Health and Safety at Work Strategy
2018-2028

CONSULTATION
April 2018
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:

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<thead>
<tr>
<th>Aligning direction across the system</th>
<th>Enabling coordination between people in the system</th>
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<td>Plans and strategies to address particular issues are already underway in different parts of the health and safety system. The Strategy will provide the vision that sits above these, and will create a shared ambition for where we want to get to – what the health and safety system should look like, and how it contributes to broader wellbeing and quality of life.</td>
<td>The health and safety system is complex, with multiple stakeholders often at times working independently. The Strategy will help people work together more effectively by providing visibility of the whole system and its participants’ roles, and by providing a platform to work together.</td>
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<th>Identifying the capability gaps and opportunities</th>
<th>Improving measurement</th>
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<td>Delivering sustained improvement in health and safety outcomes involves lifting the level of capability across the system, in order to support people to manage risk more effectively. The Strategy will identify the key areas where capability needs to be lifted, and develop actions in each of these areas.</td>
<td>Understanding the full extent of the issues and what to target is crucial to a high performing system. The Strategy will help improve our collective intelligence, data, and analysis of risks and interventions across the whole system.</td>
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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.

Significant 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.

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.

**GOVERNMENT**
- Sets overarching strategy, direction, targets for the system
- Creates the legislative framework

**MBIE**
- Advises & supports Government on policy for the system
- Monitors the regulator

**WORKSAFE**
- Primary regulator
- Leads implementation of government policies
- Enforcement, guidance, education

**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

**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

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

**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

**ACC**
- Harm prevention, rehabilitation and compensation

**NZTA**
- Road and rail safety

**LABOUR INSPECTORATE**
- Employment standards

**EPA**
- Hazardous substances outside the workplace

**COUNCILS**
- Building safety, hazardous substances

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

**NZ POLICE**
- Commercial Vehicle Safety Team
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.
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.

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.

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

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.

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.

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.

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.

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

Goal 2: A capable system where everyone plays their part

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

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).

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.

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

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.

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.
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.

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

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

2. **Send** your form as a Microsoft Word document or PDF to 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.

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**