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# Have your say on Work Health and Safety

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*Detailed summary of feedback from Roadshow meetings  
– June to October 2024*

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# Health and safety at work reform Roadshows

The Coalition Agreement between ACT and the National Party committed to reforming work health and safety law and regulations. New Zealand's work health and safety record remains worse than other comparable countries and has been slow to improve. Government has heard that businesses are struggling to understand their work health and safety obligations, and are unsure how to comply, which creates risks for workers.

To better understand where to best focus efforts for addressing these issues, the Minister for Workplace Relations and Safety, Hon. Brooke van Velden (the Minister), led a Government consultation seeking feedback on what is working well, and where improvements can be made.

This consultation featured the Minister undertaking a series of roadshow meetings across 11 towns and cities, 23 meetings and 15 site visits, inviting discussion and feedback from over 600 attendees including business, workers, work health and safety professionals, local government and community organisations.

A consultation document and online survey was also released, seeking feedback on the purpose and performance of the work health and safety regulatory system, across five focus areas covering different parts of the work health and safety system. 487 submitters responded, from across a broad range of sectors, regions, workers and employers, and small and large organisations.

## Key themes for improvement identified in the submissions and roadshows

The following high-level themes emerged from the Roadshows regarding areas for improvement:

### 1. There is a need to increase certainty within the system, and reduce unnecessary compliance and red tape

Feedback was clear that workers and businesses take their work health and safety responsibilities seriously and understand the importance of having effective measures in place to address risks. There was a broad view that the Act itself is generally working well, though issues within the system are causing problems, creating uncertainty, and driving costs. In particular:

- Attendees noted they are trying to do the right thing, but compliance costs are too high, and there is a need for greater certainty about what they need to do under the Act (and how to do it), particularly from small businesses.

Examples included that more clarity is needed on what is 'reasonably practicable' regarding actions and compliance under the Act, and the need for up-to-date Approved Codes of Practice and guidance across a range of sectors. Roadshow feedback also noted concern with sections of Part 2 of the Act, such as clarity around officers' duties and landowner liabilities for recreational land-use.

- This lack of certainty about what is required can drive unnecessary compliance and costs for businesses, particularly for small businesses. Some felt they didn't know what to do and/or needed to take disproportionate or unhelpful measures, which has led to a

proliferation of work health and safety consultancy advice and paper-based systems, regardless of whether they are practical, useful or proportionate.

- Roadshow feedback also included concerns about proliferation of pre-qualification requirements in procurement/tendering and subcontracting, ineffective paper-based compliance, or impractical risk management and training tick-box systems.

## 2. There is a need for improvements to WorkSafe

Roadshow feedback on Regulators most often related to WorkSafe rather than the other two designated Regulators (Maritime New Zealand and the Civil Aviation Authority).

Roadshow feedback about WorkSafe tended to be negative. It generally highlighted a lack of consistency in its advice to businesses, ranging between an absence of clarity to being overly prescriptive. This can drive either unnecessary costs as businesses look for alternative means to provide certainty (such as 'off the shelf' measures and consultants) or drives fear of engagement. This included:

- Businesses receiving inconsistent advice from WorkSafe for addressing similar risks, not being provided sufficient upfront certainty and support about what is 'reasonably practicable' regarding businesses' obligations, or quick to highlight ex post failings with hindsight bias.
- WorkSafe is not focussing on the most critical risks, or taking a "gold standard" approach to compliance with the fullest extent of controls in the regulations in situations where the regulations are also designed to allow flexibility for tailored approaches.
- There needs to be a greater WorkSafe focus on collaborative engagement, education and supporting businesses to do better, rather than punitive approaches.
- While some WorkSafe offices are helpful, there is a perception they are under-resourced.

## 3. There are discrete problems within the Act that require attention

In addition to the need for improved guidance and certainty within the work health and safety system covered above, uncertainty and confusion caused by overlaps with other regulatory systems was identified as an issue. The most common difficult overlaps identified were between the Act and the Building Act 2004 and the Land Transport Act 1998; particularly in relation to road cone use in traffic management, or evacuation of earthquake-prone buildings.

# Summary of roadshow meetings 2024

## How these summaries have been prepared

Officials who attended Roadshow meetings took handwritten notes. Some meetings had more than one note taker. These notes were typed into a document, with notes organised by meeting. Microsoft CoPilot (AI tool) was used to produce an initial summary of the notes of each meeting, under the five focus areas:

- Focus area 1: businesses are best placed to understand and manage their risks.
- Focus area 2: the law is designed to balance flexibility and certainty.
- Focus area 3: worker engagement and participation.
- Focus area 4: effective regulators.
- Focus area 5: the objective of the health and safety system.

MBIE staff checked each CoPilot initial summary against the typed notes to corroborate the accuracy of the summaries. Changes were made as required to each summary. The summaries were also reviewed by people who attended the meetings, as a final check.

In keeping with undertakings made to those who attended the meetings, comments are not attributed to individuals nor to organisations, unless otherwise agreed with organisations.

**Please note:** the quotes in italics are from notes taken by officials and may not reflect the exact words used by submitters. Abbreviations have been expanded where needed and some minor changes made for readability.

## Auckland, 16 and 17 July

### **1. Civil contracting organisations – meeting hosted by Civil Contractors NZ (16 July)**

#### Focus area 1: businesses are best placed to understand and manage their risks

Embedding risk management early as part of business as usual is easier and less costly.

However, challenges arise from overlapping regulations, unclear standards, and inconsistent regional practices.

Often practical on the ground risk management varies from the “in theory” / standards approach, causing uncertainty and risk that WorkSafe will object.

*“Overlaps in regulatory compliance requirements drive costs.”*

*“People don’t accept accreditation – they require more form filling.”*

#### Focus area 2: the law is designed to balance flexibility and certainty

Ambiguous legal terms can be interpreted rigidly—especially after incidents—leading to hindsight bias and inflexible enforcement. There’s a lack of clear, proactive guidance from WorkSafe, leaving businesses uncertain about whether they’re meeting expectations.

*“No-one wants to tell you whether you’re doing the right thing.”*

#### Focus area 3: worker engagement and participation

Formal Health and Safety Committees often don’t work well and struggle to engage workers. Informal, on-the-ground engagement is more effective. Success depends more on workplace culture than formal processes.

*“Engagement works when driven by those on the ground, not by formal processes.”*

#### Focus area 4: effective regulators

Contractors feel WorkSafe is mostly absent until something goes wrong. Inspectors often lack industry knowledge, making them less helpful. WorkSafe’s High Hazards Unit and Enforceable Undertakings teams are respected, but the latter is too costly for smaller businesses.

*[The] “incentives are wrong.”*

#### Focus area 5: the objective of the health and safety system

No notes on focus area 5.

### **2. Business, workers, unions, and H&S specialists – meeting hosted by Auckland Business Chamber (16 July)**

#### Focus area 1: businesses are best placed to understand and manage their risks

Businesses expressed frustration with costly, ineffective training that often feels like a tick-box exercise, especially for experienced workers or those with limited English. Inductions are seen as time-wasting, and documenting risk management adds significant administrative burden. Risk is often pushed down from main contractors, forcing smaller businesses to adopt their protocols. There’s also hesitation to raise concerns about other PCBUs on worksites due to fear of being held liable.

*“WorkSafe pushes for training even for people with significant industry experience and knowledge.”*

#### Focus area 2: the law is designed to balance flexibility and certainty

Participants noted that WorkSafe provides inconsistent and delayed advice, contributing to uncertainty and fear of prosecution. Ambiguity in the law and a perceived punitive culture within WorkSafe undermine confidence in the system.

*“WorkSafe provides inconsistent advice, when it even does give advice.”*

#### Focus area 3: worker engagement and participation

There's a need to reframe the roles of Health and Safety Representatives (HSRs) and Health and Safety Committees (HSCs) as collaborative partners with management to improve safety outcomes. While unions view HSRs as essential, some sectors—like health—report that employers don't take them seriously. Concerns were raised about the use of Provisional Improvement Notices (PINs) as a tool to pressure businesses.

*“Need to reframe HSRs and HSCs as working alongside management to improve things on the ground.”*

#### Focus area 4: effective regulators

Experiences with regulators vary widely and often depend on individual staff. Concerns were raised about regulators having the wrong skillsets, leading to inconsistent and sometimes unhelpful interactions.

*“[Our experience is] highly variable and mostly down to who you know [at WorkSafe].”*

#### Focus area 5: the objective of the health and safety system

Attendees emphasised the need to focus on critical risks and support industry-led guidance. There's a perceived imbalance in accountability, with PCBU's facing penalties while workers face little consequence, constrained further by employment law.

*“Need to prioritise what is critical; reframe health and safety in this way.”*

### **3. Company directors – meeting hosted by the Institute of Directors (IoD) (16 July)**

#### Focus area 1: businesses are best placed to understand and manage their risks

Directors highlighted that risk management is central to good governance, but small and medium-sized enterprises (SMEs) often lack the capability and resources to implement it effectively. There was support for co-regulation and industry-led strategies.

*“Start with guidance from industry that is endorsed.”*

*[We would like] “Tripartite sector groups working with WorkSafe to set focus for strategies.”*

#### Focus area 2: the law is designed to balance flexibility and certainty

Directors considered that the Health and Safety at Work Act 2015 (HSW Act) is fine and that the issue was more about how the regulator interprets and administers the HSW Act. Accountability should be linked to the root cause of harm. The system has lost focus on critical risks and controls.

*“[there is a] lack of clarity & good guidance.”*

#### Focus area 3: worker engagement and participation

No notes on focus area 3.

#### Focus area 4: effective regulators

There is a lack of separation between WorkSafe's enforcement and education roles. It was suggested that the education side should be separated out from the enforcement side of

WorkSafe. SMEs are not as skilled at governance but WorkSafe lacks governance knowledge, so can't help.

Some considered that prosecutions sometimes target individuals unfairly, including attempts to apply Person Conducting a Business or Undertaking (PCBU) responsibilities to directors.

*"Don't make the Chief Executive proxy for the PCBU."*

#### Focus area 5: the objective of the health and safety system

There was a strong call to refocus the system on managing critical risks, which some felt had been lost over the past decade. The system was described as overly complex.

*"Have lost focus on critical risks and controls... overcomplicated it over last 10 years."*

### **4. Small retail and hospitality businesses – meeting organised by Retail NZ and Hospitality NZ (16 July)**

#### Focus area 1: Businesses are best placed to understand and manage their risks

Risks managed include substances, freight, warehouses, and customer aggression and crime. Larger businesses cope better; smaller ones rely more on advice lines. Peak bodies recommend investment in onboarding and induction.

*"It's hard to know when you've ticked everything off."*

#### Focus area 2: the law is designed to balance flexibility and certainty

Businesses appreciate flexibility but can find the law unclear, especially small business. The HSW Act has clarified responsibility and made health and safety more talked about, e.g. as an agenda item in meetings.

*"[the law is] not easy to digest and interpret."*

#### Focus area 3: worker engagement and participation

HSRs and HSCs are seen as more relevant to large businesses than small businesses. Worker involvement in health and safety helps with staff retention.

*"[HSRs/HSCs] seem aimed at large business."*

#### Focus area 4: Effective regulators

Direct interaction with WorkSafe is limited unless a serious harm incident occurs. Feedback from inspectors is minimal, and businesses sometimes feel unprepared for audits. There is a perception that WorkSafe may not always communicate clearly or follow up effectively. Some businesses rely on industry bodies like Retail New Zealand for information rather than regulators.

*"You don't hear much feedback [from WorkSafe]"*

#### Focus area 5: the objective of the health and safety system

Businesses want rules to be broken down into easy-to-understand areas.

*"Don't want to be bogged down in compliance."*

### **5. Sole traders and small business in the trades industry (mostly electrical trades) (17 July)**

#### Focus area 1: businesses are best placed to understand and manage their risks

Small businesses and sole traders in the trades sector, particularly electrical and roofing, use health and safety practices such as monthly toolbox meetings, and equipment checks.

However, they face significant administrative burdens and costs related to prequalification



processes, which are seen as profit-driven rather than safety-focused. Many businesses feel that while they are committed to safety, the prequalification system is not designed with their scale or realities in mind.

*“One-man bands can struggle.”*

*“Prequalifications [have] turned into an industry.”*

*“Prequalifications are expensive. Good idea, but turned into a business and aimed at profit.”*

#### Focus area 2: the law is designed to balance flexibility and certainty

Some small businesses expressed frustration with health and safety rules. A roofer said scaffolding rules are too complex and confusing. While some areas are overly prescriptive, others are vague, leading to confusion and excessive paperwork. Rules are often set by head contractors without clear legal grounding.

*“Too much paper pushing / ass covering, as opposed to training / understanding risks.”*

#### Focus area 3: worker engagement and participation

Businesses are making efforts to involve workers in safety processes through regular meetings and on-site discussions. However, there are challenges in ensuring meaningful participation, especially when workers are not fully trained or do not take responsibility for their own safety. Some systems, like incentive-based card programs, have been introduced to encourage engagement, but there is concern that over-regulation may be undermining common sense and practical learning.

*“Workers have lost common sense.”*

#### Focus area 4: effective regulators

Interactions with WorkSafe are mixed. While some businesses appreciate collaborative efforts, many feel that the regulator does not provide clear guidance or practical support. There is confusion over responsibilities, especially in multi-contractor environments, and concern that enforcement focuses more on documentation than actual safety outcomes. Businesses also highlighted the disproportionate penalties faced by owners when workers fail to follow procedures.

*“WorkSafe – Sometimes ok, sometimes not. Won’t help / tell.”*

#### Focus area 5: the objective of the health and safety system

While businesses are committed to safety, they feel the system is overly complex, costly, and not proportionate to actual risks. There is uncertainty about what exactly is required to meet legal obligations, and there is concern that the system penalises businesses even when they have taken reasonable steps. Participants indicated they want a system that prioritises real-world risk management and supports practical, safe work — rather than one that imposes rigid, sometimes counterproductive rules.

*“[the] system penalises businesses even when they have taken reasonable steps.”*

### **6. Local businesses – meeting hosted by Rosebank Business Association (17 July)**

#### Focus area 1: businesses are best placed to understand and manage their risks

Businesses generally understand the regulations that affect them, but there was general consensus that how to give effect to regulations on the ground was less well understood. One business with 17 staff said it can’t afford a dedicated health and safety person.

*“Small businesses have same obligations as large, but [are] not as well equipped.”*

#### Focus area 2: the law is designed to balance flexibility and certainty

Businesses described the law as full of grey areas, with inconsistent enforcement and outdated guidance. One business said it received conflicting advice from three different inspectors about the same machinery, resulting in a \$20,000 cost to meet unclear expectations. This uncertainty leads some businesses to overcompensate out of fear of missing something.

*“\$20k to guard machine. Came with guarding, but WorkSafe wants above and beyond.”*

#### Focus area 3: worker engagement and participation

While many businesses are working well with staff and trying to build a culture of safety, there is still uncertainty about how responsibilities are shared between organisations and workers. Emotional and physical risks—such as those faced by funeral workers—highlight the need for clearer guidance on worker roles and training. Some businesses are actively trying to learn from near misses and improve engagement, but attitudes like “she’ll be right” still persist.

*“Falls on individual (responsibility), if they want to put themselves at risk.”*

#### Focus area 4: effective regulators

There was concern about WorkSafe’s approach, with many describing it as inconsistent, under-resourced, and overly punitive. Businesses reported receiving vague or delayed notices, and felt that inspectors were focused on issuing penalties rather than providing guidance. There is a desire for WorkSafe to act more as a coach than an enforcer, and for clearer, more practical advice that businesses can rely on.

*“Need to have comfort saying what [we are] doing is ok.”*

*“WorkSafe should be there to give guidance, coach rather than just enforcement.”*

#### Focus area 5: the objective of the health and safety system

Some feel forced to “do too much” out of fear of non-compliance. There is a call for more meaningful compliance processes and a focus on learning from incidents to prevent future harm, rather than just ticking boxes.

*“SMEs [are] scared [of] not doing enough, so do too much.”*

*“[SMEs] Want worthwhile tick boxes.”*

### **7. Pacific-owned businesses – meeting hosted by Pacific Business Trust (17 July)**

#### Focus area 1: businesses are best placed to understand and manage their risks

Businesses expressed a strong commitment to keeping people safe, but noted that understanding how to apply health and safety requirements on the ground remains a challenge—especially for small and medium-sized enterprises. Some are investing in training and audits, but struggle with high staff turnover, limited resources, and the cost of compliance.

*“Health of business flows from health of workers.”*

#### Focus area 2: the law is designed to balance flexibility and certainty

Participants said the law often lacks clarity and flexibility, especially when things go wrong. The law is not specific enough, e.g. if we suspect asbestos we can test but the next step is grey, about what we can/can't do.

*"Lots [of] work to run a small business. Want to grow, but [have] many responsibilities and compliance costs."*

*"Flexibility doesn't exist when [you] stuff up."*

#### Focus area 3: worker engagement and participation

Health and safety committees are considered a good tool. People understand it and are engaged. They emphasised the importance of culture and leadership in driving participation.

*"Committee good tool, people [at] work understand it."*

#### Focus area 4: effective regulators

There was concern about the visibility and capability of WorkSafe. WorkSafe has fewer inspectors, covering more. WorkSafe should invest more in inspectors with industry experience. Some meeting participants said they had had good engagement, and constructive conversations with WorkSafe's High Hazards Unit.

*"Less inspectors, covering more, don't understand."*

#### Focus area 5: the objective of the health and safety system.

For SMEs, the goals of the system might be better met through enforceable undertakings than prosecution, even though this is slower and more costly. But enforceable undertakings are less available to small businesses now.

*"Enforceable undertakings could really change industry practices."*

*"[Enforceable undertakings are] more expensive than prosecution plus slower and less certain."*

### **8. Indian-owned businesses – meeting hosted by NZ Indian Business Association (17 July)**

#### Focus area 1: businesses are best placed to understand and manage their risks

Participants noted that many small and medium-sized enterprises (SMEs) use external health and safety consultants or franchiser-provided guidance because they are unsure of what is required. They expressed that current requirements are often too generic and not well-suited to the capacity of smaller businesses. There were suggestions for clearer, plain-English guidance, translated materials, and culturally competent support.

*"Not clear enough for time-poor people."*

#### Focus area 2: the law is designed to balance flexibility and certainty

Attendees raised concerns that the HSW Act and related regulations are difficult to interpret and apply, especially for SMEs. They noted that the law appears to be written from a

government perspective and does not reflect the realities of small business operations. Participants highlighted the need for more specific, practical guidance, such as checklists and case studies tailored to different industries. There were also concerns about the cost of compliance.

*“Act/regulations are written from government perspective, top down not from bottom up.”*

#### Focus area 3: worker engagement and participation

Worker engagement practices were not widely discussed.

#### Focus area 4: effective regulators

One attendee expressed concern about inconsistent enforcement and communication from WorkSafe. They noted that some inspectors lacked industry knowledge. There were also comments about a perceived shift in regulatory culture since 2015, with newer inspectors seen as overly bureaucratic or focused on minor issues. Attendees called for simpler, more consistent regulation and better engagement between regulators and industry.

*“Don’t make examples out of small things.”*

#### Focus area 5: the objective of the health and safety system

Some participants considered that compliance efforts often target minor issues. There were concerns about the cost of compliance and the burden placed on employers. Suggestions included training for both employers and workers. Some also proposed systems to verify health and safety qualifications and reduce duplication.

*“Employer takes on too much.”*

## New Plymouth, 1 August

### 9. *Dialog Fitzroy – site visit (1 August)*

Officials did not attend the Minister's site visit.

### 10. *Energy sector, local businesses and union representatives – meeting hosted by BeSafe Taranaki, Energy Resources Aotearoa, Taranaki Chamber of Commerce and Venture Taranaki (1 August)*

#### Focus area 1: businesses are best placed to understand and manage their risks

Participants from the Taranaki energy sector described practices such as empowering workers, focusing on critical risks, and sharing knowledge across firms. Several noted that safety is considered from the design stage. Many companies have developed internal systems and shared practices, such as permit-to-work systems and collaborative forums like BeSafe Taranaki. However, smaller businesses may lack resources and need guidance.

*"Focus on serious injuries, don't focus on small stuff."*

*"Too much sweating small stuff."*

#### Focus area 2: the law is designed to balance flexibility and certainty

There was widespread concern that the HSW Act and related regulations are overly prescriptive in some areas and unclear in others. Participants said that WorkSafe often applies standards beyond what is required, leading to high compliance costs without clear safety benefits. Guidance was described as difficult to access, inconsistent, and lacking transparency. Businesses called for regulations that better accommodate evolving technologies and industry practices, and for more practical approaches.

*"Acts and regulations fine, but WorkSafe shouldn't try and impose gold plated standard."*

*"Seek advice – wall comes up because WorkSafe doesn't want to be culpable."*

*"But [they] didn't ask WorkSafe – as [they] knew [they] wouldn't have got anything."*

#### Focus area 3: worker engagement and participation

While some businesses used HSRs and HSCs, these were often seen as less effective than informal, day-to-day interactions. Observation cards, toolbox talks, and direct conversations were considered more impactful. Participants emphasised that culture and leadership are key to meaningful engagement.

*"Information [is] not easily accessible especially for small businesses."*

*"[Having a] Committee can help, but only if culture [is right]."*

*"Need staff health and safety training and collaboration all areas, including with HSRs."*

#### Focus area 4: effective regulators

Participants expressed strong dissatisfaction with WorkSafe's performance. Many said the regulator is under-resourced, inconsistent, and overly focused on enforcement. Businesses reported avoiding engagement with WorkSafe due to fear of prosecution and a lack of useful

guidance. There were concerns about the loss of experienced inspectors, a shift away from education and engagement, and inconsistent application of the law. Participants called for a return to a more collaborative model, with better technical expertise, clearer guidance, and more consistent regulatory practice.

*“Education and engagement [are] missing or weak.”*

*“WorkSafe – [it] can depend on who you get.”*

*“WorkSafe – our job to come and prosecute you.”*

#### Focus area 5: the objective of the health and safety system

Participants felt the system is not working. Compliance efforts were seen as overly focused on administrative tasks rather than managing real risks. The threshold for managing risks was viewed as misaligned with actual hazards, especially as risks evolve. There were calls for more guidance, and a renewed focus on critical risks. One participant highlighted the need for national standards.

*“Compliance up, effectiveness down.”*

*“Focus on critical risks.”*

*“Manage risk, empower workers.”*

## Tauranga and Rotorua, 13 and 14 August

### Tauranga

#### **11. Apata kiwifruit packhouse – site visit (13 August)**

Officials did not attend the Minister's site visit.

#### **12. Local businesses and union representatives – meeting hosted by Tauranga Business Chambers and Employers and Manufacturers Association (13 August)**

##### Focus area 1: businesses are best placed to understand and manage their risks

Businesses expressed a preference for managing health and safety risks, using practical tools and systems tailored to their operations. Many noted that they are burdened by excessive compliance requirements and fear of liability. There is a call for more support, especially for small and medium-sized enterprises, who face high compliance costs.

*"Competent qualified people, but higher burdens now."*

##### Focus area 2: the law is designed to balance flexibility and certainty

Some attendees expressed that the HSW Act is generally sound. There were concerns about the lack of specific regulations, and a need for more practical guidance. The proliferation of prequalification systems was also raised as a challenge, with one person describing it as a "money-making exercise" that does not improve actual safety outcomes.

*"What risks? How do you assess them? – unclear, complex, subjective."*

*"Act ok, Robens model."*

##### Focus area 3: worker engagement and participation

Participants reported challenges in getting people involved in HSCs and as HSRs. Some businesses offered incentives, such as additional pay, but still found participation difficult. One trainer reportedly gave incorrect advice about the required ratio of representatives to workers. Engagement through formal structures was described as not fitting well with how work is done, and some staff viewed participation as a chore. Others described their efforts to embed health and safety into everyday work practices and culture.

*"Hard to get people on the committee."*

*"Staff feel health and safety is done to them, rather than [with] them."*

##### Focus area 4: effective regulators

WorkSafe's High Hazards Unit was described as good, honest, and open, with one business noting they returned for a follow-up visit. However, others reported difficulty getting generalist inspectors to attend sites and said that guidance was outdated or unavailable. A participant said WorkSafe does not use the enforcement tools available to them and that communication can be slow. There were calls for more proactive education and support from the regulator.

*"Some guidance from WorkSafe is not up to date."*

#### Focus area 5: the objective of the health and safety system

Small and medium-sized enterprises are unsure of what compliance looks like. Several people called for clearer guidance, such as Approved Codes of Practice (ACOPs) and Good Practice Guidelines.

One participant said the law is “fine but lacking detail”.

*“[In SMEs] people are scared [because] this is so complex.”*

### **13. Local builders and building suppliers – meeting hosted by New Zealand Certified Builders (13 August)**

#### Focus area 1: businesses are best placed to understand and manage their risks

Businesses feel overwhelmed by excessive induction processes, repetitive documentation, and complex compliance requirements—especially for low-risk or short-term site visitors. COVID-19 prompted the use of sign-in apps, which have since become burdensome and inconsistent across sites. Many businesses feel they are forced to overcompensate to protect against prosecution. There’s a strong call for clearer expectations, practical templates, and financial support for training. Despite significant investment, businesses feel the system penalises practical, real-world approaches and fails to support small businesses effectively.

*“Why do more for work than we do in [our personal] life.”*

#### Focus area 2: the law is designed to balance flexibility and certainty

The terms “reasonable” and “reasonably practicable” are widely seen as vague and inconsistently applied, often only clarified through court cases—too late to be useful. Businesses want clearer, more consistent guidance from central government and regulation of third-party providers who sell health and safety products and services. Overlapping requirements from different regulators add confusion, and many feel the law should focus on outcomes rather than prescribing methods.

*“Reasonable – what is it?”*

#### Focus area 3: worker engagement and participation

Worker engagement varies significantly. Larger companies may hold regular Health and Safety meetings and employ full-time officers, while smaller businesses rely on informal conversations and on-site leadership. There’s concern that training doesn’t always translate into safe behaviour, especially among younger workers. Some question the value of repeated or additional training. Businesses want engagement that is practical, culturally relevant, and focused on real safety improvements rather than paperwork.

*“Is it [health and safety training courses] needed on top of apprenticeship?”*

#### Focus area 4: effective regulators



WorkSafe is increasingly viewed as punitive rather than collaborative, with many businesses noting a shift away from education and support. Inspectors are seen as lacking practical experience, and enforcement is perceived as inconsistent and sometimes excessive. There's a strong desire for WorkSafe to return to a more balanced role—offering both guidance and enforcement—and to engage more directly with industry. Businesses also want better access to support, such as a helpline and more site visits.

*“Regulate people selling health and safety products. Hold them to account.”*

*“WorkSafe have more power than policy.”*

#### Focus area 5: The objective of the health and safety system

Many believe the system is too focused on compliance and not effectively preventing harm. The threshold for managing risks is unclear, and businesses feel unsure whether they're meeting expectations—even when taking practical steps. There's a call for a more outcome-focused system that supports real safety improvements and recognises experience and context. Businesses want a system that helps them manage risks in a practical way, rather than one that punishes them for not ticking every box.

*“You can do the training but don't know if you're compliant.”*

*“Make education accessible – promote the positive rather than hammering the negative.”*

## Rotorua

### **14. Local tourism operators, iwi organisations – meeting and site visit hosted by Te Arawa/Te Puia/ New Zealand Māori Arts and Crafts Institute (NZMACI) (14 August)**

#### Focus area 1: businesses are best placed to understand and manage their risks

Many businesses are actively improving their health and safety systems, with some expanding inductions and training to meet regulatory expectations. However, smaller operators and those in high-risk or remote sectors often lack the capacity, resources, or clarity to manage risks effectively. Disconnects between principal PCBUs and contractors remain a challenge, particularly where responsibilities are unclear or pushed down the chain. There is strong support for recognising tikanga Māori and mātauranga Māori as valid frameworks for managing risk, especially on iwi land. Yet, these approaches are often sidelined due to a lack of formal recognition.

*“Knowledge needs to be given mana.”*

#### Focus area 2: the law is designed to balance flexibility and certainty

The HSW Act is broadly supported, but its complexity continues to be a barrier, especially for small businesses and non-corporate operators. Concerns that had eased have resurfaced post-Whakaari, with many describing the law as difficult to interpret and inconsistently applied. Overlapping duties, outdated regulations, and burdensome audit requirements add to the confusion. There is a strong call for clearer, more practical guidance that supports innovation and reflects real-world conditions. Stakeholders want the law to focus more on outcomes than strict compliance, and to explicitly recognise tikanga Māori as a legitimate approach to health and safety.

#### Focus area 3: worker engagement and participation

Worker engagement is widely recognised as essential to effective health and safety. Some organisations have embedded HSRs and HSCs, with regular toolbox talks and board-level reporting. In well-functioning operations, safety is driven from the front line, and workers are empowered to speak up and support each other. However, fear-based cultures and a lack of understanding still prevent open communication in many workplaces. There is a need to support culturally safe engagement, particularly for Māori workers, and to ensure that participation processes are accessible and meaningful across all business sizes.

*“[the] Voice of [the] worker really important to mitigate risk.”*

#### Focus area 4: effective regulators

Experiences with WorkSafe vary significantly. While some report positive relationships, others describe the regulator as inconsistent, reactive, and overly focused on enforcement. There are concerns about cultural competence, lack of early engagement, and a shift away from specialist inspectors to generalists with limited sector knowledge. Businesses want WorkSafe to act more as a partner—supporting innovation, providing clear guidance, and engaging proactively. The current system often feels punitive, with businesses preparing for

court rather than focusing on real risk management. There is also a call for better oversight of health and safety professionals and more consistent interpretation of the law across regions.

*“WorkSafe doesn’t work proactively.”*

#### Focus area 5: the objective of the health and safety system

The system’s objectives are broadly supported, but stakeholders want it to be more practical, relational, and focused on real-world outcomes. There is a strong desire for flexibility in how risks are managed, especially in high-risk and culturally diverse sectors. The system must evolve to address emerging challenges like climate change, artificial intelligence, and workforce mobility. Embedding tikanga Māori is seen as essential for improving outcomes and ensuring cultural relevance. WorkSafe is encouraged to shift from a compliance mindset to one that empowers, educates, and supports continuous improvement.

*“Be flexible especially when achieving the needed results.”*

#### **15. Forestry industry – meetings hosted by Forest Industry Contractors Association (FICA), Forest Industry Safety Council (FISC), and Forest Owners Association (FOA) (14 August)**

##### Focus area 1: businesses are best placed to understand and manage their risks

Small-scale forest owners often feel overwhelmed and unsure of their responsibilities, needing clearer, more tailored rules. Many believe health and safety is already embedded in their work, but excessive compliance demands take time away from managing real risks. There’s a strong call for WorkSafe to support innovation and partner earlier with businesses to develop practical guidance.

*“Need agreement to continue and innovate”.*

##### Focus area 2: the law is designed to balance flexibility and certainty

The law is seen as broadly sound, but its application is often unclear and inconsistently interpreted. Outdated regulations and slow endorsement processes frustrate businesses, especially when guidance doesn’t reflect current practices. Overlaps with other regulatory systems add to the confusion, and there’s a strong need for clearer, more practical support.

*“Out of date regulations, guidance, ACOPs. Unfit for purpose.”*

##### Focus area 3: worker engagement and participation

Worker engagement ranges from informal to structured, depending on business size. Smaller teams often manage without formal HSRs, while larger ones integrate safety into daily operations. There’s concern that too much focus is placed on worker duties rather than addressing root causes like fatigue and production pressure.

*“Cost [is a concern] – government does subsidise training, but non-residents can’t get the subsidy.”*

#### Focus area 4: effective regulators

Businesses report inconsistent experiences with WorkSafe, with some inspectors seen as helpful and others overly focused on paperwork. The move from specialist to generalist inspectors has reduced sector-specific knowledge. There's a desire for more consistent, collaborative engagement and better support for innovation and frontline risk management.

*"[We] need WorkSafe to work with forestry innovators – come in early."*

#### Focus area 5: the objective of the health and safety system

The system is seen as improving but still evolving. While the law is mostly fit for purpose, fear of prosecution and compliance burdens can distract from real risk prevention.

Participants want a greater focus on practical outcomes, clearer thresholds for managing risks, and better alignment with economic realities.

*"Need to move up and down the chain."*

#### **16. Tourism business in Rotorua – site visit (14 August)**

Officials did not attend the Minister's site visit.

## Napier, Wairoa, Gisborne, 3 and 4 September

### Napier

#### **17. Organisations based at Napier Port – meeting and site visit hosted by Napier Port (3 September)**

##### Focus area 1: businesses are best placed to understand and manage their risks

Meetings are held between PCBUs at the port to ensure entities are connected up on risks in relation to incoming vessels. This allows for the larger companies and the smaller to engage and plan with each other. If risks were identified or situations occurred, there was a collective learning approach to mitigate in the future. The Port and PCBUs thought that they were an example of how the system could work.

*“Pre incoming vessels meetings across Port and PCBUs... allows for the larger companies and the smaller to engage and plan with each other.”*

##### Focus area 2: the law is designed to balance flexibility and certainty

Attendees were clear the issues in the system were not with the legislation; the success of the system depends on how it is implemented.

##### Focus area 3: worker engagement and participation

Strong leadership, collaboration between operators, and open doors with HSCs were highlighted as important, indicating active worker engagement and participation.

*“open doors with Health and Safety Representatives... was important”*

##### Focus area 4: effective regulators

There was lots of good feedback on Maritime NZ – in its leadership shown (such as leaders and the Board showing up), open and engaging regulatory style (praise for new Maritime NZ HSWA team), and good collaboration on critical risks and development of guidance material which makes it effective on the ground.

##### Focus area 5: the objective of the health and safety system

The Port and PCBUs believed their practices aligned well with the objectives of the health and safety system. Their integrated and cooperative approach was viewed as a model for achieving the system's goals of risk reduction and continuous improvement.

*“The Port and PCBUs thought that ... they were an example of how the system could work”*

#### **18. Health and safety professionals – meeting hosted by HASANZ (3 September)**

##### Focus area 1: businesses are best placed to understand and manage their risks

Many businesses, especially SMEs, struggle to understand what is “reasonably practicable” under the HSW Act. They often lack the capacity to interpret the law and either do nothing or rely on expensive, inconsistent external advice. There is confusion about what good health and safety outcomes look like, and international companies report more consistency in jurisdictions like the United Kingdom and Australia. Pre-qualification systems are burdensome and inconsistent, particularly affecting small and medium-sized enterprises trying to work with larger businesses. Industry-led initiatives, such as standardised inductions in transport and calls for ACOPs highlight the need for clearer, more practical guidance.

*“95% of businesses are SMEs – they don’t understand the 2015 Act, some still think it’s the HSE Act.”*

*“Five prequalification organisations and no two are the same.”*

#### Focus area 2: the law is designed to balance flexibility and certainty

The current legal framework is seen as vague and incomplete, leading to the rise of “pseudo regulations” created by consultants. There is a strong call for more specificity in regulations, especially in areas like machine guarding, hazardous substances, and plant and structures. The lack of clear, accessible standards—combined with the high cost of official standards—creates barriers to compliance. Overlapping regulatory advice, such as conflicting guidance from the Ministry of Education and WorkSafe, adds to the confusion. More detailed and contextualised guidance, similar to what is provided in the United Kingdom, is needed to help businesses comply effectively. There is a desire for safe harbours for small and medium sized businesses.

*“[International standard] 40214 is all you need and you can buy it from Estonia for 25 euro.”*

*“Pseudo regulations have developed because the law isn’t complete. An industry of variable quality is filling the gap.”*

#### Focus area 3: worker engagement and participation

Worker engagement is often minimal, especially in SMEs where health and safety responsibilities are frequently assigned to administrative staff with multiple roles. There is a perception that health and safety professionals are undervalued. Some international consultants advocate for integrating health and safety into everyday operations to improve both safety and productivity. There is support for professionalising the health and safety workforce through registration and qualifications to ensure consistent, high-quality advice.

*“The health and safety person in a SME is often the receptionist – as well as payroll, sustainability officer etc etc.”*

#### Focus area 4: effective regulators

Experiences with WorkSafe are mixed. While some professionals report positive relationships, others describe the regulator as slow, inconsistent, and overly focused on minor issues. There are concerns about inspectors lacking industry knowledge, especially when recruited from non-technical backgrounds like Police. The lack of consultation on Safe Work Instruments and regional inconsistencies in WorkSafe’s approach undermine trust. However, some teams, such as the musculoskeletal group, are praised for their effective resources. There is a strong call for WorkSafe to act more as a partner than a police force, with better resourcing to support engagement rather than enforcement.

*“WorkSafe should be a tool rather than [the] police.”*

#### Focus area 5: the objective of the health and safety system

The system is widely viewed as unfinished, underfunded and poorly led. The lack of clarity in the law is seen as a hidden cost to businesses, particularly small and medium-sized enterprises, who must rely on consultants to interpret requirements. There is a desire for government leadership to model good practice and for new regulations to be accompanied by practical guidance. The current approach—reactive and driven by incidents—is seen as ineffective. Strategies and initiatives have had little impact, and there is a call for more meaningful support from agencies like the Accident Compensation Corporation to help businesses meet their obligations.

*“The lack of clarity is effectively a tax on all businesses – leads to a lot of money being wasted.”*

## **19. Wood processing and manufacturers – meeting hosted by Wood Processors and Manufacturers Association (3 September)**

This meeting mainly focused on WorkSafe's Workplace Exposure Standard (WES) for wood dust.

### Focus area 1: Businesses are best placed to understand and manage their risks.

The industry believes it is capable of managing risks but is being constrained by Workplace Exposure Standards (WESs) that don't reflect operational realities or international benchmarks. There's concern that the current approach fosters fear rather than enabling effective risk management.

*"We know we need to protect our workers but the WES is an overreaction to risk which will cripple the industry."*

### Focus area 2: The law is designed to balance flexibility and certainty

Participants felt the law has shifted from a balanced, evidence-based approach to one that is overly rigid and unclear (for WESs). They noted that previous WES processes required cost-benefit analysis and stakeholder consultation, which they believe are now lacking. The current system restricts the type of information that can be submitted during WES consultations, excluding practical and economic considerations. There is a call for a more transparent, scientifically grounded process, possibly involving the Environmental Protection Authority's Hazardous Substances and New Organisms framework.

*"Under the old legislation we used to have to do consultation, cost-benefit analysis, and show it was practicable ... now it's a tick-box exercise"*

### Focus area 3: Worker Engagement and Participation

There was concern that the current regulatory environment creates unnecessary fear among workers. The overly cautious WESs may lead to anxiety about health risks that are not well-supported by evidence. Businesses want to protect their workers but feel the current system undermines trust and practical engagement by focusing on unattainable WESs rather than collaborative risk reduction.

### Focus area 4: Effective regulators

WorkSafe was widely perceived as acting more like an enforcer than a partner. Businesses reported that interactions with WorkSafe are stressful and unhelpful, especially for small and medium-sized enterprises that feel compelled to hire consultants. There is a lack of confidence in WorkSafe's data and decision-making processes, and a desire for the regulator to be more accessible, supportive, and informed about industry realities. Participants want WorkSafe to provide both preventative guidance and responsive support. Businesses expressed frustration that WorkSafe's WES for wood dust is impractical and not based on realistic risk assessments, and feel the standard is too strict.

*"SMEs pay consultants because WorkSafe too busy policing to help people."*

*"[The] Act is largely good – but open to interpretation – different inspectors have different responses."*

### Focus area 5: The objective of the health and safety system

Attendees agreed that the HSW Act is fundamentally sound but expressed concern that its implementation has drifted from its original intent. They believe the system should focus on reducing actual harm rather than eliminating all health effects, which they see as unrealistic. The current WES for wood dust is viewed as an overreaction that could severely impact the

industry without delivering meaningful health benefits. Businesses want to collaborate with regulators to achieve a system that is both protective and practical.

*“Want [WorkSafe] to work with us to get it right.”*



## Wairoa

### 20. Meeting at Wairoa (4 September)

#### Focus area 1: businesses are best placed to understand and manage their risks

The business has embedded health and safety into its daily operations, with practices like daily team talks, site visits by senior leadership, and inclusive risk assessments. Workers are encouraged to “switch on” each morning by identifying personal motivations for staying injury-free. Subcontractors are regularly audited to ensure compliance, and the business supports them in meeting pre-qualification requirements. However, there is concern that businesses prioritising health and safety may be priced out of contracts by those cutting corners.

*“They do monthly random checks of our subcontractors’ processes and documentation.”*

#### Focus area 2: the law is designed to balance flexibility and certainty

Participants noted that the HSW Act serves as a guideline, with reliance on codes of practice and regulations for clarity. However, the variety of pre-qualification systems (e.g., SiteWise, SHEE, ISO) creates confusion and cost burdens, especially for small businesses. There is a call for a unified standard to reduce duplication and expense. The withdrawal of pre-qualification support by the Accident Compensation Corporation in 2018 was seen as a turning point.

*“It would be better to have one body that you could go through.”*

#### Focus Area 3: Worker Engagement and Participation

The business fosters a strong culture of engagement, with a “whānau” atmosphere where everyone’s input is valued. Workers are empowered to manage risks on the job and are involved in developing and reviewing procedures. Recognition initiatives, such as the “Health and Safety Superhero” award, reinforce positive behaviour and participation.

*“Risk assessments involve the whole team.”*

#### Focus Area 4: Effective regulators

The relationship with WorkSafe was generally described as pragmatic. There is anxiety about being held accountable for individual actions beyond the business’s control.

*“Worry about what will happen after they notify an incident”*

#### Focus area 5: the objective of the health and safety system

The focus on lowest-cost procurement can disincentivise good health and safety practices, favouring those who take risks and avoid incidents rather than those who proactively manage them. They are concerned about the extent to which officers may be held to account for individuals that break the rules or just do silly things.

*“Some firms will be prepared to cut corners on health and safety to keep tenders low – and often they will get away with it.”*

## Gisborne

### **21. Construction Firm - roadworks site visit (4 September)**

Officials did not attend this meeting.

### **22. Logging - site visit (4 September)**

Officials did not attend this meeting.

### **23. Local farmers, farming organisations, and forestry industry - meeting hosted by Federated Farmers (4 September)**

#### Focus area 1: Businesses are best placed to understand and manage their risks

Forestry and farming businesses often rely on practical experience and peer networks to manage risks, especially where formal guidance is lacking. Forestry has seen a shift in workforce characteristics due to mechanisation, bringing in more technically skilled and responsible workers. However, fatigue from long commutes and complacency in high-risk environments remain concerns. Farmers often follow manufacturer specifications or industry guidance, but some do not pause to assess safer alternatives. Risk management is seen as a core responsibility, but adherence to procedures varies. Documentation and toolbox meetings are used, especially where risks change throughout the day.

*“[The] pressure we are under is immense from other things.”*

#### Focus area 2: The law is designed to balance flexibility and certainty

There is widespread concern that the HSW Act is too broad and ambiguous, particularly around terms like “reasonably practicable.” This lack of clarity drives businesses to hire consultants, increasing costs. Farmers compare the legislation unfavourably to more specific animal welfare codes. There is a call for clearer obligations for both workers and PCBUs. Overlap with other regulatory systems, such as farm audits, suggests opportunities for integration. Industry bodies like Beef and Lamb New Zealand are filling the guidance gap left by WorkSafe.

*“What does “reasonably practicable” mean?”*

*“Animal welfare legislation is much more directive and specific.”*

#### Focus area 3: Worker Engagement and Participation

Engagement varies by sector and business size. On small farms, informal discussions are common, while larger farms are more structured but often driven by fear of liability. There is a belief that effective health and safety systems must be worker-driven, with genuine buy-in. However, many processes are seen as compliance-driven rather than meaningful. HSCs and HSRs were not frequently mentioned, suggesting limited visibility or use in these sectors.

*“In forestry people don’t talk because they fear prosecution.”*

*“An effective system needs to be driven by workers, they need to buy in to it.”*

#### Focus area 4: Effective regulators

There is strong criticism of WorkSafe’s approach. Many see it as overly focused on paperwork rather than practical safety outcomes. Inspectors are perceived as inconsistent and risk-averse, reluctant to provide clear guidance. The regulator is seen as under-resourced, particularly in rural and high-risk sectors like forestry and farming. Stakeholders want WorkSafe to prioritise education over enforcement, with a better balance between support and penalties. Fear of prosecution discourages open communication and learning from incidents.

*“Challenging to get us to engage with WorkSafe because of that fear”*

*“Inspectors seem afraid to say what’s ok.”*

#### Focus area 5: The objective of the health and safety system

Participants question whether the system is achieving its goals. The current threshold for managing risks is seen as unclear and overly focused on the PCBU’s liability, even when incidents result from worker behaviour. There is concern that the system has created a culture of fear and compliance rather than proactive safety. Many believe the system should focus more on practical risk management and less on documentation. The intent to improve safety is acknowledged, but the implementation is seen as misaligned with real-world needs.

*“WorkSafe is not well enough resourced to do job. The stick/carrot balance is wrong”*

## Timaru, Rolleston, Christchurch, Invercargill, 8, 9 and 10 October

### Timaru

#### **24. Local businesses and organisations – meeting hosted by Venture Timaru and South Canterbury Chamber of Commerce (8 October)**

##### Focus area 1: Businesses are best placed to understand and manage their risks

Businesses emphasised the importance of practical, face-to-face engagement, such as toolbox meetings and informal discussions, to manage risks effectively. Many prefer guidance over enforcement and value trusted relationships. However, concerns were raised that risk assessments are often conducted by health and safety professionals rather than those with direct operational knowledge, reducing their effectiveness. There's a strong need for reliable, accessible information to support decision-making. Small and medium-sized enterprises feel the system is skewed towards larger businesses, and many are overwhelmed by reform fatigue (council, water and RMA) and the complexity of overlapping requirements.

*"The person doing risk assessment is often not best placed ie a health and safety person when it should be an expert in the actual work."*

*"Need a reliable info source to give workers facts."*

##### Focus area 2: The law is designed to balance flexibility and certainty

Participants expressed frustration with the complexity and inconsistency of the law. Many operate in a climate of fear of WorkSafe, driven by high-profile cases like Pike River and Whakaari. The law is seen as unclear, overly complex, and untested, especially regarding overlapping duties between multiple PCBUs. Standards are often costly and difficult to interpret, particularly for small businesses. Examples included expensive compliance requirements for hazardous substances and technical signage. There's a perception that enforcement is inconsistent and sometimes targets minor issues while missing major risks. Businesses want clearer, more practical guidance and a more balanced, risk-based approach.

*"Complex, hard - how can SMEs comply?"*

*"The Act is untested - can only speculate and people all have different views."*

##### Focus area 3: Worker Engagement and Participation

Worker engagement varies widely. While some businesses report positive experiences with informal engagement methods like daily briefings and toolbox talks, formal structures such as HSCs and HSRs are often seen as ineffective or tokenistic. In small businesses, workers are sometimes reluctant to participate, and those volunteering to participate fear liability. However, others noted that when engagement is genuine and inclusive, it fosters a learning culture and improves safety outcomes. There's a desire to empower workers with a voice, but without the burden of excessive bureaucracy.

*"Daily press start [meetings] with crew, giving them a voice"*

##### Focus area 4: Effective regulators

There is widespread concern about inconsistent and fear-driven regulation. Many businesses feel WorkSafe lacks practical understanding and focuses on minor or symbolic issues rather than meaningful risk reduction. Former WorkSafe staff were seen as more engaged and pragmatic, whereas current interactions are described as infrequent and less

constructive. Businesses want regulators to provide intelligent, experience-based examples and to focus on education and collaboration rather than punishment. The reduction in inspectorate engagement and funding has further eroded trust. There's a call for more consistent, knowledgeable, and supportive regulatory practices.

*"WorkSafe focuses on rats and mice, easy to do but no real impact."*

*"Compromises- a big grey area WorkSafe plays in."*

#### Focus area 5: The objective of the health and safety system

Many participants questioned whether the system is achieving its intended objectives. The threshold for managing risks is seen as unclear, and the system is perceived as treating businesses like children rather than partners. There's concern that the focus on compliance and liability overshadows genuine risk management. The cost and stress of investigations, even when no fault is found, are significant. Businesses want a system that supports practical, proportionate responses to risk and recognises the realities of operating in tight labour markets and complex environments. There's a strong desire for a system that is simpler, fairer, and more focused on real-world outcomes.

*"Too complex, not focused enough on small businesses."*

## Rolleston

### **25. Canterbury principals, Boards of Trustee members, and those with health and safety knowledge - School focussed meeting at Rolleston College (8 October)**

#### Focus area 1: Businesses are best placed to understand and manage their risks

Schools are actively managing a wide range of risks, including equipment safety, off-site activities, and the wellbeing of staff. However, they face challenges due to the complexity of risks—especially emerging ones like mental health—and the lack of sector-wide guidance. Many schools are still developing their understanding of obligations under the HSW Act. There is a significant reliance on individual learning and reactive responses to incidents. The presence of multiple PCBUs, especially in Public Private Partnership (PPP) schools, complicates responsibilities and accountability. Schools often struggle to effectively manage contractors and shared duties, and there is a call for clearer minimum standards and practical guidance.

*“Compliance costs have increased substantially. Health and safety software is \$5k to \$100k per annum. \$60k for a health and safety coordinator.”*

#### Focus area 2: The law is designed to balance flexibility and certainty

Participants expressed that the law is often unclear or inconsistently interpreted, especially regarding overlapping responsibilities and external environments (e.g., traffic management). There is a lack of accessible, authoritative information, and schools rely heavily on informal sources like peers or social media. The absence of certified or standardised training and guidance leads to inconsistent practices. Boards often lack the expertise to interpret legal obligations, and even experienced members receive conflicting feedback from different agencies. Compliance costs are high, and funding has not kept pace with the increased demands since the 2015 legislative changes. Schools are calling for centralised, consistent, and practical resources to support compliance.

*“Bees-nest found on building - Under PPP, this is the building owner’s responsibility. Took a day to resolve, but the school would be responsible if a student got stung.”*

#### Focus area 3: Worker Engagement and Participation

Engagement with workers, including teachers and support staff, varies widely. Some schools have HSRs and HSCs, but these are not yet fully embedded across the sector. Staff onboarding and induction processes are generally strong, but ongoing engagement is inconsistent. There is concern about the lack of training for teachers dealing with violent or disruptive students, and the mental health of staff is a growing issue. Some schools use external consultants, but approaches differ—some focus on risk reduction through cancellation [of events, trips etc], while others offer coaching. There is a desire for more collaborative, supportive engagement rather than a compliance-driven culture.

*“The message we hear is: Don’t be creative or find solutions to problems.”*

#### Focus area 4: Effective regulators

Interactions with regulators such as WorkSafe and the Ministry of Education are often marked by fear, confusion, and mistrust. Schools report inconsistent messaging and a lack of transparency in investigations. Some feel targeted or unfairly treated, especially when regulators do not coordinate or communicate clearly. There is a strong call for regulators to adopt a more educational and coaching-based approach rather than punitive enforcement. Schools want regulators to work together, provide consistent guidance, and support rather than penalise. The current system fosters a culture of fear rather than continuous improvement.

*“On a journey in understanding WorkSafe obligations and what good looks like”*

Focus area 5: The objective of the health and safety system

While schools generally support the objectives of the Health and Safety at Work Act, they believe the system is not meeting its goals due to structural and funding issues. The threshold for managing risks is often unclear, and schools feel unsupported in making these judgments. There is a perception that the system is reactive rather than proactive, and that it does not adequately address the realities of the education sector. Participants called for a more coherent, well-resourced system that supports schools in keeping students and staff safe, rather than one that penalises them for struggling to meet unclear or unfunded expectations.

*“Huge variance of what people are expected to know.”*

## Christchurch

### 26. Workers – meeting hosted by Canterbury Safety Charter (9 October)

#### Focus area 1: Businesses are best placed to understand and manage their risks

Many businesses are actively training workers in task-specific safety procedures such as Job Safety Analysis, Task Analysis, and Safe Work Method Statements. Smaller, task-based teams are seen as more effective for understanding and managing risks. Knowledge sharing, especially from experienced workers to new staff, is critical. Some businesses delay assigning tasks until workers are competent and confident. Practical health and safety practices, rather than just compliance, are valued. However, smaller companies often struggle with resources, and safety can be deprioritised. Some businesses are proactive, managing risks like silica exposure well before WorkSafe's focus. Others lag behind, only reacting to legal requirements. Cultural and language barriers can hinder risk understanding but visual aids and translated materials help bridge gaps.

#### Focus area 2: The law is designed to balance flexibility and certainty

There is concern that smaller businesses are not always informed of regulatory changes. While the law mandates certain roles and actions, effective safety often comes from internal culture and leadership rather than legal compliance alone. Businesses value clarity and practical guidance over excessive documentation.

#### Focus area 3: Worker Engagement and Participation

Worker engagement is strongest in smaller groups where communication is direct and personal. HSCs and HSRs are effective when they are approachable and embedded in daily operations. Workers are more likely to speak up when they feel supported and when safety is discussed in their own language. Cultural factors, such as shyness or fear of speaking up, especially among migrant workers, can limit participation. Involving workers in planning and analysis of tasks improves outcomes and fosters a stronger safety culture.

*"Only a small percentage of workers don't want to do the right thing"*

*"Talk to people, not photos and sending emails"*

#### Focus area 4: Effective regulators

Interactions with WorkSafe and other regulators are mixed. Some businesses appreciate proactive support and guidance, while others feel regulation is reactive or overly focused on paperwork. There is a call for regulators to focus more on practical support and less on punitive measures. Effective regulation is seen as collaborative, with regulators helping businesses understand and manage risks rather than just enforcing rules. Relationships and communication between businesses, contractors, and regulators are crucial for a functioning system.

#### Focus area 5: The objective of the health and safety system

Most participants believe the system is generally meeting its objectives, especially when businesses take ownership of safety. However, there is concern that the threshold for managing risks is not always clear, particularly for smaller businesses. Empowering workers to speak up and embedding safety into everyday work are seen as essential. The system works best when safety is driven by values and culture, not just compliance. There is a shared belief that safety should be about doing the right thing, not just following the law.

*"Scared of being seen doing the wrong things. Doing it anyway to get job done."*



## ***27. Charter members – meeting hosted by Canterbury Safety Charter (9 October)***

### **Focus area 1: businesses are best placed to understand and manage their risks**

Many businesses, especially small and medium-sized enterprises, struggle to understand what constitutes real risk versus legal compliance. There is a tendency to rely on administrative controls and paper trails rather than addressing actual hazards. Larger businesses often have the resources and systems to manage risks effectively, while smaller businesses lack time, training, and support. There is a call for more practical, on-the-ground training and support, particularly for high-risk tasks like asbestos removal. Businesses want to understand the "why" behind compliance and prefer simple, practical tools over complex documentation.

*"Bigger companies need to create a culture of respect for people. A lot of companies heading in right direction."*

*"Everyone wants better guidance. Big or small."*

### **Focus area 2: the law is designed to balance flexibility and certainty**

Participants noted that the law should be risk-based and proportionate, but in practice, it often feels overly rigid or unclear. There is concern that legal requirements sometimes drive unnecessary bureaucracy, such as costly traffic management plans, rather than focusing on actual risk. Overlap with other regulatory systems, such as councils and transport agencies, creates confusion and inefficiency. Businesses want clearer, more consistent guidance and flexibility to tailor controls to real-world conditions. The current system sometimes prioritises legal risk over practical safety outcomes.

*"Legal risk vs real risk, too much top down."*

### **Focus area 3: Worker Engagement and Participation**

Engagement with workers is inconsistent. While some businesses are fostering a culture of respect and accountability, others—particularly smaller operators—struggle to involve workers meaningfully. HSRs and HSCs are not always effectively utilised. Training is often seen as a checkbox exercise rather than a tool for building real competency. There is a need for better engagement processes that are relevant to the worksite and empower workers to participate in safety decisions.

### **Focus area 4: Effective regulators**

WorkSafe's approach has improved, with more proactive and educational engagement, but concerns remain. Inspectors are sometimes seen as reactive or overly punitive, especially when targeting main contractors for subcontractor issues. There is a call for more consistent follow-up and accountability for smaller businesses. Participants want regulators to be better trained, resourced, and industry-specific, particularly in high-risk sectors like construction and forestry. Coordination between WorkSafe and other regulators is lacking, and councils are seen as arbitrary in their enforcement.

*"Generalist inspectorate model doesn't work for high-risk industries"*

### **Focus area 5: the objective of the health and safety system**

There is broad agreement that the system's objectives are sound, but implementation falls short. The threshold for managing risks is not always clear, and the system sometimes fails to focus on the most significant hazards. Participants highlighted the need for a more balanced approach that supports both compliance and practical risk management. The system should encourage continuous improvement and accountability across the supply chain, not just among large businesses.

## **28. Local businesses and organisations - meeting hosted by Business Canterbury (9 October)**

### Focus area 1: Businesses are best placed to understand and manage their risks

Businesses are actively managing risks through internal systems like hazard registers, toolbox meetings, and direct engagement with workers. However, many find the process burdensome, especially smaller organisations and those with limited resources. Compliance costs are high, and the variability in expectations—often depending on the individual WorkSafe inspector—adds to the confusion. Some businesses feel forced to purchase compliance services that may not add real value. There is also concern that the system prioritises paperwork over practical safety, with a disconnect between compliance and actual risk management. Despite these challenges, businesses generally accept their responsibility to manage risks and strive to do so effectively.

### Focus area 2: The law is designed to balance flexibility and certainty

There is widespread concern that the law lacks clarity, particularly around what is “reasonably practicable.” This subjectivity leads to inconsistent interpretations and enforcement. Businesses struggle with overlapping responsibilities among PCBU, especially in complex or multi-party environments. The absence of clear, prescriptive guidance from WorkSafe contributes to uncertainty and fear of non-compliance. Some participants suggested that industry standards and acceptable means of compliance—like those used by the Civil Aviation Authority—could provide more certainty. The current system is seen as overly focused on risk elimination, which is often impractical and counterproductive.

### Focus area 3: Worker Engagement and Participation

Efforts to engage workers vary widely. Some businesses have established Health and Safety Committees and involve workers in discussions, while others struggle with engagement due to cultural, language, or structural barriers. There is a noted disconnect between management and frontline workers, with some employees afraid to speak up due to fear of job loss. Businesses that succeed in engagement often do so through informal, inclusive processes. However, there is a need for more structured support and clearer guidance on effective worker participation, especially in diverse or remote workforces.

*“Workers are afraid to talk to management [for fear of] losing [their] job.”*

### Focus area 4: Effective regulators

Views on WorkSafe as a regulator are mixed. While some inspectors are praised for their knowledge and approachability, others are seen as inconsistent or reluctant to provide clear advice. This inconsistency undermines trust and contributes to a fear-driven compliance culture. Other regulators, such as the Civil Aviation Authority, are viewed more positively for their supportive and structured approaches. There is a call for WorkSafe to adopt a more advisory role, with better training and clearer guidance. The lack of regulation around health and safety consultants also raises concerns about the quality and reliability of advice available to businesses.

*“Inconsistency across the regulator across New Zealand.”*

*“Risk elimination is a bugbear of WorkSafe.”*

*“Need experience to be an advisor.”*

### Focus area 5: The objective of the health and safety system

Participants questioned whether the system is achieving its intended goals. The focus on compliance and fear of enforcement may be detracting from meaningful risk management.

There is concern that the system assumes blame when harm occurs, discouraging open reporting and learning. Businesses want a system that supports a “just culture” and encourages continuous improvement. The current approach is seen as too generic and not tailored to specific industries or risk profiles. There is also a desire for more real-time feedback and post-interaction support from WorkSafe to help businesses improve rather than simply penalise.

*“Need more assistance with the she’ll be right culture.”*

## **29. Hospitality businesses - site visit to 3 hospitality businesses, and a chat with centre management (9 October)**

### Focus area 1: businesses are best placed to understand and manage their risks

Businesses demonstrated an understanding of their specific risks and took proactive steps to manage them. For example, hospitality operators identified fire, food safety, and customer behaviour as key risks. Some used consultants to help them manage health and safety. Use of internal processes like digital reports, shift reports, inductions and a register of accidents were also reported. Shared spaces were managed collaboratively, with centre management monitoring communal areas and supporting tenants with subsidised health and safety planning.

*“Fire is the biggest risk”*

*“Worries most about intoxication of customers and risks to staff from behaviour”*

### Focus area 2: the law is designed to balance flexibility and certainty

Participants expressed mixed views on legal requirements. Some reported wanting fewer requirements. One participant appreciated the structure provided by food safety plans and employment agreement policies. Online resources were used, but not always seen as fit-for-purpose.

*“Seems like overkill... given the low risks”*

### Focus Area 3: Worker Engagement and Participation

Engagement with workers varied across businesses. Some had formal processes like inductions, staff manuals, and digital incident reporting, while others relied on senior managers to reinforce safe practices. Monthly meetings were used to raise health and safety issues, and some businesses included health and safety policies in employment agreements. However, there were concerns about whether staff fully understood procedures, especially around equipment use.

*“Do staff understand? Hmmm. Still stupid stuff.”*

### Focus Area 4: Effective regulators

There was limited direct interaction with WorkSafe New Zealand. Most regulatory contact came through local councils or insurance risk assessors. Some businesses had never met a WorkSafe representative, and one operator was unsure where to go for information.

*“Haven’t seen WorkSafe”*

#### Focus area 5: the objective of the health and safety system

Businesses expressed concerns about the practicality of requirements and the threshold for action, particularly in low-risk settings. Past events like earthquakes and the mosque attacks influenced a more scenario-based approach to planning and risk awareness.

*“What could go wrong? Scenarios. Plan.”*

## Invercargill

### ***30. Local organisation using volunteers - site visit (10 October)***

#### Focus area 1: businesses are best placed to understand and manage their risks

The organisation has four employees and a large number of volunteers, including around 100 regular volunteers who are treated as staff for health and safety purposes. They have developed quite extensive policies, drafted by interested trustees, and maintain a schedule to review them. Risk management includes risk management plans and pre-event briefings for every event. The Community Development and Operations Manager handles most health and safety responsibilities, with some support from the Board. Key risks include kitchen hazards, community events, and unpredictable individuals, for which they provide de-escalation training.

*“Safety is a bottom line.”*

#### Focus area 2: the law is designed to balance flexibility and certainty

The organisation finds that while much of the compliance framework makes sense, its implementation is overly bureaucratic and administratively burdensome. They highlighted challenges such as police checks and other requirements that can deter volunteer involvement. They suggested that government could help by making processes smoother and more standardised, while still allowing for policy adaptation. Their relationship with the local council is positive, as they are treated as hirers rather than contractors, which avoids more onerous obligations.

*“Much of the red tape sort of makes sense, but it's overly bureaucratic in implementation and admin heavy.”*

#### Focus Area 3: Worker Engagement and Participation

The organisation engages volunteers through structured processes. Regular volunteers are inducted, and intermittent ones are supervised and briefed before events. Volunteers complete forms disclosing health issues, and the organisation fosters a supportive, inclusive environment. They aim to be barrier-free, accommodating people with English as a second language and different abilities.

*“They're like a family and take care of each other.”*

#### Focus Area 4: Effective regulators

The organisation has had no direct interactions with WorkSafe but would welcome more visibility and reassurance from the regulator. They rely on multiple sources for health and safety information, including the WorkSafe website, Volunteering New Zealand, Community Law, and their own networks.

*“Would feel fine if an Inspector came through. Would like reassurance though.”*

#### Focus area 5: the objective of the health and safety system

The organisation emphasised the need to keep volunteers safe while also recognising that too much compliance or red tape can discourage participation. They noted that managing

volunteers involves costs similar to managing employees, including inductions and supervision, and that these costs are increasing.

*“There’s a delicate balance – want volunteers to be safe but don’t want too much compliance/red tape that might put them off.”*

### **31. Transport firm – discussion and site visit (10 October)**

#### Focus area 1: businesses are best placed to understand and manage their risks

The company monitors staff health to ensure they are safe to operate vehicles and has made investments in training, including driver licensing and a two-year programme costing \$30,000 per driver. They employ ten health and safety staff and a training manager. Their biggest safety concern is interaction with the public on roads and at roadworks.

*“They monitor their staff health, to ensure they’re safe to operate vehicles.”*

#### Focus area 2: the law is designed to balance flexibility and certainty

There are no New Zealand standards for hydrogen, so the company used European standards but faced significant resistance from WorkSafe and other regulators. They also described compliance costs as high and said that subjective views often override objective ones.

Employment law was identified as a barrier to disciplining workers who breach health and safety rules. The company stated that alignment is needed between the Health and Safety at Work Act and employment law. They reported difficulty in disciplining or dismissing workers who breach safety rules, even when those actions put themselves or others at risk. They proposed a three-strikes rule for lower-level breaches and instant dismissal for cases involving recklessness or gross negligence with high potential for harm or fatality.

*“Reasonably practicable is now unreasonable.”*

#### Focus Area 3: Worker Engagement and Participation

The company runs a structured training programme, including a scheme for school leavers, and invests heavily in driver licensing and safety education. They expressed interest in forums for Health and Safety Representatives to support education and information sharing.

*“ACC Fleetsaver savings fund some of this training – need to keep Fleetsaver.”*

#### Focus Area 4: Effective regulators

The company described regulators as slow to endorse overseas standards and lacking pragmatism. They cited an example where a dual diesel-hydrogen truck was taken off the road for four weeks because VTNZ refused a Certificate of Fitness. They called for regulatory leadership, including engagement models like WorkSafe Victoria, and suggested creating a WorkSafe innovation unit to address emerging technologies such as hydrogen and lithium.

*“Industry is leading the regulator.”*

### Focus area 5: the objective of the health and safety system

The company believes the system has lost sight of what real safety means. They identified temporary traffic management as a major issue, with inflated risk assessments and high costs—making up 25% of job expenses. These requirements also contribute to recruitment challenges. They noted that procurers are driving many of these negative outcomes and that tendering processes are costly and inconsistent, failing to reward strong compliance records.

*“The system and regulators have lost sight of what real safety means.”*

### **32. Seafood industry - site visit (10 October)**

#### Focus area 1: businesses are best placed to understand and manage their risks

The seafood processing plant manages risks through daily toolbox talks, annual SOP reviews by workers, and a strong focus on critical risks such as mobile plant, vehicles, contractors, helicopter unloads, and wharves. Senior leaders verify two critical controls each month, and the company conducts deep dives into issues. They use reporting software and invest approximately \$300,000 annually in health and safety, excluding business-as-usual costs.

*“Engaged staff don’t make mistakes”*

#### Focus area 2: the law is designed to balance flexibility and certainty

The company views the Health and Safety at Work Act and the reasonably practicable framework as flexible and context-sensitive, particularly in eliminating high risks. However, they noted that excessive documentation can lead to a tick-box mentality. They support the liability provisions in the Act and observed that it has prompted a shift in Board behaviour since 2015. They questioned whether differences in outcomes between Australia and New Zealand are due to government investment rather than the health and safety framework itself.

*“Too much documentation leads to tick box attitude.”*

#### Focus Area 3: Worker Engagement and Participation

All workers are members of the health and safety committee, and 4–5 are trained Health and Safety Representatives. Workers revised the SOPs themselves and participate in daily toolbox talks. Induction begins one week before employment, and ongoing training is provided. The workplace culture is described as close-knit, with strong relationships among staff.

*“All have a good relationship – like family.”*

#### Focus Area 4: Effective regulators

The company has had limited interaction with WorkSafe, only following an incident. They expressed a desire for more regular engagement and relationship-building. They noted variability in inspector quality, with some being helpful and others lacking relevant knowledge. They also reported delays and challenges with ACC, particularly when compared to their private health insurer.

*“Want more WorkSafe interactions and a relationship.”*



### Focus area 5: the objective of the health and safety system

The company integrates wellness checks and health monitoring into daily operations, including temperature checks at sign-in. They believe that engaged staff contribute to safer outcomes and emphasise the importance of eliminating high risks.

*“Engaged staff don’t make mistakes.”*

## Whangārei, 11 October

### **33. Local council officers - a meeting with Local councils (11 October)**

#### Focus area 1: businesses are best placed to understand and manage their risks

One council uses a two-step contractor selection process: initial registration followed by shortlisting. Prequalification is required for medium or high-risk work and is intended to streamline health and safety checks. There are multiple prequalification providers, with SiteWise recommended due to its not-for-profit model and free access for principals (council). However, other providers charge and offer varying levels of comprehensiveness. Smaller organisations face challenges with both the cost and time required for prequalification. Some councils have funded small organisations to help them meet these requirements. There is concern that pre-qualification can act as a barrier to labour market participation and economic development, particularly in Northland. Risk management is emphasised over rigid compliance, especially in reactive maintenance scenarios like burst pipes or fallen pylons. Councils also note the importance of strong relationships and trust with contractors to support effective risk management.

*“It’s not only money for small organisations to do prequalifications, it’s always the time.”*

#### Focus area 2: the law is designed to balance flexibility and certainty

There is a perception that current legislation is designed around ideal conditions (“a perfect day”), which may not reflect real-world complexities. Overlaps in legal requirements, such as those related to NZS 3910, create confusion. The cost of compliance, such as a \$500 traffic management course, can be burdensome. There is tension between organisational compliance and practical risk management, with concerns about liability if incidents occur under less prescriptive controls. The law appears better suited to large organisations, while smaller businesses may require more tailored approaches. Councils also face challenges in managing overlapping duties across large project portfolios, with uncertainty around the level of oversight required for each PCBU.

*“Tension with organisational compliance and risk.”*

#### Focus area 3: Worker Engagement and Participation

A council has supported local hapū by helping them obtain Site Safe passports and personal protective equipment. There is a noted gap in health and safety knowledge among project managers and engineers, particularly when overseeing or being present on-site. This suggests a need for improved engagement and training for those in supervisory roles to ensure effective participation in health and safety practices. Cultural differences between contractors (e.g. Auckland-based, local, or Australian) also influence engagement, highlighting the importance of trust and communication.

*“Gap: project managers, engineers etc [lack] health and safety knowledge for when on site and when managing or overseeing the site.”*



#### Focus area 4: Effective regulators

No notes on focus area four.

#### Focus area 5: the objective of the health and safety system

Health and safety requirements, particularly pre-qualification, are seen as barriers for small and local businesses, especially in regions like Northland. Some councils have responded by funding pre-qualification for small organisations, but broader support is lacking. The threshold for managing risks may be set too high for smaller entities to navigate effectively.

*“Some people feel pre-qual too hard to get. We’re not helping them get it.”*

### **34. Large retail franchise business (site visit) (11 October)**

#### Focus area 1: businesses are best placed to understand and manage their risks

The business has implemented facial recognition technology to enhance staff safety and prevent incidents. The carpark is identified as the most significant hazard. Managers are empowered to report injuries, and weekly Health and Safety Committee meetings are held to maintain oversight. Induction processes for new starters include health and safety training, such as proper lifting techniques and knife handling. Just-in-time orders are unloaded directly onto shelves, which may present logistical and safety challenges.

#### Focus area 2: the law is designed to balance flexibility and certainty

There were challenges in enforcing government requirements during the COVID-19 pandemic, indicating some uncertainty or difficulty in applying legal obligations in practice.

#### Focus area 3: Worker Engagement and Participation

Worker engagement is supported through weekly Health and Safety Committee meetings and empowerment of managers to raise injury concerns. Staff also participate in pre-work stretching as part of rehabilitation efforts, and there is a culture of sharing experiences, which supports learning and engagement.

*“[Franchise owner] also helps with overarching support.”*

*“Weekly health and safety committee meeting, managers empowered to call out injuries.”*

#### Focus area 4: Effective regulators

No notes on focus area four.

#### Focus area 5: the objective of the health and safety system

No notes on focus area five.

### **35. Large retail business Whangārei (site visit) (11 October)**

#### Focus area 1: businesses are best placed to understand and manage their risks

Businesses are investing heavily in prequalification processes, which are seen as fair but costly and time-consuming. These processes have become industry benchmarks, though they often duplicate compliance efforts. Businesses feel overwhelmed by shifting certification requirements, especially around hazardous substances. There is confusion about specific obligations, such as signage requirements. Many businesses hire consultants to manage health and safety responsibilities, indicating a reliance on external expertise.

*“Based on external learnings, (cases) they have changed and developed own process”*

#### Focus area 2: the law is designed to balance flexibility and certainty

Participants expressed concern that legal requirements can be overly technical or unclear, with inconsistent interpretations—such as differing terminology causing confusion. There is a desire for standardised procedures or templates from WorkSafe to reduce duplication and inefficiency. Some requirements, like those for location certificates, are seen as disconnected from practical realities. Overlapping regulatory demands, particularly with employment law, add to the burden. The system is viewed as having evolved into a costly and complex industry.

*“Focus on duty of care, not a duty of compliance.”*

#### Focus area 3: Worker Engagement and Participation

Businesses enforce health and safety requirements from the first day of employment, but there is limited detail on how they engage workers beyond compliance. Training is often mandated but not always seen as effective or relevant to real-world scenarios. There is a sense that engagement is more about meeting external requirements than fostering meaningful participation.

*“Find the right person to be a health and safety representative, take pride in it. [They need to be] willing to speak out.”*

#### Focus area 4: Effective regulators

There is an implicit critique of external Health and Safety Representative training, which is described as not fostering collaboration and focusing too much on actions like “stopping work.” This suggests a gap in regulatory support for effective, relationship-based health and safety practices, prompting the business to create its own modules.

*“Current external training for health and safety representatives doesn’t foster collaboration.”*

#### Focus area 5: the objective of the health and safety system

No notes on focus area 5.

### **36. Panelbeating business - site visit (11 October)**

#### Focus area 1: businesses are best placed to understand and manage their risks

Businesses are investing heavily in health and safety systems, including paying consultants and undergoing prequalification processes required by insurance companies. While these processes help set industry benchmarks, they are seen as costly and sometimes duplicative. There was a complaint that certifiers “move goals” around hazardous substances each year.

*“HS has become a money making machine.”*

#### Focus area 2: the law is designed to balance flexibility and certainty

Participants expressed concern about the complexity and changing nature of compliance requirements. They noted that some legal expectations are unclear or overly technical, such as signage placement or wording differences in documentation. There is also frustration with the perception that health and safety has become a costly, bureaucratic industry.

*“Could WorkSafe have standard operating procedures? Stop everyone reinvesting in this.”*

*“Can be too technical – they ask us for something, but we’ve just worded it differently”*

### Focus area 3: Worker Engagement and Participation

Businesses are sending workers to required training but feel that much of it is not practical or grounded in real-life scenarios. Some businesses rely on external consultants to help keep their health and safety practices current and compliant.

*“We pay a consultant to write procedures, keep up to date on health and safety, advise us. About \$3k per annum.”*

*“We send people on training we have to send them on, often tick box, not grounded in real life.”*

### Focus area 4: Effective regulators

Interactions with WorkSafe have been mixed. While some visits have been positive, there is a perception that WorkSafe no longer focuses on education and instead prioritises enforcement. Businesses feel anxious about audits and fear prosecution, which could jeopardise their livelihoods. There is also concern that WorkSafe targets compliant businesses while ignoring less responsible operators.

*“As business owners [we are] scared of WorkSafe.”*

### Focus area 5: the objective of the health and safety system

Participants questioned whether the health and safety system is delivering fair and consistent outcomes. They expressed concern that prosecution can lead to loss of contracts, even when businesses are otherwise compliant, while larger companies may continue operating despite serious incidents. This has created anxiety among smaller operators, who feel vulnerable despite their efforts to meet requirements.

*“[Past] prosecution shouldn’t be a ground for not having a [new] contract.”*

## Other meetings, not part of Roadshow

### **37. Federated Farmers Webinar (19 September)**

#### Focus area 1: Businesses are best placed to understand and manage their risks

Farmers highlighted the variability in how health and safety is understood and implemented, especially between large and small operations. Many rely on their own systems or external consultants, but struggle with inconsistent resources and overlapping duties (e.g. with fencers). There is a strong emphasis on culture, as opposed to compliance, with a desire for practical, farm-specific guidance rather than generic rules.

*“Not box tick/obligation, comes back to culture on farm.”*

#### Focus area 2: The law is designed to balance flexibility and certainty

The HSW Act is seen as difficult to interpret, especially in the farming context where roles and responsibilities often blur. Farmers expressed confusion over who is responsible and called for clearer guidance on duties, including for guests (e.g. hunters) and family members. Overlaps with other legislation and regulatory fatigue were also raised as concerns.

*“The Act – hard to read... lot of emphasis on PCBU, but little on worker responsibility.”*

### Focus area 3: Worker Engagement and Participation

Worker engagement is shaped by farm culture and external pressures such as weather and seasonal demands. Participants noted that health and safety practices vary depending on workload and stress levels. There is a need to build a culture where workers feel safe to raise issues and where training is practical and tailored to hands-on learning styles common in farming environments.

*“Comes back to culture, set at government level.”*

### Focus area 4: Effective regulators

Interactions with WorkSafe were mixed. While some inspectors were praised for their approach, others lacked farming knowledge or focused too heavily on paperwork and prosecution. There is a desire for more consistent, constructive engagement and for WorkSafe to support rather than penalise. Concerns were raised about overlapping duties, unclear expectations, and the burden of compliance on small businesses.

*“WorkSafe inspection – gone well, but you don’t know how it will go.”*

*“Try [to be] proactive, but feels one-sided”*

### Focus area 5: The objective of the health and safety system

Participants felt that while harm prevention is the goal, the system should also support realistic, practical approaches that reduce the severity of outcomes when incidents do occur. The emphasis should be on managing risk in a way that fits the realities of farm work. There was discussion about “failing safely” and the importance of systems that reduce harm even when accidents occur.

Participants expressed concern that the system focuses too much on paperwork and documentation rather than on practical safety outcomes. They noted that processes like prequalification and documentation often distract from the job at hand. There were calls to provide “cleaner guidance”.

*“Fail safely... mitigated level of risk and minimise harm of outcome.”*

## **38. HASANZ webinar (25 October)**

### Focus area 1: Businesses are best placed to understand and manage their risks

While businesses are expected to manage risks, the actual practices differ significantly in quality and effectiveness. Larger organisations often have more resources and structure, while SMEs face challenges in capability, engagement, and accountability. Industry-led guidance endorsed by the regulator was seen as a promising model. There is a call for more and better support for SMEs.

*“Business not told what to do, but do want safe harbours, are managing common risks.”*

*“Risk assessment at heart of the Act. Concept sound, practice much more variable.”*

*“SME capability and management lacking and lack of access to advice”*

#### Focus area 2: The law is designed to balance flexibility and certainty

The legal framework's complexity and overlapping requirements with other regulatory systems (eg earthquake prone buildings) creates confusion. Participants noted that guidance is often buried in detail and not accessible to SMEs. There is a strong desire for global and other standards to be made freely available and better integration of health and safety into business strategy.

*"Need easy and accessible guidance"*

*"Regulations provide support, but too buried in detail to support SMEs."*

#### Focus area 3: Worker Engagement and Participation

Concerns were expressed about the broader cultural context in New Zealand, where risk awareness is low, safety roles are undervalued, and worker participation in health and safety is not yet embedded as a norm. There is a need to provide tangible benefits for Health and Safety Representatives. Participants highlighted the importance of involving workers meaningfully and the role of unions and industry in fostering a stronger safety culture.

*"Need to give health and safety representatives a benefit for being involved."*

#### Focus area 4: Effective regulators

WorkSafe needs to improve its sector knowledge, consistency, and engagement. Participants called for better collaboration, long-term relationship building, and strategic oversight of the health and safety ecosystem.

*"Ecosystem – important that have better system oversight and stewardship"*

#### Focus area 5: The objective of the health and safety system

The system's goal of harm prevention is widely supported, but participants stressed the need for investment to realise economic and social benefits. The cost of harm is significant, and improving health and safety could yield substantial savings.

*"Opportunity for social investment in health and safety. Invest to save."*

### **39. CTU worker forum at Parliament (23 September)**

#### Focus area 1: Businesses are best placed to understand and manage their risks

Some businesses, such as Fonterra, have formal worker participation agreements and regular health and safety team meetings, which help identify and address risks early. Workers' real-time awareness of hazards contributes to proactive risk management.

The PSA shared its concern that in some workplaces, management does not adequately support or educate workers, especially younger staff, on health and safety responsibilities.

*"Workers see risks as they're occurring – their involvement helps things get remedied before they go wrong."*

#### Focus area 2: The law is designed to balance flexibility and certainty

There is concern that the legislation is not strong enough on worker participation, and that more guidance is needed. Health and safety law overlaps with employment law in relation to bullying and harassment, reducing certainty. The concept of “reasonably practicable” remains important but needs to be better socialised and understood across the system.

*“Legislation not strong on worker participation.”*

#### Focus area 3: Worker Engagement and Participation

Worker engagement is challenged by high workloads, making it harder to recruit Health and Safety Representatives. There is a desire to maintain a meaningful worker voice, with unions playing a key role in raising issues and supporting participation. Tools like Provisional Improvement Notices are seen as valuable. In workplaces without union representation—particularly in high-risk industries—there’s a need to enhance the authority and effectiveness of Health and Safety Representatives.

*“Harder to get HSRs because of workloads.”*

#### Focus area 4: Effective regulators

WorkSafe is encouraged to use its influence more effectively, including providing guidance and advice on root causes of risk. There is a perception that regulators are not currently using their legal powers to resolve disputes. Participants noted the importance industry groups to lead safety improvements.

*“Have to support industry groups to lead – be part of the solution”*

#### Focus area 5: The objective of the health and safety system

There was a view that health and safety should be socialised and owned by everyone. The system’s effectiveness depends on meaningful worker input and a shared commitment to safety outcomes.

*“Socialise so health and safety is owned by all.”*