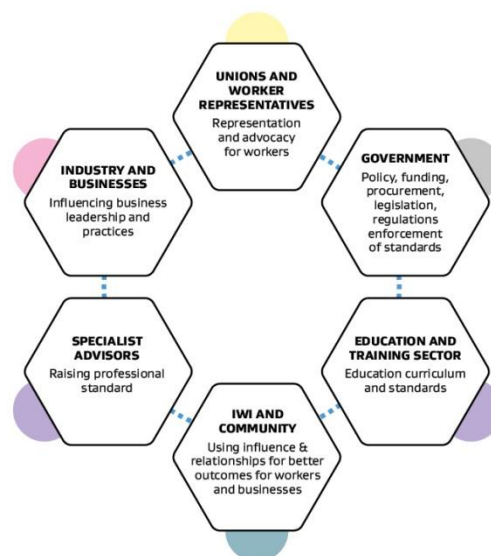
We will use feedback from the consultation process to develop an approach for developing action plans. Once the approach has been agreed, Government and key stakeholders will come together to develop the detail and deliver the plans.



## Governance and champions

We propose a joint governance group of representatives from each part of the system to oversee the delivery of actions against the Strategy. The Strategy governance group would regularly assess progress against the performance framework and the maturity model.

Champions from across the system could lead the development and delivery of actions under each plan, helping to ensure activities are responsive, intelligence-led and owned by everyone. This group would use their expertise, reach and influence to drive change and enhance coordination across the system.



## Action plans

Action plans will be developed that reflect each priority, led by people from across the system. Your feedback on what would make the biggest difference in each of the priorities will be important in developing any actions flowing out of the Strategy.

The Strategy's 10-year timeframe enables a staged approach to implementation, including developing actions throughout the lifetime of the Strategy. The first steps in the implementation plan will involve:



- **Direction setting:** Ensuring that the range of plans and actions across the system are aligned to the Strategy
- **Delivering current aligned activities:** Ensuring the delivery of programmes of work that are already underway and are aligned to the Strategy.

As the Strategy's implementation progresses, further actions can be developed within each action plan.

# Consultation information

## Questions

We want to hear your thoughts on the draft Strategy. To help focus your feedback, we have 10 questions. You are welcome to respond to some or all of the questions.

Where possible, please include evidence to support your views, for example references to independent research, facts and figures, or relevant examples.

### *Does the draft Strategy...*

Q1	Q2	Q3	Q4	Q5
Set a clear and ambitious direction?	Provide a platform for better coordination and alignment?	Focus on the areas and people that will achieve the biggest change?	Provide clarity about roles and responsibilities?	Take into account the best information we have?

### *Vision*

Q6	Does the vision describe what you think our health and safety system should achieve? Why or why not?
----	---

### *Goals and priorities*

Q7	Are these the most useful goals? Why or why not?
Q8	What would make the biggest difference in each priority area?

### *Monitoring performance*

Q9	Are these the measures we need to know if the system is working better? What else do we need to know?
----	--

### *Action planning*

Q10	Who needs to be involved in turning the Strategy into action? What can you do?
-----	---

# How to give your feedback

1. **Download** and fill out the submission form from:  
<http://www.mbie.govt.nz/info-services/employment-skills/health-and-safety-at-work-strategy>
2. **Send** your form as a Microsoft Word document or PDF to [HSWStrategy@mbie.govt.nz](mailto:HSWStrategy@mbie.govt.nz)
3. **Include** your name, or the name of your organisation, and contact details.



Send any questions you have in relation to the submissions process to [HSWStrategy@mbie.govt.nz](mailto:HSWStrategy@mbie.govt.nz).

Alternatively you can post your submission to:

Health and Safety at Work Strategy  
c/o MBIE – Health and Safety Policy  
PO Box 1473  
Wellington 6140  
New Zealand



## How we use your information



Your submission may be made public, or the content included in a summary or other report about this consultation process. By making a submission, we consider you have consented to this use, unless you clearly specify otherwise in your submission.

Release of submissions is subject to the Official Information Act 1982. Please tell us as part of your submission if you have any objection to the release of any information in the submission, which parts you consider should be withheld, and include your reasons for withholding the information (for example, commercially sensitive material). We will consider any objections you note and consult with you when responding to requests under the Official Information Act 1982.

Please indicate on the front of your submission if it contains confidential information and mark the text accordingly. If you wish to make a submission which includes confidential information, please send us a separate version excluding the relevant information for publication on our website.

## Private information



Any personal information you supply to us as part of your submission will only be used to help inform the development of policy advice in relation to this review. Please clearly indicate in your submission if you do not wish your name to be included in any summary of submissions that we may publish.

## Want to know more?

Further detail about the draft Strategy, including a document with supporting information and references, can be found at: <http://www.mbie.govt.nz/info-services/employment-skills/health-and-safety-at-work-strategy>

**Submissions are open until 5 pm on 8 June 2018**