ACOP: Identifying health and safety roles and responsibilities on a residential construction site

INDUSTRY SUPPORT PACK

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Te Kāwanatanga o Aotearoa

WORKSAFE
Mahi Haumaru Aotearoa

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Pack purpose

This pack supports businesses working within the residential construction sector to understand how to apply the approved code of practice (ACOP) for *Identifying health and safety roles and responsibilities on a residential construction site*, to their everyday work.

How to use this pack

It will provide you with:

- purpose of the ACOP
- an overview of the contents
- what's in scope
- what's out of scope
- target audience
- key messages
- FAQs
- what guidance is available to support the ACOPs
- details on how to understand the online resources webpage that accompanies the ACOP.

You can use this pack to support member updates, workforce communications, training sessions, inductions, toolbox talks and conversations between clients, principal contractors, contractors and subcontractors.

Important links and resources

ITEM	LINK
Published ACOP	Identifying health and safety roles and responsibilities on a residential construction site
Resources webpage	Online resources – Identifying health and safety roles and responsibilities on a residential construction site
Background on ACOP development	New draft code of practice for residential construction

Purpose of the ACOP

The purpose of this ACOP is to help everyone involved in residential construction understand what part they play in keeping a site healthy and safe. It sets out WorkSafe New Zealand's expectations about one way persons conducting a business or undertaking (PCBUs) can comply with selected duties under the Health and Safety at Work Act 2015 (HSWA).

It explains the different health and safety roles on a residential construction project, and what each role needs to do before, during and after construction.

A key focus is on overlapping duties. Where more than one PCBU has a health and safety duty for the same matter, the ACOP explains the importance of consulting, cooperating and coordinating so risks are identified, managed and not assumed to be someone else's responsibility.

Who this ACOP is for

The ACOP is for people and businesses involved in residential construction work, including:

- clients who are PCBUs and commission residential construction work, such as property developers, landlords or investors
- principal contractors who manage or control residential construction sites
- contractors and subcontractors engaged to carry out work on residential construction projects
- workers carrying out work on site, including employees, labour-hire workers, apprentices, trainees and sole traders working on site
- officers of PCBUs, such as directors, chief executives, partners and board members
- other persons on site, including homeowners, occupiers, tenants, visitors, neighbours, friends and family
- residential landowners, homeowners and occupiers who need to work out whether they are a client (PBCU), principal contractor, or other persons on site for a particular project.

Content structure

The ACOP is structured by role so readers can find the section that applies to them. It recognises that residential construction projects often involve multiple businesses working on, or visiting, the site, and that one person or business can hold more than one HSWA role.

- **Part A** introduces the ACOP, explains who it is for, what it covers, how it should be used, and defines HSWA and residential construction roles.
- **Part A** also explains overlapping duties, site-specific health and safety arrangements, and the three stages used in the ACOP: before construction starts, during construction, and after construction.
- **Part B** sets out actions by role for clients, principal contractors, contractors and subcontractors, workers, other persons on site and officers.
- **Part C** provides illustrative examples showing how the role-based actions may be applied in different residential construction situations.
- **The appendices** provide glossary definitions and flowcharts to help residential landowners, homeowners and occupiers work out their health and safety roles.

Quick guide to the ACOP

IF YOU NEED TO UNDERSTAND	GO TO	LOOK FOR
Who the ACOP is for and what it covers	Part A, sections 1.1–1.5	Audience, scope, structure and supporting information.
ACOP scope and limits	Part A, sections 1.2–1.3	The ACOP focuses mainly on HSWA section 34 and sections 44 to 46. It does not cover every risk or activity that may arise on a residential construction site.
HSWA and residential construction roles	Part A, sections 2.1–2.2 and Table 1	PCBUs, officers, workers, other persons, clients, principal contractors, contractors and subcontractors.
Overlapping duties	Part A, sections 2.1.5–2.1.10	Who has the same duty, influence and control, critical risks, and consultation, cooperation and coordination.
Critical risks and PCBU cooperation requirements	Part A, sections 2.1.8–2.1.9 and Appendix 1	Large PCBUs cooperate for all relevant risks. Small PCBUs cooperate for critical risks. Use the glossary for the definitions of critical risk, large PCBU and small PCBU.
Site-specific health and safety arrangements	Part A, section 2.3 and Appendix 1	Scaled arrangements, informal records, project-specific controls, supervision of apprentices and trainees, coordination and the glossary definition.
Before, during and after construction	Part A, section 2.4 and Figure 4	Project stages, setup, monitoring, change management, communication and lessons learned.
Client actions	Part B, section 3.0, Figure 5 and Tables 2–4	Choosing capable people, sharing site information, expectations, avoiding unsafe pressure, staying informed, incident planning, review and handover.
Principal contractor actions	Part B, section 4.0, Figure 6 and Tables 5–7	Site control, site set-up, sequencing, inductions, facilities, emergency plans, site-specific arrangements, monitoring, incidents, close-down and lessons learned.
Contractor and subcontractor actions	Part B, section 5.0, Figure 7 and Tables 8–10	Preparing workers, following site rules, coordinating with others, checking site arrangements, managing own work risks, responding to incidents, handover and lessons learned.
Worker actions	Part B, section 6.0, Figure 8 and Tables 11–13	Induction, site rules, PPE duties, exclusion zones, reporting hazards, stopping if controls are not working and taking part in review.
Other persons on site	Part B, section 7.0, Figure 9 and Tables 14–17	Homeowners, occupiers, tenants, visitors, site access, reasonable care, following instructions, PPE, permitted areas and not touching tools, plant, structures or materials.
Officer actions	Part B, section 8.0, Figure 10 and Tables 18–20	Due diligence, resources, processes, monitoring systems, incidents, non-compliance, control measures, review and process updates.
Examples	Part C, section 9.0	How to use the examples, plus client, principal contractor, contractor/subcontractor, worker, other person and homeowner/occupier scenarios.
Glossary terms	Appendix 1	Definitions for ACOP, PCBU, critical risk, site-specific health and safety arrangements, residential construction, workplace, worker, officer, other person and related terms.
Residential landowner, homeowner or occupier role	Appendix 2	Flowcharts for residential landowners building a new house and homeowners or occupiers renovating an existing house, including when to use Section 3, Section 4 or Section 7.

What's in scope

The ACOP applies to all types of residential construction sites. Residential construction includes the construction, alteration or renovation of buildings used predominantly for permanent human habitation. This encompasses single detached dwellings, multi-unit townhouses, and small-to-medium apartment buildings.

It covers selected duties and actions relating to:

- PCBUs consulting, cooperating and coordinating activities with other PCBUs that have the same health and safety duty.
- Clients choosing capable people, sharing site information, understanding overlapping duties, setting expectations, and taking part in review and handover.
- Principal contractors setting up, managing and coordinating a safe site for everyone, including site access, sequencing, inductions, facilities, emergency arrangements, site rules, monitoring and incident response.
- Contractors and subcontractors managing risks from their work, coordinating with others, preparing workers, following site rules, reporting issues and handing over information when their work is complete.
- Workers following instructions, site rules and control measures, using PPE properly, staying out of exclusion zones, reporting hazards and taking part in reviews.
- Other persons on site, including homeowners, occupiers, tenants, visitors, neighbours, friends and family, taking reasonable care, following instructions and staying in permitted areas.
- Officers exercising due diligence by making sure their PCBU has the right systems, resources and oversight before, during and after construction.

What's out of scope

The ACOP does not cover every risk, activity or legal duty that may arise on a residential construction site. It applies only to the specific circumstances and actions described in each section.

- It is not a complete construction health and safety management system.
- It does not replace the need to consider the actual work, workplace, people, hazards, risks, site conditions, sequencing and level of influence and control in each situation.
- It does not provide detailed guidance on general risk management practices or construction-specific good practice topics such as working at heights, asbestos, excavation, scaffolding, hazardous substances, mobile plant or electrical risks.
- It does not remove the need to comply with other HSWA duties, regulations, Building Act requirements, consents or road-controlling authority requirements that may apply.
- It does not assume that every homeowner or occupier is a PCBU. Their role depends on the circumstances, including whether the work relates to a business and whether they are managing the construction.
- The supporting resources page is additional information only. It is not part of the ACOP and does not form part of the actions needed to be treated as complying with the stated HSWA duties.

Key messages

Overarching message

- This ACOP helps people and businesses involved in residential construction understand their health and safety roles and responsibilities, particularly where duties overlap.
- It sets out practical actions for clients, principal contractors, contractors and subcontractors, workers, officers, homeowners and others on site to meet selected duties under the Health and Safety at Work Act 2015 (HSWA).
- A key focus is overlapping duties. Where more than one PCBU has a health and safety duty for the same matter, the ACOP explains the importance of consulting, cooperating and coordinating so risks are identified, managed and not assumed to be someone else's responsibility.
- The ACOP explains what compliance can look like in practice and provides practical examples.
- For industry, the practical message is: Know your role, agree who will do what, manage the risks you can influence or control, and keep talking to other businesses as work changes.
- The ACOP will come into effect on **1 April 2027**, in alignment with commencement of the Health and Safety at Work Amendment Act 2026 (the Amendment Act).
- WorkSafe encourages people to use this time before commencement, to become familiar with the ACOP and what it means for their business, workers and day-to-day operations.
- One of the changes to HSWA introduced by the Amendment Act is a provision known commonly as 'safe harbour'.
- The intention of safe harbour is to give duty holders more certainty. This means that if a duty holder follows all relevant actions in the ACOP that apply to a specific risk, they will be treated as compliant with the law.
- As this ACOP was approved before the Amendment Act's commencement date, it does not have safe harbour status. It will need to be reapproved after 1 April 2027, once the legislative changes take effect. If the ACOP is reapproved, it will then have safe harbour status as described above.
- While following an ACOP is not mandatory, it provides one recognised way to show compliance with the Health and Safety at Work Act 2015 (HSWA). Businesses can meet their duties in other ways if it is at least equal to the standard described in the ACOP.
- WorkSafe will work with the sector to support understanding and implementation of this ACOP ahead of the 1 April 2027 commencement date.

ACOP-specific messaging

- Before construction starts, the focus is on choosing capable people, sharing site information, identifying hazards and critical risks, agreeing responsibilities, setting site rules, planning sequencing and setting up the site.
- During construction, the focus is on controlling the site, coordinating work, involving workers, monitoring whether control measures are working, managing changes and responding to incidents and near misses.
- After construction, the focus is on making the site safe to close down, handing over remaining risk information, reviewing what worked and using lessons learned.
- Workers need clear instructions, induction, task-specific risk information and the ability to raise concerns.

- The ACOP introduces the concept of critical risks and reinforces that PCBUs need to understand who has influence and control over each risk.
- Site-specific health and safety arrangements should be scaled to the project and can be documented using practical methods such as text messages, photographs, site plans and toolbox records.
- The ACOP is role-based, so people can go to the section that matches what they do on the project.
- Homeowners, occupiers and tenants should not assume they have no role. Their role depends on the circumstances and should be checked using the flowcharts.
- Records can be informal where suitable, such as text messages, digital photographs, sign-in records, toolbox notes or updated site plans.
- The resources page supports the ACOP but is separate from it. It provides related guidance for construction risks that sit outside the ACOP's specific scope.

FAQs

What is an ACOP?

An ACOP sets out standards for how duty holders can comply with the Health and Safety at Work Act 2015 (HSWA) and its regulations. Although an ACOP isn't mandatory to follow, it sets a standard for compliance with work health and safety duties. Businesses can meet their duties in another way if it is equal to the standard set out in the ACOP.

ACOPs differ from other types of WorkSafe guidance as follows:

- ACOPs are approved by the Minister for Workplace Relations and Safety.
- Developing ACOPs must include consultation with people affected.
- ACOPs have their own HSWA provisions that dictate their use in court proceedings.
- HSWA section 226 states that an ACOP may be used in civil and criminal proceedings as evidence of whether a duty holder has complied with HSWA and its regulation.

Is the ACOP mandatory?

No. Following an ACOP is not mandatory. It sets out one way to comply with legal duties. Businesses can choose another way, as long as it achieves a standard of health and safety that is at least equal to what is described in the ACOP.

Does this ACOP have safe harbour status?

This ACOP has been written as if the Amendment Act changes to HSWA section 226 (Use of approved codes of practice in proceedings) applies. This amendment is known as safe harbour and does not come into effect until 1 April 2027. As this ACOP was approved before this date, it does not have safe harbour status.

What does safe harbour mean?

Safe harbour means that if a duty holder, such as a PCBU, follows all relevant actions in an ACOP that apply to their specific circumstances, then the court may take this as evidence that the duty holder has met the relevant duty under HSWA.

What happens to this ACOP after 1 April 2027?

The safe harbour amendment to HSWA section 226 comes into effect on 1 April 2027. The ACOP will need to be reapproved by the Minister for Workplace Relations and Safety after 1 April 2027 for safe harbour to apply.

What is the difference between a large and small PCBU?

A large PCBU has 20 or more workers. A small PCBU has fewer than 20 workers.

Large PCBUs must cooperate with other PCBUs for all relevant risks. Small PCBUs are required to cooperate with other PCBUs for critical risks and may choose to cooperate for other relevant risks.

Regardless of size, PCBUs continue to have responsibility to manage matters so far as they can influence and control them.

Find out more on the WorkSafe website about Changes to health and safety law

Who is the ACOP for?

It is for PCBUs that are clients, principal contractors, contractors or subcontractors, as well as workers, officers and other people present on residential construction sites.

What is a principal contractor?

In this ACOP, the principal contractor is the PCBU with overall management or control of the construction site. They take the lead in managing health and safety across trades, coordinating site arrangements and managing shared risks.

How should a principal contractor use the ACOP?

A principal contractor can use the ACOP to plan and manage the site, confirm roles and responsibilities, coordinate trades, identify hazards and critical risks, set site rules, manage inductions, monitor control measures and respond when work changes.

How should contractors and subcontractors use the ACOP?

Contractors and subcontractors can use the ACOP to understand what is expected before they arrive on site, how they need to coordinate with other PCBUs, how to manage risks from their own work, and what they need to tell the principal contractor and their workers.

How can the ACOP help workers?

The ACOP explains what workers should expect before and during work, including induction, clear instructions, information about task-specific risks, PPE requirements, site rules, exclusion zones and how to raise concerns.

What does ‘overlapping duties’ mean?

Overlapping duties occur when more than one PCBU has a duty relating to the same matter. Where duties overlap, each PCBU must:

- understand its role and duties
- understand its degree of influence and control
- identify relevant risks, including critical risks
- manage the matter so far as it can influence and control it
- consult, cooperate and coordinate with other PCBUs who have the same duty.

What is a critical risk?

A critical risk is a risk associated with:

- a hazard listed in Schedule 1A of the Health and Safety at Work Act (HSWA), or
- any hazard that is likely to result in:
  - death
  - a notifiable injury or illness
  - a notifiable incident
  - an occupational disease listed in Schedule 2 of the Accident Compensation Act 2001.

Critical risks are the risks most likely to result in serious harm. On residential construction sites, examples may include work at height, scaffolding, excavation work, mobile plant, overhead powerlines, hazardous substances and other high-consequence hazards.

Find out more on the WorkSafe website about Changes to health and safety law

When should I use the ACOP?

Use it when planning, starting, managing or reviewing residential construction work, especially where more than one business or trade is involved.

Does the ACOP apply to small residential jobs?

Yes. The actions should be scaled to the size, complexity and risks of the job.

Does the ACOP apply to renovations as well as new builds?

Yes. It applies to residential construction, alteration and renovation work.

What if one business has more than one role?

A business may hold more than one role, such as client and principal contractor. If so, it needs to consider the actions for each relevant role.

Do I need a formal health and safety plan for every job?

Not necessarily. Site-specific arrangements can be scaled and may be recorded in practical ways, such as site notes, text messages, photographs, toolbox records or updated plans.

Do I need to use a formal prequalification process?

No. The ACOP says a formal prequalification process is not required, but clients and principal contractors should still choose capable, qualified and experienced people.

Find out more at The work health and safety information needed before hiring contractors

What should happen when work changes?

People should stop and re-check the risks where needed, update control measures, tell affected people, and update the site-specific health and safety arrangements.

What if a control measure is not working?

Work should stop until the risk is managed, and the relevant PCBUs should coordinate before work restarts.

Who should tell workers about site risks and rules?

Both the principal contractor and the worker's own PCBU have a role. Workers should receive site information and task-specific information in a way they can understand.

What should homeowners or tenants do on site?

They should follow site instructions, stay in permitted areas, not touch tools, plant, structures or materials, and raise any concerns with the site contact.

Does agreeing responsibilities transfer legal duties?

No. PCBUs can agree who will do particular actions, but agreeing responsibilities does not remove or transfer any PCBU's legal duties.

What is the role of the client?

In this ACOP, a client who is a PCBU commissions residential construction work. They should choose capable people, share site information that affects risk, understand where duties overlap, set clear expectations, avoid creating pressure for unsafe shortcuts, stay informed and take part in review and handover.

What should contractors and subcontractors focus on?

They should manage the risks from their own work, coordinate with the principal contractor and other PCBUs, follow site rules, brief and supervise workers, report hazards and incidents, and stop work if control measures are not working.

What do workers need to do?

Workers need to attend induction, understand site rules, only do work they are trained and authorised to do, follow instructions and control measures, use PPE properly, stay out of exclusion zones, report hazards and incidents, and speak up if something feels unsafe.

Are homeowners always PCBUs?

No. A homeowner or occupier's role depends on the circumstances. They may be another person at the workplace, or in some circumstances a client or principal contractor. The ACOP's Appendix 2 flowcharts help work this out.

Guidance available to support the ACOP

The ACOP refers readers to an online resources page for supporting health and safety information. The resources page is additional information only. It is not part of the ACOP and does not form part of the actions duty holders need to take to be treated as complying with the stated HSWA duties.

You can start with the ACOP to understand the role, the duty and the actions. Then use the resources page when you need extra context, related construction guidance or material about a specific risk.

Supporting guidance is particularly relevant for topics that sit alongside the ACOP, such as:

- general risk management
- overlapping duties
- working at heights and scaffolding good practice guidance
- asbestos good practice guidance
- excavations and geotechnical risks good practice guidance
- traffic management good practice guidance

- overhead powerlines and electrical risks good practice guidance
- hazardous substances, dusts and fumes good practice guidance
- worker engagement, participation and representation
- PPE duties and worker responsibilities
- notifiable events and site preservation
- emergency planning, first aid, site facilities and visitor management.

Communications material

We have provided some draft communications content that you may find useful to help promote this ACOP to your people and/or wider stakeholders.

1. Draft news stories

News story 1: New ACOP supports healthier and safer residential construction sites

WorkSafe's new ACOP for *Identifying health and safety roles and responsibilities on a residential construction site* is available to help people and businesses working in residential construction understand their health and safety roles and responsibilities.

The ACOP will come into effect on **1 April 2027**, in alignment with the commencement of the Health and Safety at Work Amendment Act 2026 (the Amendment Act).

The ACOP helps people involved in residential construction understand their health and safety roles and responsibilities before, during and after work on site. It applies to residential construction work, including new builds and renovations, and is designed to help people understand who needs to do what when more than one business or person has health and safety duties for the same work.

For industry, the message is clear: know your role, agree who will do what, manage the risks you can influence or control, and keep site arrangements live as work changes.

The ACOP is particularly useful for planning site-specific health and safety arrangements, running pre-start conversations, coordinating trades, briefing workers and reviewing lessons learned after a job.

Before the 1 April 2027 commencement date, businesses and workers are encouraged to become familiar with the ACOP and what it means for their day-to-day operations.

SUPPORT TO UNDERSTAND THE ACOP

Over the coming months, WorkSafe will work with the sector to support understanding and implementation of this ACOP ahead of the 1 April 2027 commencement date. An ACOP industry support pack has been created to support industry to understand how to apply the ACOP to their everyday work. It can be viewed on the ACOP website at the link below.

FOR FURTHER INFORMATION

You can find out more at Identifying health and safety roles and responsibilities on a residential construction site

News story 2: Use the ACOP in toolbox talks and site planning

Headline: New ACOP gives practical actions for planning and coordinating residential construction work

Residential construction sites often involve several businesses working at the same time. When roles and responsibilities are unclear, important risks can fall through the gaps.

WorkSafe's new ACOP for *Identifying health and safety roles and responsibilities on a residential construction site* provides practical actions to help businesses work together. It can be used to support pre-start planning, toolbox talks, inductions, site meetings and lessons learned reviews.

The ACOP will come into effect on 1 April 2027, in alignment with the commencement of the Health and Safety at Work Amendment Act 2026 (the Amendment Act).

The ACOP encourages businesses to identify where duties overlap, understand their level of influence and control, and agree how risks will be managed. It also highlights the importance of keeping arrangements up to date when work changes, new contractors arrive, conditions shift or control measures are not working.

Industry organisations can help by sharing the ACOP with members, building it into training, and using its examples in conversations about healthier and safer residential construction.

SUPPORT TO UNDERSTAND THE ACOP

Over the coming months, WorkSafe will work with the sector to support understanding and implementation of this ACOP ahead of the 1 April 2027 commencement date. An ACOP industry support pack has been created to support industry to understand how to apply the ACOP to their everyday work. It can be viewed on the ACOP website at the link below.

The ACOP can be used now as a practical tool when planning work involving multiple businesses on a residential construction site.

FOR FURTHER INFORMATION

The ACOP can be viewed on the WorkSafe website Identifying health and safety roles and responsibilities on a residential construction site

2. Social media posts

FACEBOOK POSTS FOR INDUSTRY STAKEHOLDERS

Post 1: Know your role

Residential construction sites often involve clients, principal contractors, contractors, subcontractors, workers and others working alongside each other. WorkSafe's new ACOP helps make health and safety roles and responsibilities clearer before, during and after construction.

Use it to understand your role, agree who will do what, and keep talking as work changes.

Find out more Identifying health and safety roles and responsibilities on a residential construction site

Post 2: Keep shared risks from falling through the gaps

When more than one business is working on a residential construction site, health and safety duties can overlap. The new ACOP provides practical actions to help businesses consult, cooperate and coordinate so shared risks are managed by the people who can influence or control them.

Share the ACOP with your members, teams and contractors to support safer, better coordinated work. Identifying health and safety roles and responsibilities on a residential construction site

Post 3: A practical tool for toolbox talks

Need a simple prompt for your next toolbox talk? Ask: who is responsible for what on this job, which risks are critical, who can influence or control those risks, and what needs to be updated today?

The new residential construction ACOP can help guide these conversations and support clearer site-specific health and safety arrangements. Identifying health and safety roles and responsibilities on a residential construction site

Toolbox talk prompt

Ask the team:

- Who has what role on this site?
- Which risks are critical?
- Who can influence or control them?
- What needs to change today so everyone can work in a healthy and safe way?

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