

111,

New Zealand Government

#### ACKNOWLEDGEMENTS

WorkSafe would like to acknowledge the efforts of all the staff who contributed to this report. We would also like to thank those people who provided quotes and other testimonials, including Phil O'Reilly, Jodie Loos, Matt Webster, Graham Moor, and Helen Kelly.

Te amorangi ki mua, te hapai o ki muri. The leaders in the front and the workers behind them.

## VISION

That everyone who goes to work comes home healthy and safe

# PURPOSE

To transform New Zealand's workplace health and safety performance



Integrity: being fair, firm, and consistent, showing respect for those we work with Courage: standing up for health and safety Responsibility: being accountable for what we do

## Year at a glance 2014/2015

#### WORKSAFE IS TAKING A PROPORTIONATE, ENGAGED APPROACH



**5,000** At safer farms-

AT SAFER FARMS-RELATED EVENTS

## 1,400

AT MANUFACTURING ROADSHOW PRESENTATIONS



AT 'PREVENTING FALLS FROM HEIGHT IN CONSTRUCTION' ROADSHOWS

1,000

WORKERS VISITED BY OCCUPATIONAL HEALTH VAN (MINI HEALTH CHECKS)



PEOPLE ATTENDED WORKSAFE PRESENTATIONS INCLUDING:

2,300

AT FORESTRY CONFERENCES AND SAFE START BREAKFASTS

00

**AT CANTERBURY EVENTS** 

(INCLUDING SAFETY

**CHARTER EVENTS)** 

AT EXTRACTIVES SEMINARS

2,7

AT DUTY-HOLDER REVIEW FORUMS

#### THOUSANDS OF PEOPLE AT OVER 100 PRESENTATIONS ON THE NEW LAW

## WORKSAFE UNDERTOOK OVER













AGRICULTURE

2 👘

MINING/ QUARRYING



POSTAL, AND WAREHOUSING



PUBLIC ADMINISTRATION AND SAFETY 4 ∎1

CONSTRUCTION



ELECTRICITY, GAS, WATER, AND WASTE SERVICES 2 THE SUPPORT SERVICES

FOR PRIMARY

INDUSTRIES

FORESTRY



ARTS AND RECREATION SERVICES



PROFESSIONAL

## EACH YEAR, AN ESTIMATED 600-900 PEOPLE DIE FROM WORK-RELATED DISEASES

## WorkSafe New Zealand

WorkSafe is a Crown Agent established on 16 December 2013, mandated to lift New Zealand's workplace health and safety performance. The establishment of a standalone agency focusing on health and safety was a fundamental part of the Government's 2013 *Working Safer* reforms.

#### **OUR HISTORY**

The Government's decision to establish a stand-alone workplace health and safety regulatory agency was in direct response to the recommendations of the Royal Commission on the Pike River Coal Mine Tragedy in 2012 and the Independent Taskforce on Workplace Health and Safety in 2013.

We carry out the workplace health and safety functions previously undertaken by the Ministry

of Business, Innovation and Employment (MBIE) and earlier the Department of Labour. We stopped using the OSH name in 2005.

Our energy safety functions were previously carried out by MBIE and earlier the Ministry of Economic Development. We also have new functions as described in the WorkSafe New Zealand Act 2013 (eg promoting a more collaborative approach to workplace health and safety).



## New Zealand has a problem...

We know we've got a problem in this country. Too many New Zealanders die or are seriously hurt while working. Lined up against comparable countries we're woeful.

Our health and safety record of people who are killed at work is twice as bad as Australia's and three times worse than the UK's. This is not acceptable. There are too many loved ones, partners, fathers, sisters, daughters, members of the community – New Zealanders – that don't come home safely.

Everyone that goes to work should come home safely. And we are doing something about it - together.

WorkSafe is charged with leading New Zealand to achieve safer outcomes in the workplace; we can use education, engagement, and enforcement to help us achieve our goals. As an organisation, we recognise we cannot do this alone. We know that legislation will not achieve a culture change by itself. New Zealand's attitude to health and safety in the workplace needs to change. Action is required by those who create risk in the workplace and can control it. It must include everyone in business, from senior management to people dealing with the risks.

Safer workplaces need to become an accepted cultural norm for everyone working in New Zealand. To achieve this, we must change attitudes and practice. The first step is to create awareness of the risks in the workplace and how to effectively manage them.

The challenge is more awareness, more concern, and more action. It's a big challenge and we are making some progress, but more is needed.

#### **OUR INTERVENTION APPROACH**

The WorkSafe intervention approach will drive our work. It will allow us to be at world-class status in what we do. The approach captures how we will go about our job of influencing behaviour and will help us shape our decisions about responding to the challenge of lifting health and safety performance in this country.

Key features of WorkSafe's intervention approach include:

- Targeting regulatory activity through intelligence-led analysis of risk of fatalities and/or serious harm – both likelihood and probable severity.
- > Taking a high engagement approach with key agencies, stakeholders, and workplaces.
- Be credible, transparent, and proportionate in our enforcement activity.
- > Expanding our focus from hazards and incidents to underlying causes and patterns of non-compliance.
- Progressively shift from focus on activities to results.

9

We are over 550 staff, led by our Chief Executive Gordon MacDonald, and our functions are wideranging. We engage and educate on health and safety, hazardous substances, and energy safety. We work closely with other agencies and parties to influence the performance of the health and safety system.

We provide information, codes, and guidance tools so that expectations are clear. Our inspectors undertake workplace assessments and investigations to promote improved health and safety at work, and monitor and enforce compliance with the law. With serious failures we have an ability to prosecute people with legal health and safety responsibilities, holding them to account. Our prosecution policy is clear and published on our website.

We have several targets for New Zealand's health and safety system, including the Government's target to reduce workplace fatalities and injuries by 25% by 2020.

We are leading New Zealand to meet these targets by Targeting risk, Working smarter, Working together, Rebuilding Canterbury safely, and Strengthening our organisation. This report is organised under these headings.

# Who We are



#### WORKSAFE'S PERFORMANCE FRAMEWORK

(within the New Zealand health and safety system)



# Our year in review

## Fewer people are being killed at work, but still far too many

Each year in New Zealand 50 to 60 people die on the job<sup>1</sup>. The chart below shows the provisional number of worker fatalities: 48 in 2014/15<sup>2</sup>.

Figures have been slightly lower in the past few years, possibly due to the increased attention on workplace health and safety in New Zealand, particularly after the Pike River tragedy.

In 2012 the Government set targets for reducing New Zealand's high rates of workplace harm. The targets are to reduce workplace fatalities, serious injuries (eg hospitalisations), and injuries requiring more than a week off work by 10% by 2016 and 25% by 2020.

Recent results have been mixed: rates of fatalities and serious injuries have been decreasing slightly while the rate of injuries involving more than a week off work has not followed this pattern. New Zealand clearly has more work to do to bring the work toll down. For more information, see <u>Working Safer: Progress toward the target</u> and pages 49-51.



#### NUMBER OF WORK-RELATED FATALITIES AND THREE-YEAR AVERAGES

**Source:** WorkSafe's System for Work-related Injury Forecasting and Targeting (SWIFT), drawing together data on worker fatalities notified to WorkSafe and data on ACC's claims for work-related fatalities (which may include fatalities from Maritime New Zealand, Civil Aviation Authority, and New Zealand Police jurisdictions). Note: Three-year averages (using the year ahead and the year behind) are used to moderate the volatility caused by low numbers.

<sup>1</sup> This is an update on 73, which is the average for 2011-2013 using official statistics.

<sup>2</sup> These are not official statistics. The official rates are laid out on pages 49-51 of this report.

#### WE ARE ALSO TARGETING OCCUPATIONAL HEALTH

Poor occupational health can be invisible for many decades before symptoms appear; it is estimated that 600 to 900 people die prematurely each year from diseases caused by long-term workplace exposures. Asbestos is a big contributor; fatality estimates vary from 170 to 300 people per year. In 2014/15 WorkSafe set a target to decrease asbestos-related disease by 50% by 2040. While this may seem distant, our target focuses on harm happening now (eg inhaling asbestos fibres). Less exposure now will lower disease rates in the longer term. In the short term, lower exposure means more quality of life, with fewer people needing to reduce or stop work due to sickness. We started work to baseline workplace practices to manage risks relating to silica, solvents, asbestos, wood-dust, and noise, all of which are known to cause significant harm if not adequately controlled. We will set targets for improvement once baselines are known.

#### **TWO YEARS AFTER THE BLUEPRINT**

In 2013 the <u>Independent Taskforce on Workplace Health and Safety</u> reported that New Zealand's health and safety system was failing. In response, the Government announced the *Working Safer blueprint for health and safety at work*, New Zealand's most significant workplace health and safety reforms in 20 years. *Working Safer* included a range of systems' improvements with two major changes:





Establishing a Crown entity to lead the national effort on workplace health and safety. WorkSafe was established in December 2013.



The new Health and Safety at Work Act is designed to support a clearer, more co-operative approach to health and safety.

This has been WorkSafe's first full financial year of operation. Considerable work has taken place since establishment, both internally to strengthen our organisation and externally to create the conditions for improvement in workplace health and safety.

15

### EARLY INDICATIONS OF POSITIVE CHANGE, BUT STILL A LONG ROAD AHEAD

Evidence shows that fundamental cultural and behavioural change takes time, particularly when applied to all sectors of the economy. Progress needs to be considered in light of WorkSafe's short history and the maturity of the health and safety system (which in only 2013 was reported by the Taskforce as "not fit for purpose"). In Britain it took two decades to halve the fatal injury rate after major reforms. Here we believe there are early indications of positive change, but there is still a long road ahead. Two examples of positive change are workplace practices changing after interactions with our inspectors (see page 18) and the decline in forestry fatalities (see page 21).

"We have a big challenge in our workplace profile, with many small or micro businesses operating in isolated areas, often outdoor in challenging conditions, sometimes in relatively dangerous occupations. Meanwhile, larger, city-based businesses have very different needs. So we need a health and safety system that works for all types of business and which everyone thinks is fair."

Phil O'Reilly, Chief Executive BusinessNZ, in the July/August 2015 *Safeguard* magazine.

## Our way of working

### 01

#### ENGAGE

With those who influence the workplace



#### EDUCATE

What good looks like and how to take action

03

#### **ENFORCE**

Proportionately, consistently

## ENGAGEMENT, EDUCATION, AND ENFORCEMENT

WorkSafe is committed to harm prevention, but only those who create risk in the workplace can control it. In 2014/15 we worked to influence the structures and institutions that affect New Zealand's health and safety system (eg the skills system). We worked with industry leaders and associations as well as the wider community, educating and giving practical health and safety information, tools, and support to large audiences. Well over 15,000 people attended our presentations to promote positive safe work practices.

We completed over 14,500<sup>3</sup> proactive assessments (health and safety checks with individual businesses), often involving multiple visits and exchanges to support improved health and safety knowledge and practices. The majority of our inspectors work on proactive assessments. Where they see significant risks that are not being managed effectively, they ensure that matters are put right, using their enforcement powers where necessary.

We understand the need to be proportionate and consistent. We launched our new practice framework, including an 'enforcement decision tool', providing inspectors with criteria for matching their responses (from advice through to prosecution) to the nature, scale, and potential for harm where a workplace is not complying with the law.

## RESPONDING TO HEALTH AND SAFETY INCIDENTS

Over 10,000 health and safety incidents were reported to WorkSafe in 2014/15; these included 3,300 notifications of serious harm<sup>4</sup>, information on allegedly unsafe workplaces, and general complaints about health and safety. We investigated 780 of the most serious incidents. We took 106 prosecutions; 91% were successful. We also completed over 280 'duty-holder reviews' (DHRs), where people with responsibilities for health and safety under the law (duty-holders) undertake guided investigations into health and safety events at their workplaces (see page 27 for more information).



@JODIELOOS

Panic and fear, @WorkSafeNZ at the cowshed!! Turns out they're people, quite lovely, helpful, and didn't tell us off. #agchatnz

<sup>&</sup>lt;sup>3</sup> This total includes all assessments, including for the Canterbury Rebuild Health and Safety Programme and those focusing on adventure activities and hazardous substances, including those completed by our contractors.

<sup>&</sup>lt;sup>4</sup> The types of serious harm that must be notified to us are defined in the Health and Safety in Employment Act 1992 and include death, amputation, crushing, severe burns, severe loss of bodily function relating to poisoning, noise, severe illness from absorption, inhalation, or ingestion of any substance, and any work-related harm requiring hospitalisation for a period of 48 hours or more.

## Inspectors supporting safer workplace practices

One of our objectives in 2014/15 was for our inspectors' contact with workplaces to lead to improved practices; this is a key indicator that our engagement, education, and enforcement model is working.

83%

OF WORKPLACES HAD CHANGED THEIR PRACTICES AS A RESULT OF THEIR CONTACT WITH HEALTH AND SAFETY INSPECTORS IN 2014/15. MOST CHANGES WERE TO THE SAFE USE OF EQUIPMENT.

#### MAIN CHANGES IN WORKPLACE PRACTICES MADE AFTER CONTACT WITH WORKSAFE

Changes to improve the safe use of equipment

Increased employee participation in health and safety
<b>52%</b>
Changes to health and safety training
50%
Improvements to equipment to make it safer
49%
Changes to how hazards are identified and/or managed
Changes to technical skills training 33%
Appointment of health and safety representatives
<b>25%</b>
Base: 391; includes employers, employees, and self-employed people.

**Source:** WorkSafe's Service Excellence Survey 2014/15 of workplaces we assessed or investigated.

The Service Excellence Survey found that 77% of workplaces we assessed or investigated felt they were treated fairly, 55% saw good value from the service, and 51% thought that WorkSafe applied rules in a consistent manner. We are looking to see increases in all areas in the future and are investing in inspectorate training and systems to support this. Consistency of decision-making and inspectorate style is something we are actively focusing on.

#### WORKSAFE'S PERFORMANCE IN THE EYES OF SECTOR LEADERS

To understand sector leaders' views of WorkSafe's performance we completed a small-scale, qualitative research project during 2014/15. The overall perception was that we have made a good start in building the organisation New Zealand needs. Our increased presence, guidance, and proactive approach with workplace assessments were seen as positive. Good relationships are developing with sector groups and industry leaders from local to national levels. The sector leaders noted our desire for their input. Some participants described exemplary relationships with our managers and chief inspectors.

Some areas were identified as requiring more focus. We were told that we need to involve others more in the design of harm prevention programmes, provide more information about the new law, and ensure a consistent inspectorate style (engaging and educative). This feedback validates activities already underway that have been designed to lead collectively to the improvements needed.

## **Targeting risk**

We will apply resources to where they make the most difference. The chart below shows the disproportionate rate of injuries requiring more than a week off work in forestry, agriculture, construction, and manufacturing compared with all other sectors in New Zealand.

The other striking pattern in the chart is the decline in forestry injury rates. Slight increases have occurred in all other industries. While we are unable to say conclusively why the increases have occurred, research suggests that economic growth is linked with more minor workplace injuries<sup>5</sup> (eg arising from a higher pace of production, less experienced recruits, longer working hours). The economic growth in 2013 and 2014 in New Zealand is likely to have played a role.

#### WORK INJURIES NEEDING MORE THAN A WEEK OFF WORK

Rates of weekly compensation work-related injury claims per 1,000 employed by industry





Three indicators are used to monitor progress towards the Government's targets; they relate to workplace fatalities, serious injuries (eg hospitalisations), and injuries requiring more than a week off work. The material in the chart relates to the third indicator.

#### TARGETING RISK THROUGH NATIONAL PROGRAMMES

We target our effort to achieve the greatest impact. In 2014/15 we continued our multi-faceted national programmes in forestry, agriculture, construction, and manufacturing. Each programme involves engagement, education, and enforcement towards positive safe work practices. Much of this work has been undertaken in close partnership with the Accident Compensation Corporation (ACC).

We engage with representative groups, influential organisations, and workers in particular occupations. In some sectors our engagement is proving effective (eg forestry), while in other sectors we know there is still a lot more work to do. We deliver educational messages at large industry events and via our roadshows around the country. Around 5,000 people came to our Safer Farms events in 2014/15, 4,000 builders and other tradespeople attended our roadshow presentations on preventing falls from height in construction, and 1,400 people came to our manufacturing roadshow presentations. The majority of the 14,500 proactive workplace assessments we completed were associated with our national programmes. Our role in these sectors is to provide support, including education and information, and to catalyse industry leadership and ownership of workplace health and safety, which is critical for change.

<sup>&</sup>lt;sup>5</sup> Davies R, Jones P, and Nunez I, The impact of the business cycle on occupational injuries in the UK, Soc Sci Med 2009; 69: 178-182, and Moore I, and Tompa E, Understanding changes over time in workers' compensation claim rates using time series analytical techniques, Occup Environ Med 2011; 68 837-841.

#### CASE STUDY

## The critical importance of sector leadership

There is a link between harm and safety leadership in the sectors we target; this has been best demonstrated in forestry in recent years.

#### FORESTRY

Commercial forest harvesting is one of New Zealand's most dangerous sectors. In 2013 ten people were killed working in forests. Pressure was mounting (particularly from the New Zealand Council of Trade Unions) because as a small industry the rate of fatalities in forestry was unacceptably high.

In 2013 we used all of our levers concurrently: engagement, education, and enforcement. Enforcement was part of the mix to address immediate serious risks; on the ground our inspectors visited hundreds of forestry operations. Our *Safer Forest Harvesting* programme targeted risks in the two areas where 80% of recent deaths had occurred: tree felling and 'breaking out' (taking trees to an area for removal off the forest block).

Initially, our most effective engagements initially were with the small number of forestry corporations undertaking most of the harvesting; these engagements were at every level including the Boards and senior management. Collectively this work helped to reveal that health and safety expectations were not always clear; there was a need for clearer information and education. The industry worked intensively with us to update the Approved Code of Practice. The aim was to make the Code very clear and give examples of good practice.

There is never a single driver associated with reducing workplace harm, but sector leadership is a vital component of forestry's recent success in starting to turn its poor health and safety record around. In 2014 the industry initiated an Independent Forestry Safety Review to consider ways to reduce the death and injury toll in forests. The Forest Industry Safety Council was subsequently formed.

During this period there was been a dramatic drop in fatalities, with one fatality each in 2014 and 2015<sup>6</sup>. Between 2012 and 2014 there was a 23% decrease in the rate of work-related injuries requiring more than a week off work (seen in the previous chart). Our 2014 Health and Safety Attitudes and Behaviours Survey showed that forestry employers and workers thought more constructively about safety than their counterparts in the other sectors we target.

## AGRICULTURE, CONSTRUCTION, MANUFACTURING

Conversely, the scale of serious harm in agriculture, construction, and manufacturing has remained high in recent years.

Our national programmes have focused on effective engagement across the board. We work intensively with industry groups, peak bodies, and companies on the health and safety issues pertinent to their industries or sub-sectors. We are also partnering with ACC on injury prevention initiatives in these sectors.

<sup>6</sup> To June 2015. As of the time of publication, there have been three forestry fatalities in 2015.

Each sector is facing unique challenges and dynamics. The structure and size of these sectors play a role in our engagement. There are different agricultural health and safety issues facing the beef, dairy, and horticulture sub-sectors. Manufacturing is broader and even more diffuse than the others, while construction faces different issues in regions such as Canterbury (rebuild) and Auckland (new build).

We are in different stages of programme planning with each sector and are seeking to work closely with industry and ACC to adapt our approach as needed. We launched *Safer Farms*, a broader, evidence-based campaign targeting top risks in farming. In 2014/15 we ran workshops with manufacturing and construction stakeholders, presenting and discussing health and safety attitudes and behaviours research. This is important to building a shared understanding of risks and how to manage them safely. (See a statement from a workshop participant on page 30.)

We continue to promote industry health and safety leadership in each target sector and are encouraged by more people being prepared to step up to the plate.

#### TARGETING HIGH HAZARD SECTORS AND MAJOR HAZARD FACILITIES

The High Hazards Unit promotes systematic risk management in industries with the potential for catastrophic events that could affect a large number of workers, the neighbouring community, and essential services (eg fuel supplies).

In 2014/15 our focus was on mining, tunnelling, quarries, petroleum, geothermal, and preparing for the new major hazard facilities regime. With new, more rigorous regulation in place or in train, we significantly built our engagement with sector leaders and individual operators on their new responsibilities and what the different regulations mean in practice. We undertook targeted site visits to encourage and enforce safe work practices. We provided written guidance, position statements, and codes of practice. We helped the sector to develop skills to manage safety effectively<sup>7</sup> and respond to emergencies<sup>8</sup>. We worked with the Extractives Industry Advisory Group (an independent advisory group to our Board).

We have built a skilled group of technical professionals in the High Hazards Unit, including 16 specialist inspectors working intensively in target sectors. We will support significant sectoral change in the coming years, and introduced new performance measures in 2014/15 to monitor sectoral change. As the quality of our guidance improves and we engage further on what good practice looks like, we expect high hazard operators to improve their capability to manage risks effectively.

<sup>&</sup>lt;sup>7</sup> Including our support for the New Zealand Mining Board of Examiners, which advises on skills and training for extractives workers and issues certificates of competency.

<sup>&</sup>lt;sup>8</sup> For example, the protocol and simulated exercise supporting a co-ordinated response to major underground mining emergencies (ie with WorkSafe, New Zealand Police, New Zealand Fire Service, Mines Rescue Service, and Ministry of Civil Defence and Emergency Management).

#### **RECENT VISIT BY WORKSAFE**

Excerpt from June 2015 Institute of Quarrying New Zealand newsletter by Matt Webster

As a quarry manager it is with interest I watch the development of health and safety legislation and training initiatives coming through this year.

My initial reaction to these H + S changes was to undertake a site audit focusing largely on Guarding, Electrical Hazards, and potential Geotechnical hazards, all listed as areas of interest for the inspectors. This Audit outlined areas for development which we addressed in our H+S development plan, we knew we couldn't fix everything over night but we could start a PHMP [principal hazard management plan] that would address our issues over time.

Since the formation of the new WorkSafe Mines Inspectorate, there has been huge amounts of speculation around their approach and the perceived carnage that is unfolding in the NZ extractive industry. This is why when my radio crackled with the news there were two mines inspectors in my office demanding to see the Quarry Manager – it was with apprehension I came down from the quarry to face the firing squad.

What I experienced over the following hours of discussion and inspection was a complete 180 on my perceptions going in. The inspectors were inquisitive, knowledgeable, and quick with pointers on how to navigate the new legislation with practical solutions.

They were genuinely interested in what we were doing as a company and the procedures we had put in place to help manage our sites' principal hazards.

During our inspection the areas we were still working on were noted, but because we were able to outline a documented management plan these issues were seen to be under control.

My knee jerk reaction to the new inspectorate was apprehension as I thought they were coming to tell us how to run our quarry and lay waste to anyone who stands in their way. My experience with WorkSafe now gives me the impression they are here to be proactive within our industry, to assist us in keeping our guys safe.

If my experience is typical of WorkSafe's approach then I can only see there being positive change within the extractive industry.

#### A DIFFERENT REGULATORY APPROACH

High hazard sites are often based on complex technical systems and require a different regulatory approach from those used in other sectors of the economy (eg forestry). Emerging risks are less likely to be seen easily on high hazard sites and because of this there should be close monitoring of systems and barriers to prevent catastrophes. There is also a focus on early-warning precursor events (eg small leaks from pipes or gas accumulating underground) so that unsafe events can be averted.

We expect to be notified of all precursor events as per regulatory requirements, but we know that some operators are still unaware of the new need to notify and we are helping them to understand the requirements. This underscores the importance of our engagement with operators, helping them to learn about the importance of active safety management. In 2014/15 we were notified of 80 potentially dangerous precursor events (56 in the petroleum industry and 24 in extractives). Our specialist inspectors determined that firms responded adequately in all but one case.

#### GREATER OPERATOR OWNERSHIP OF SAFETY PLANS

The new regulations require high hazard operators to create their own safety plans, called safety cases and principal hazard management plans. These plans help operators to demonstrate their understanding of risks and hazards within their operations and that they have adopted the right controls and mitigations. In 2014/15 we received 35 plans. WorkSafe invested significant resources in assessing these documents. Each required us to follow-up with the submitters to ensure they met the required standards. This was not s urprising because the requirements were still relatively new. We expect the quality of submissions to improve in the next few years, and our guidance and proactive engagement will support this. While we will be monitoring a firm's compliance with its own safety plan we will also be checking that sites are applying the right controls to their risks, to support safety management that is active, not just documented.

#### BUILDING MOMENTUM WITH MAJOR HAZARD FACILITIES

In the past there has been a lack of specific regulations aimed at facilities storing or processing significant quantities of substances that could cause catastrophic harm if not properly controlled (eg fuels and fertilisers). The forthcoming major hazard facilities regulations seek to protect neighbouring communities and workers from catastrophic events and place new duties on operators with facilities that have the potential for major incidents.

In 2014/15 we worked with MBIE and the sector to understand the scope of the proposed major hazard facilities regulations and ensure their workability. We also identified the sites presenting greatest potential risk. It is likely that around 60 facilities will meet the top thresholds for chemical storage and face higher duties under the regulations. All of these owners have now been informed of the forthcoming regulations and what they will mean in practice. We have started consulting on our draft guidance on the regulations and are developing our programme of site visits for when the regulations are in place.

#### TARGETING HAZARDOUS SUBSTANCES

It is estimated that 150,000 businesses work with hazardous substances (eg industrial chemicals and fuels) in New Zealand; these are regulated by the Hazardous Substances and New Organisms (HSNO) Act 1996. The regime focuses on human and environmental health, meaning we work closely with the Environmental Protection Authority (EPA). In 2014/15 we increased our focus on hazardous substances. We updated the tools we use in workplace assessments and utilised them in a case study of 600 collision repair firms (eg panel beaters and vehicle painters) and boat builders. We found a higher level of compliance in these sectors than in other sectors using hazardous substances; 59% of collision repair firms and boat builders were compliant with all eight key controls required by the Act, compared with a national average of 30%<sup>9</sup>. While there is still some room for improvement, the majority (83% of the firms we visited) were meeting most requirements. This likely reflected the multi-year focus that both WorkSafe and the EPA have had on collision repair firms and boat builders, and the increased awareness, attention, and leadership of the industry associations involved.

In 2014/15 our inspectors found that people in less than 10% of firms that they visited were still washing their hands with paint-thinner (ie turps). This is a good improvement in what was previously a very common hazardous practice.

In 2014/15 we also commissioned independent research on hazardous substance management in the metal manufacturing, timber treatment, and horticulture sectors. The forthcoming research report will inform our hazardous substance work in the coming years and will be published in 2015/16. We have also been helping to shape and prepare for the future hazardous substances regulations and completed over 3,000 HSNO workplace assessments throughout New Zealand.

#### TARGETING ADVENTURE ACTIVITIES TO BOOST SAFETY

Adventure activities are an important part of our tourism industry but in recent years highprofile tragedies had tainted the landscape. New Zealand's international reputation was being questioned and safety needed to improve. Regulations that came into force in November 2014 required operators to undergo a safety audit and become registered.

We worked intensively with operators subject to the regulations to explain the context and the new requirements<sup>10</sup>. Other organisations such as Tourism Industry Association New Zealand helped us with this work. Nearly 300 operators were registered with us by June 2015.



#### ADVENTURE ACTIVITY REGISTRATION

Our ongoing work in this sector includes assessment visits with operators, developing guidance, and maintaining registrations. We continue to scan the horizon for newcomers to support into the regime.

<sup>&</sup>lt;sup>9</sup> EPA 2014 industry compliance with hazardous substances survey (which found that 30% of firms were compliant with the eight key HSNO controls).

<sup>&</sup>lt;sup>10</sup> We employed a dedicated team of safety advisors to contact all operators during 2014. Additionally our inspectors made 388 visits to operators post implementation. We remain engaged with operators and industry through a range of mechanisms including regular newsletters.



Despite some initial apprehension from the industry, there has been an observable improvement in the safety attitudes of adventure activity operators. A small number have left the market and the remaining majority are now working on a level playing field, and are increasingly investing in safer equipment and more trained and qualified staff. The adventure activities industry is contributing to the development of new guidance documents. This is another example of sector leadership changing safety standards to become world-class.

#### TARGETING ENERGY SAFETY

Our Energy Safety team is a small, experienced group whose work facilitates the safe supply and use of gas and electricity in New Zealand, with a particular emphasis on public safety and the protection of property. We engage with the community in a variety of ways to provide advice on energy safety and also work internationally to promote regulatory alignment and high standards.

Fatalities from electrical and gas accidents continue to trend downward due to industry improvements and our ongoing influence. In 2014/15 we visited 163 suppliers, auditing over 350 products to check safety and compliance (largely with the Electricity Act 1992 and the Gas Act 1992). We investigated 94 reports of unsafe activities and investigated over 250 cases where accidents had taken place. Of these, 29 were serious notifiable accidents (eg involving medical treatment or significant property damage). The majority of accidents are caused by electricity; only a small number are from gas.

## **Working smarter**

#### TAKING AN EVIDENCE-BASED APPROACH

We are committed to building an evidence base to guide our work to deliver maximum benefit. In June 2015 we released *Health and Safety* Attitudes and Behaviours in the New Zealand Workforce: A survey of Workers and Employers. This significant multi-year survey will inform our work, help to monitor important elements of the health and safety system, and support our engagement activities in target sectors. In 2014/15 we improved our data, analysis, and understanding of New Zealand's highest-risk sectors. The workplace injury data provided to us by ACC is an invaluable component of our data landscape, supporting our modelling work and our intervention planning. Our ability to take an evidence-based approach will improve as we build our new Research and Evaluation and Operational Intelligence teams and the systems supporting their work. These functions will strengthen our ability to determine baselines, define targets, and deliver a proactive approach to targeting risk.

#### **DUTY-HOLDER REVIEWS**

#### WHAT IS A DUTY-HOLDER?

A duty-holder is a person with health and safety responsibilities under the law.

A DHR is an investigation guided by us but undertaken by an employer after an incident has taken place at their workplace. DHRs help dutyholders to identify why an accident happened and how to prevent it happening again. The process is voluntary. Since its inception in November 2014 we have supported over 280 workplaces through the process. Our intention is that people in workplaces learn and make lasting improvements to their health and safety systems. It is not just about fixing the immediate problem, but also about addressing the cause of the problem and supporting positive health and safety changes across the whole business.

A recent case: A night-shift worker lost the tip of his finger when it got caught between rollers in a printing press. The company informed us that they were very surprised because nothing like this had happened before, they have an active health and safety culture on site, and the operator had done the task often and without incident. In the duty-holder review, the company initially considered providing extra training and updating its procedures so that everyone knew how to operate the machine safely. The firm had initially ruled out the feasibility of putting a guard on the machine. Our DHR officer suggested contacting the manufacturer or supplier to check. A conversation with the supplier revealed that there had been ten similar accidents involving these machines in New Zealand and that guards could be installed to make them safer, even on old machines. The company then designed and installed appropriate guarding. As a result of undertaking a DHR the company was able to retrofit guarding and learn from the experience in a way that it might not otherwise have done.

#### SEEING WRITTEN GUIDANCE AS PART OF OUR EDUCATION AND SUPPORT

An important part of our work is providing good written guidance and presenting it in the best way for target audiences. These guidance documents form part of our educative approach. When undertaking a workplace assessment an inspector is likely to explain techniques for managing risks and a factsheet might be left on site for reference.

Research showed that 66% of the workplaces we assessed or investigated accessed our written guidance material as part of their most recent interactions with a health and safety inspector. Of those that received this guidance, 53% said it was very useful and 42% found it somewhat useful.

A priority in 2014/15 was preparing for the Health and Safety at Work Act, and numerous documents have been drafted for release with the new law<sup>11</sup>. We continued to support sectors throughout the year and published over 50 pieces of general guidance, including for our national programmes. We distributed 19,000 *Safer Farms* kits to individual farms at Fieldays and through our roadshows. We also distributed 17,000 *Absolutely Essential Health and Safety Toolkits* for small construction firms and have secured ACC funding for an extra 100,000 and for a mobile device version.

We worked to provide clearer guidance and expanded our team involved in this work. Another major focus was reviewing our existing guidance (comprising over 600 items) to check its currency and consistency with the new Act. This work is ongoing.

General guidance groups, working groups, and our social partners are engaged before we consult the public on new guidance. This consultative approach helps to test and strengthen our work. We also adapted our Health and Safety Attitudes and Behaviours Survey to collect more information about the uptake and effectiveness of our guidance in target sectors.

#### TREATING HEALTH LIKE SAFETY

We aim to treat health like safety, directing leadership, focus, and resources towards preventing workplace harm that affects health (eg inhaling asbestos fibres) in the same way we do with safety risks. Occupational health is not just about fatalities in distant decades, it is about quality of lives, ability to work, and levels of productivity in the shorter term too. The Occupational Health Advisory Group to the Board was a valuable resource in 2014/15, ensuring our work was well-informed by external technical experts. We identified occupational health targets that included both a disease reduction target and an objective to baseline workplace practices regarding occupational health.

#### PROFILING OCCUPATIONAL HEALTH IN CANTERBURY

Our occupational health focus has increased considerably, with our most concentrated effort in Canterbury. To support improved practices with asbestos, our Canterbury team undertook over 400 proactive asbestos-related assessments in 2014/15. Complaints about careless asbestos removal in the region and unsafe practices reduced compared with previous years. We issued 40 enforcement notices associated with asbestos in 2014/15, compared with 90 in 2013/14. We also assessed over 140 people seeking certificates of competence to undertake restricted asbestos work in Canterbury.

We provided written guidance, including position statements on contaminated land, and interim guidance for work involving asbestos. We collaborated with the Combined Health and Environmental Risks Programme Control Group to launch the 'asbestosaware' site. We also helped shape the forthcoming asbestos regulations.

<sup>11</sup> These guidance documents focus on explaining the new Act, general risks in workplaces, worker participation, major hazard facilities, asbestos, and hazardous substances. This guidance supports the first tranche of regulatory changes.

Construction workers in Canterbury have more asbestos awareness than those in other parts of New Zealand, according to the Health and Safety Attitudes and Behaviours Survey<sup>12</sup>. This is unsurprising given the focus on asbestos in Canterbury and our associated work to raise awareness and improve practices.

Our occupational health focus in Canterbury was also on reducing harm from silica dust (eg dust from concrete – common in demolition). Like asbestos, silica particles should not be inhaled because they can lead to lung cancer and other illnesses. We completed a pilot study on Canterbury construction workers' exposure to silica; we found standards were not being met and that more action is needed to reduce exposure. We took an occupational health van to around 1,000 workers across 50 Canterbury worksites, raising awareness of health risks and protections.

#### **CLEAN AIR PROGRAMME**

We developed a *Clean Air* programme to target airborne health hazards, which will be rolled out across New Zealand in 2015/16. An evidence-led approach helped us to identify the substances the programme will target and the industries in which they are commonly found (as depicted below). The aim of the programme is to clarify risks and controls, improve compliance, and make workplaces safer.



asbestos, silica, wood-dust, pesticides, organic solvents, carbon monoxide, heavy metals

MANUFACTURING

AGRICULTURE

<sup>&</sup>lt;sup>12</sup> 22% of construction workers in Canterbury mentioned asbestosis as one of the three main health risks facing construction workers, compared with 6% in Auckland and 7% across the rest of the country.

## **Working together**

Everyone has a role to play in workplace health and safety. We all have an interest in reducing workplace injuries and deaths, and we all need to contribute to making the system better. In 2014/15, WorkSafe and our partners, including agencies, businesses, and workers, worked together to improve workplace health and safety.

#### IMPROVING EXTERNAL WORKFORCE DEVELOPMENT

In 2014/15 we worked to address the Independent Taskforce and Pike River Royal Commission findings about workplace health and safety capability and capacity constraints among workers, managers, health and safety practitioners, and business leaders. We supported the establishment of the Health and Safety Association of New Zealand to increase the standards and competence of health and safety professionals, and ensure that businesses can access high-quality advice. We helped with the development of a register for generalist health and safety practitioners to provide businesses with assurance that they can seek competent advisors.

Training for health and safety representatives is important so they can continue to represent the health and safety views of workers, and understand how and when to use new powers and functions under the new Act. In 2014/15 we worked with MBIE and stakeholders to refine existing competencies to align with the new Act and we supported preparatory work on the 2016 transition training for existing health and safety representatives to learn about how the new legislation will change their roles. We participated in the targeted review of workplace health and safety qualifications, examining existing qualifications in light of the skills needed to promote health, safety, and culture changes aligned to the new legislation.



RAHAM MOC

#### **Trade Associations**

On Friday the 14th of August I was involved with a meeting of trade associations, industry groups, major civil and construction companies who were brainstorming with ACC and WorkSafe. The power of the collective was very evident as the trade associations were able to put across points of view that were well received. To give credit both ACC and WorkSafe are also very good at consulting with industry. As President of RANZ (Roofing Association of NZ) we were heard loud and clear along with other groups. In an inclusive environment great ideas were forthcoming and with another meeting to come in Wellington, more progress will be made to improve health and safety in the construction sector. The working together of WorkSafe and ACC makes complete sense. Causes, attitudes, behaviours, data, perception and reality were all looked at with solid thought and passion. We have a way to go with health and safety but these forums where trade associations can challenge and work with WorkSafe and ACC can only be good for industry. So make sure you support your trade association so they can help you be safe.

#### EMPLOYEES PARTICIPATING IN HEALTH AND SAFETY AT WORK

Workplaces are likely to be safer when workers know how to keep themselves and their colleagues safe and can actively participate in health and safety arrangements at their work. In 2014/15 we began to develop a worker participation implementation strategy in support of the new Health and Safety at Work Act. Formal systems of employee participation are required by the Health and Safety in Employment Act 1992 (the HSE Act) in large workplaces, and in small workplaces if requested by staff. In the 2014/15 National Survey of Employers, 48% of employers reported that their businesses had formal systems for employee participation, similar to the 2013/14 result and slightly lower than in 2012/13. Informal employee participation is also important. Around half of the respondents to both the 2014/15 Health and Safety Attitudes and Behaviours Survey and the National Survey of Employers indicated that health and safety was discussed at regular team meetings at their work.

"New Zealand needs to empower workers within their workplaces with rights, training, and support. No official can be there all of the time but workers are capable of being the safety leaders if they are supported."

Helen Kelly, President of the New Zealand Council of Trade Unions, in the July/August 2015 *Safeguard* magazine. Employers and workers were asked in the Health and Safety Attitudes and Behaviours Survey how often they would discuss things that put health and safety at risk (eg near misses or accidents) in an open and helpful way. Employers were more optimistic, with 52% saying always, whereas 41% of workers said they always discussed these risks. We seek increases in 2015/16, supported by the new Act.

#### STRENGTHENING GOVERNMENT ACCOUNTABILITY AND LEADERSHIP

We have been engaging with public sector agencies to support government leadership on workplace health and safety. This will help agencies to be prepared to implement the health and safety reforms and have appropriate support. We have prioritised agencies according to risk, giving intensive support to agencies whose activities are predominantly high risk (eg emergency services).

We have also been working with public sector chief executives and their leadership teams on the roles that they will need to play in implementing the health and safety reforms. Discussions have started with the State Services Commission, MBIE, New Zealand Security Intelligence Service, New Zealand Defence Force, New Zealand Police, and New Zealand Public Service Association. Information is being shared about how agencies can manage risk without compromising their service obligations, and manage overlapping responsibilities.

#### IMPROVED CO-ORDINATION BETWEEN AGENCIES: BETTER COVERAGE AND REDUCING DUPLICATION

WorkSafe is one of several agencies operating in the health and safety system. Other primary agencies are: MBIE; ACC, which has a joint interest in injury prevention and functions and programmes that influence health and safety practices; the EPA; Maritime New Zealand; the Civil Aviation Authority; New Zealand Police; and local authorities. It is critical that all agencies work in partnership to maximise the public investment, reduce duplication and gaps, and utilise the different skills and leverage points available in each agency. This year 52% of employers agreed that the government was effective in enforcing obligations for businesses under the HSE Act. We are seeking higher rates in the future, supported by better co-ordination between agencies. The Health and Safety at Work Act supports better co-ordination and information-sharing.

We are also involved with the government's cross-agency Compliance Common Capability Programme, aimed at building a stronger professional compliance community and lifting regulatory performance. The Programme will provide a competency framework for regulators, linked to the New Zealand Qualifications Framework.

Our injury prevention work with ACC is about optimising the government's investment in reducing harm to people at work and ensuring that WorkSafe and ACC play to our comparative advantages. The focus is on better coordination of workplace injury prevention, motivating businesses to improve health and safety through incentive programmes, and acknowledging good health and safety practices through ACC levies and experience rating. We have been working with ACC in a number of other areas, including the *Safer Forest Harvesting* plan, the *Safer Farms* programme (co-funded with ACC), and the Safety Star Rating Scheme.



## **Rebuilding Canterbury safely**

An unprecedented amount of construction work is underway in Canterbury and the risks are high. The initial estimates of the likely harm from the rebuild were grim<sup>13</sup>. We have a dedicated team delivering our Canterbury Rebuild Health and Safety Programme. In 2014/15 they continued working collaboratively, targeting high-risk activities including around occupational health, and providing education and support for good health and safety practices.

#### WORKING WITH INDUSTRY

The most visible example of partnership with industry is the Canterbury Rebuild Safety Charter (<u>safetycharter.org.nz</u>). The Charter is a unique collaboration between companies leading the rebuild and government organisations. Each year Charter participation has doubled<sup>14</sup>. In 2014/15 signatories started using an online tool to assess how well they were performing against their Charter commitments. As well as helping to acknowledge achievements, the tool highlighted areas for development and assistance. Managing worker fatigue was a prominent area for assistance.

We also supported the expansion of the Charter work programme to include direct engagement with workers. Approximately 500 workers from Charter signatories were surveyed on health and safety issues, which will inform further health and safety initiatives.

#### BUILDING AN EFFECTIVE INSPECTORATE AND FOCUSING ON HIGH RISK

By the end of 2014/15 we had grown the Canterbury team to 21 inspectors. Their capacity and expertise has been strongly supported by our seconded inspectors from Australia. Over 2,800 workplace assessments were completed in 2014/15<sup>15</sup>. We concentrated on critical-risk construction activities including excavations, mobile plant, asbestos, and work at height. Our engagement and education work included hosting over 2,700 people at our events (and the Charter events we supported).

2014/15 events and attendee numbers in Canterbury: Mobile plant trade breakfast (250 attendees), Excavations trade breakfast (370), Fatigue - trans-Tasman forum (240), Risks in demolition – industry briefing (100), Contaminated soil – industry briefing (40), Health and Safety legislation (276 Charter event), Critical risk management (178, Charter event), Contractor safety management (199, Charter event), Gender in construction (310, Charter event), Occupational health and safety in manufacturing (239), Dust and noise in construction (254), Leadership (243, Charter event), HAIL<sup>16</sup> sites (50).

<sup>&</sup>lt;sup>13</sup> In 2012 the Canterbury rebuild was estimated to involve one or two construction fatalities per year of the rebuild; \$80 million in ACC entitlements, 600,000 hours lost to injury, and significant levels of disease and death from exposure to workplace contaminants.

<sup>&</sup>lt;sup>14</sup> The Charter was launched in July 2013 with 51 signatories and endorsees; by July 2014 it had over 100, and by June 2015 there were 240.

<sup>&</sup>lt;sup>15</sup> This total is the number of proactive and reactive assessments completed across the Canterbury office.

<sup>&</sup>lt;sup>16</sup> Sites on the Hazardous Activities and Industries List (HAIL), where activities involving hazardous substances (eg chemical manufacture, explosives production, metal or mineral extraction, vehicle refuelling, and cemeteries) are considered likely to contaminate land.



#### **OCCUPATIONAL HEALTH**

WorkSafe's most concentrated leadership and efforts to improve poor occupational health came from Canterbury in 2014/15. The focus was largely on improving practices around asbestos and reducing harm from silica dust. For more information, see pages 28-29.

#### **VULNERABLE WORKERS**

An estimated 30,000 additional workers are needed for the rebuild. After suitable workers are hired initially, more vulnerable and less experienced people are taken on to address demand. We continued working with MBIE's immigration team and labour inspectorate to ensure protections were in place for vulnerable rebuild workers.

#### **INITIAL IMPACTS**

While there were elevated harm rates in Canterbury in 2014/15<sup>17</sup>, they need to be compared with both the very high work toll originally calculated and the significant hours worked in the rebuild. Our 2014/15 Health and Safety Attitudes and Behaviours Survey showed that Canterbury had a greater focus on, and dedication to, workplace health and safety than other regions. For example, workers' health and safety was likely to be in the top three business considerations for Canterbury employers (72%, compared with 50% in Auckland and 55% across the rest of New Zealand). Local stakeholders were independently interviewed about WorkSafe's work in mid-2014. On the whole, our early performance in Canterbury was viewed positively and seen to be making a difference in improving the workplace health and safety culture.

<sup>17</sup> For example, ACC data shows that the average number of new claims from construction-related incidents requiring more than a week off work was over 500 in the year ended June 2015 (14% higher than in the year ended June 2014), and the 2014/15 Health and Safety Attitudes and Behaviours Survey showed more awareness and reporting of harm.

## **Strengthening our organisation**

We aspire to be a high-performing organisation driving forward the *Working Safer* reforms. Our permanent Senior Leadership Team was put in place in February 2015. Our Chief Executive Gordon MacDonald now leads a team with senior experience across strategy, operations, and support functions.

In 2014/15 our organisation changed in size and shape. We increased from 478 to 550<sup>18</sup> people during 2014/15 (including growing our inspectorate from 137 to 195<sup>19</sup>), increasing our visibility and influence in workplaces. Learning and development is a major focus and in 2014/15 we invested nearly \$3 million in inspector professional development. Our staff survey showed our people are very committed; as their experience grows, so too will capability and effectiveness.

A more balanced structure was put in place in early 2015. We now have a stronger stakeholder engagement focus, a strategy function linked with research and evaluation, strengthened operational policy functions, and a greater emphasis on developing New Zealand's health and safety workforce.

In 2014/15 we started building the basic systems, processes, and infrastructure needed for a highperforming organisation, including beginning our \$14 million ICT upgrade. Our case management system now supports greater oversight (eg inspectorate managers can now see which staff members have issued compliance notices), but still far too much of our operational intelligence is manually compiled, illustrating the inadequacy of our legacy systems. Starting in late 2016, our new ICT system will support more accurate and accessible operational information.

#### WORKSAFE IS A GOOD EMPLOYER

We are seeking to build a culture that actively engages staff in problem-solving, decision-making, and improving our operations. We also engage with our employees and the New Zealand Public Service Association (which represents approximately 40% of our workforce) to comply with the good employer provisions and support the provision of equal employment opportunities. We are focused on ensuring that policies, practices, and systems are in place in accordance with the good employer provisions of the Crown Entities Act 2004.

We actively monitor key recruitment statistics relating to age, ethnicity, and gender and strive for a recruitment process that is free from all bias. We have established a recruitment site that profiles employees from diverse backgrounds to support recruitment diversity, and we use a wide range of advertising media to attract diverse applicants.

#### PAY AND WORKING ARRANGEMENTS

Our remuneration system is underpinned by robust job evaluations, ensuring that remuneration reflects the complexity of each role and the level of skill required. We have embarked on a review of our performance development, remuneration, and recognition systems to ensure that they meet the needs of both the organisation and our employees.

We have successfully negotiated a new collective employment agreement that paints a comprehensive picture of the positive environment we focused on building in 2014/15.

We actively support a number of non-standard work arrangements where business demands

<sup>&</sup>lt;sup>18</sup> This total includes 41 contractors and temporary staff.

<sup>&</sup>lt;sup>19</sup> We achieved our target of having 180 inspectors by June 2015. We also have an additional 16 specialist health and safety inspectors in our High Hazards Unit.

enable these to occur, including part-time, flexible working hours, working from home, and other forms of remote working. We tailor our support in these situations to individual need, and actively support return-to-work programmes for ill and injured employees.

#### **INTERNAL HEALTH AND SAFETY**

We are implementing a comprehensive internal health and safety strategy and have implemented new approaches to hazard and risk identification and management, and accident and incident reporting and investigation. Strategies for effectively managing our biggest risks are wellembedded. Safety leadership is a core element of the role of our managers.

#### **OUR DEVELOPMENT PROGRAMMES**

We have embedded a structured leadership development programme to support managers to cultivate the skills necessary to lead effectively, including managing a diverse workforce.

We have built an inspectorate capability development programme that will provide structured development to all health and safety inspectors as they become effective inspectors. This programme will be linked to the New Zealand Qualifications Framework, providing our people with relevant and portable qualifications to support ongoing career progression. We have a robust promotion programme for inspectors, mapping their development progress to career milestones.

Our new talent and succession management programmes will support staff to achieve their career aspirations and enable the strategic management of our capability.

#### **OUR WORKFORCE PROFILE**

Our success will be measured by having a workforce that reflects the wider community and its diversity. Our medium-term strategy is to attract workers with the right skills from more diverse backgrounds in terms of age, gender, and ethnicity. This will enable us to understand our clients better while adding breadth and depth to our workforce. We have refreshed our recruitment advertising to ensure that it is more inclusive and are supporting our managers through recruitment processes.

#### GENDER



WorkSafe has seen a slight reduction in gender diversity in the past year, attributed in part to the significant recruitment required to staff fully our new organisation. While we have a fairly even gender split overall, with 45% female and 55% male, overall there are greater variations in specific segments of our workforce.


	AVERAGE AGE
Frontline	47.2
Back office	41.9
Inspectorate	46.2
Non-inspectorate	44.4
Manager	49.9
Staff	44.7
WorkSafe	45.4

In the past year our average age has reduced by two years to 45.4 years. Nearly half (49%) of our staff are under 45; however, over 70% of our managers are 45-plus. Our new talent and succession management programmes will ensure that we have the future capability ready to fill leadership roles as some of our leaders begin to transition to retirement.

# ETHNICITY

The table below shows the distribution of our staff by ethnic groups. WorkSafe supports a diverse workforce.

	FRONTLINE	BACK OFFICE	INSPECTORATE	NON-INSPECTORATE	MANAGER	STAFF	WORKSAFE
New Zealand European	59%	61%	56%	64%	53%	61%	59%
Māori	10%	4%	11%	3%	8%	7%	8%
Pacific Islands	2%	4%	4%	2%	0%	3%	3%
Others	4%	8%	5%	7%	1%	6%	6%
Unstated	25%	23%	25%	24%	38%	22%	25%

# Personación de la companya de la com

The performance indicators underpinning the performance statements in this report draw on operational intelligence, official statistics, and survey data. The overall conclusions about WorkSafe's performance in the context of New Zealand's workplace health and safety system in 2014/15 have been formed by looking across all of our performance indicators and results from the year.

# What we mean by stable results

Figures from sample surveys like MBIE's National Survey of Employers are subject to variation arising from using a sample of people (rather than surveying the total population). This variation, known as a margin of error, gives a range in which the result would probably lie if another random sample answered the question. When margins of error overlap, results are not statistically significant. An example of this is measure 1 b – the proportion of employers who 'agree that good health and safety systems are good for their businesses'. In 2013/14 the result was 89% with a margin of error of +/-3.6%; in 2014/15 the result was 83% with a margin of error +/-3.4%. In this instance we have used the term 'stable' to illustrate that there has been no statistically significant improvement or decline in the two years.

PERFORMANCE INDICATOR	DESIRED OUTCOME	2014/15 RESULT	COMMENTS
1. Attitudes improve			
a. We will research workplace health and safety attitudes in forestry, agriculture, manufacturing, and construction in 2014. Through the WorkSafe baseline research we will establish base data by Dec 2014, and changes to those attitudes will be monitored in 2015 and 2016. Refer to the Statement of Performance Expectations (SPE) 2014/15 p13.	Baselines established	Completed	We completed this research and established baselines as planned. Our baseline research is known as the Health and Safety Attitudes and Behaviours Survey. The research was released in June 2015. Changes to baselines will be monitored and results from a suite of measures will be reported in our Annual Reports for 2015/16 and 2016/17.
b. As a supplementary measure we will monitor the rate of employers who agree that good health and safety systems are good for their businesses. This will be measured annually through the National Survey of Employers. The result for both 2012/13 and 2013/14 was 89%. Ref SPE 14/15 p13.	Results monitored	83%	The National Survey of Employers in 2014/15 found that a stable majority of respondents were saying that health and safety systems were good for their businesses. However, it is our experience that many employers overestimate the ease of creating effective health and safety systems and the quality of their existing systems.

	DESIRED	2014/15	
PERFORMANCE INDICATOR	OUTCOME	RESULT	COMMENTS

## 2. WorkSafe is a more credible, collaborative leader, and key agencies work better together

a. We want WorkSafe to be seen as a competent, cohesive organisation that draws on other organisations' expertise and levers to effect change. This will be discussed in annual chief executive meetings with key partners, and supplemented with a short, independent survey. A summary of views will be provided to the Board and Minister by March 2015. Ref SPE 14/15 p13.	Stakeholders surveyed	Completed	We completed the 'Chief Executive's Survey of Sector Leaders'. Sector leaders participated (mostly from large companies or representative bodies in agriculture, forestry, manufacturing, construction, petroleum, extractives, and the union sector). Each agreed to involve fellow sector leaders in answering questions on WorkSafe's performance and to meet with our Chief Executive to discuss responses. Summarised views were provided to our Board and Minister. For more, see page 19 of this report.
b. New Zealanders expect health and safety agencies to work together and to make the best use of the significant investment in injury prevention and harm reduction activities. We will seek support from MBIE on methods to evaluate interagency collaboration as the <i>Working Safer</i> reforms envisaged. Ref SPE 14/15 p13.	Support sought	Underway	There are many examples of agencies working together more as <i>Working Safer</i> envisaged. While we initiated discussions with MBIE about evaluating interagency collaboration, its priority of delivering the new legislation meant that this work will be advanced in 2015/16.

## 3. More workers participate in health and safety

a. We seek higher rates of employees who consider that they have reasonable opportunities to take part in improving health and safety. This had been asked in the Survey of Working Life. We are requesting ongoing measurement through Statistics New Zealand's redeveloped Household Labour Force Survey. We are also seeking opportunities to ask if workers consider that this participation is/would be effective. Ref SPE 14/15 p14.	Measurement requested	Underway	We have asked Statistics New Zealand for the ongoing measurement of worker views on health and safety. Statistics New Zealand is open to the inclusion of health and safety questions in a module of its redeveloped Household Labour Force Survey.
b. We seek higher rates of employers with formal employee participation systems. This will be measured through the National Survey of Employers. The 2012/13 result was 58% and the 2013/14 result was 56%.	>56%	48%	There has been stable but low formal employee participation in the past two years. If we look at results since 2012/13, there has been a statistically significant decrease. Not all firms need to have formal participation systems (ie under the HSE Act workplaces are required to have formal systems if they have 30+ staff or if requested in smaller workplaces). Informal participation is also important and will be supported by our increased workforce development focus.

	DESIRED	2014/15	
PERFORMANCE INDICATOR	OUTCOME	RESULT	COMMENTS

### 4. Workplace practices improve after contact with WorkSafe<sup>20</sup>

a. We seek higher rates of people who report that changes have been made to their workplace practices resulting from contact with WorkSafe. This will be measured annually through the Service Excellence Survey, which also examines the types of change made. Ref SPE 14/15 p14.



### 5. WorkSafe is seen as fair, consistent, and effective

a. Ref SPE 14/15 p15. We seek a higher rate of people reporting that their engagement with WorkSafe's inspectorate was an example of good value for tax dollars spent, fair, and consistent. These points will be measured annually through the Service Excellence Survey. Our results were:



нѕио	2013/14	DESIRED OUTCOME	2014/15	COMMENTS
Good value	n/a		62%	
Fair	n/a	Baselines established	85%	Owing to a small sample in 2013/14 results were not available. New baselines were established as planned.
Consistent	Not measured		65%	
b. While WorkSafe is the p workplace health and safe we are not the only agend health and safety complia a higher rate of employers the government is effective obligations for businesses measured through the Nat of Employers. The 2012/13 60%, the 2013/14 result w Ref SPE 14/15 p15.	ety regulator, ey enforcing nce. We want s agreeing that we in enforcing s. This will be tional Survey 3 result was	>58%	52%	A stable but low result. We are seeking increased rates in the future, supported by better co-ordination between agencies. The Health and Safety at Work Act supports better co-ordination and information-sharing. For more, see pages 31-32 of this report.

### 6. WorkSafe improves engagement with major hazard facilities

a. By December 2014 we will contact the owners of all major hazard sites that will be within the scope of the new regulations. Ref SPE 14/15 p15.	All sites contacted	Completed	All sites have been contacted. For more, see page 24 of this report.
b. In 2015 we will start working with owners to help them prepare for the new regime (ie the need for safety cases). We will also start developing a programme of site inspections needed for future years. Ref SPE 14/15 p15.	Working with owners	Underway	We are consulting on guidance and developing a programme of site visits. For more, see page 24 of this report.

	DESIRED	2014/15	
PERFORMANCE INDICATOR	OUTCOME	RESULT	COMMENTS

## 7. People know where to go for relevant health and safety information

a. WorkSafe provides considerable health and safety information, and by Dec 2014 we will develop a base understanding of the awareness of WorkSafe's information and advice. This will be measured through the WorkSafe Baseline Research. Additional methods for measuring the effectiveness of WorkSafe's guidance, standards, and information provision will be developed by December 2015. Ref SPE 14/15 p16.	Baselines established	Completed	We developed a base understanding of awareness. The 2014/15 Service Excellence Survey showed that 66% of respondents had accessed our written guidance material. Of those, 53% said it had been very useful and 42% said it had been somewhat useful. We also adapted our Health and Safety Attitudes and Behaviours Survey to collect more information about the effectiveness of our guidance. For more, see page 27-28 of this report.
b. We seek a higher rate of employers who know where to go for expert advice on health and safety for their businesses. This will be measured annually through the National Survey of Employers. The 2012/13 result was 85% and in 2013/14 it was 82%. Ref SPE 14/15 p16.	>82%	82%	A stable majority report that they know where to go for expert advice.

## 8. Being a collaborative partner in Canterbury

a. Our activities to support the Canterbury rebuild effectively draw on, and complement, other organisations' expertise and levers to effect change. This work will be assessed through regular discussions with stakeholders, and audits completed under the Canterbury Rebuild Safety Charter. An evaluation framework for the Canterbury rebuild initiatives will establish detailed indicators of success. Ref SPE 14/15 p16.	Stakeholders interviewed	Completed	Stakeholders were independently interviewed and, on the whole, our early performance in Canterbury was seen to be making a difference in improving the workplace health and safety culture. The 2014/15 Health and Safety Attitudes and Behaviours Survey showed that Canterbury had a greater focus on, and dedication to, workplace health and safety than other regions. The most visible example of partnership with industry is the Canterbury Rebuild Safety Charter. For more, see page 34 of this report.
b. We also seek to improve industry practices around asbestos. We will monitor and report on the nature of the notices issued about asbestos and how we are evolving our approach. We will utilise the certificate of competency application process to identify areas for improved practice, maintain high standards, and lift the capability of the workforce involved in asbestos removal. Ref SPE 14/15 p16.	Asbestos practices improved	Underway	According to the 2014/15 Health and Safety Attitudes and Behaviours Survey, 22% of construction workers in Canterbury mentioned asbestosis as one of the three main health risks facing construction workers, compared with 6% in Auckland and 7% across the rest of the country. To support improved practices with asbestos we undertook over 400 proactive asbestos-related assessments and assessed over 140 people seeking certificates of competence to undertake restricted asbestos work in Canterbury. For more, see pages 28-29 of this report.

PERFORMANCE INDICATOR	DESIRED OUTCOME	2014/15 RESULT	COMMENTS
9. More workplaces manage health a	nd safety well		
<ul> <li>a. We seek a higher rate of employers with the following elements of a health and safety system:</li> <li>&gt; A documented hazard management system, that is actively used.</li> <li>&gt; A documented accident investigation process.</li> <li>&gt; Inductions for all new employees, and contractors.</li> <li>&gt; A system for employee participation in managing health and safety.</li> <li>The last result from the National Survey of Employers was 32%.</li> </ul>	>32%	26%	A stable result but still a very low rate of employers reporting actively used, documented systems. The National Survey of Employers provides useful insights across all sectors into what employers are doing (not just saying) about health and safety. Work is underway to align the Survey's line of questioning with the new law.
b. As a supplementary data source we will monitor the proportion of employers participating in ACC programmes for maintaining health and safety systems eg ACC's Accredited Employer and Workplace Safety Management Practices programmes. Ref SPE 14/15 p17.	Participation monitored	Not measured	We are not using this supplementary data source. ACC's current programmes will be repealed under the new law. ACC and WorkSafe are collaborating on the Safety Star Rating Scheme and its metrics.

## 10. More workplaces manage hazardous substances well

a. We seek a higher rate of firms complying with legal requirements for managing hazardous substances. Building on the EPA's 2012 Industry Compliance with Hazardous Substances Survey, WorkSafe will survey industry compliance with workplace use controls for hazardous substances. Ref SPE 14/15 p17.	Industry surveyed	Completed	We commissioned independent research that focused on hazardous substance management in the metal manufacturing, timber treatment, and horticulture sectors. The forthcoming research report will be published in 2015/16. For more, see page 25 of this report.
b. We seek a lower rate of workplaces with hazardous substance non- compliance (or a higher level of compliance). We will use our own administrative data to establish a baseline by June 2015, and changes will be monitored in subsequent years. Ref SPE 14/15 p17.	Higher compliance	Completed	We found a higher level of compliance in collision repair and boat building than in other industries in New Zealand. While there is still some room for improvement, the majority of firms were meeting most requirements. This likely reflects the multi-year focus that both WorkSafe and the EPA have had on these sectors and the increased leadership from the industry associations involved. For more, see page 25 of this report.

PERFORMANCE INDICATOR	DESIRED OUTCOME	2014/15 RESULT	COMMENTS
11. Robust management of high haza	rd and high-ris	k sectors	
a. We are notified of all of the statutory notifications that we ought to receive from high hazard sectors (eg notices of potentially dangerous precursor events). Ref SPE 14/15 p18.	Always notified as per statutory requirements	Not always notified as per statutory requirements	High hazard duty-holders do not always notify us when they should. We know that some operators are still unaware of the new requirements and we are helping them to understand the new need to notify. In some cases of repeated failure to notify we have taken enforcement action. For more, see page 24 of this report.
b. We seek higher rates of firms responding to potentially dangerous precursor events adequately (as determined by specialist inspectors following assessment procedures). Ref SPE 14/15 p18.	Higher rates of adequate response	99%	Our baseline was set in 2014/15. We were notified of 80 potentially dangerous precursor events and our specialist inspectors determined that firms responded adequately in all but one case (ie 79/80 or 99%). For more, see page 24 of this report.
c. We seek higher rates of safety cases and principal hazard management plans that meet legal requirements on their first submission. Ref SPE 14/15 p18.	Higher rates of plans meet requirements	None met requirements	We received 35 plans (15 petroleum safety cases and 20 principal hazard management plans) in 2014/15. None met legal requirements on its first submission. It is unsurprising that each plan needed follow-up, because the requirements were new. The quality of submissions will improve with guidance from and engagement with WorkSafe.
d. We seek decreasing rates of non- compliance with safety cases and principal hazard management plans. Ref SPE 14/15 p18.	Lower rates of non- compliance	Not measured	In 2015/16 we will develop a baseline of compliance with these new safety plans. This will enable comparisons in future years.
The safety of adventure activities is being more closely controlled under a new regulatory regime involving audited safety management plans and a requirement to be registered with WorkSafe. e We will support audit providers and adventure activity operators to prepare for the new regime. Ref SPE 14/15 p18.	Stakeholders supported	Completed	We provided support as planned. For more about our work with operators, see page 25. Third-party audit providers undertake the safety audits and there was a time in 2014 when no auditors were available for this work. We engaged with that sector, and by the end of 2014/15 four audit bodies had made a commitment (and were formally recognised by us) for a long-term engagement in this work.
f. From 1 November 2014 we will contact operators who have not registered with us and take next steps, including enforcement action. Ref SPE 14/15 p18.	Unregistered operators contacted	Completed	We worked intensively with operators to explain the new requirements (including the need for audit and registration by 1 November 2014). We remained in contact with operators who were unregistered by 1 November. For more, see page 25 of this report.

12.10% reduction in workplace	fatalities and injur	ies (harm rec	duction) by 2016 <sup>22</sup>	
PERFORMANCE INDICATOR	OUTCOME	RESULT	COMMENTS	

a. We expect that fatal work-related injuries per 100,000 workers will be no higher than 2.5 by 2016. The result for 2011 was 3.6. Refer to the Statement of Intent 2014/18 p21.	<b>&lt;2.5</b> by 2016	See the latest official statistics and time-series
b. We expect that serious, non-fatal work-related injuries per 100,000 full- time equivalents (FTEs) will be no higher than 14.5 by 2016. The result for 2012 was 16.1. Ref SOI 14/18 p21.	<b>&lt;14.5</b> by 2016	on pages 49-51 of this report and in <u>Working Safer:</u> <u>Progress toward the target</u> .
c. We expect that ACC claims for more than a week away from work per 1,000 FTEs will be no higher than 7.6 by 2016. The result for 2012 was 7.9. Ref SOI 14/18 p21.	<b>&lt;7.6</b> by 2016	For an industry breakdown and more information about the result for 12 c, see page 20 of this report.

### 13. Harm reduction in forestry, agriculture, construction, and manufacturing

Our aim is to reduce the unacceptably high rates of severe work-related injury to below these 2012 rates<sup>23</sup>:

a. 25.72 per 1,000 jobs in forestry			
	<25.72	19.92	
			Found of the base of and
b. 18.59 per 1,000 jobs in agriculture	<18.59	19.17	Forestry injuries have reduced. For more, see the case study on page 21 of this report.
	~10.55	13.17	The rates of injuries requiring more than a week off work in agriculture,
c. 16.70 per 1,000 jobs in construction			construction, and manufacturing have increased. Economic growth in 2013 and 2014 is likely to have played a
	<16.70	19.26	role. For more, see page 20 of this report.
d. 17.83 per 1,000 jobs in manufacturing	<17.07	10.10	
	517.83	19.10	
	<17.83	19.16	

<sup>22</sup> The rates published in WorkSafe's SOI 2014-2018 were based on provisional official statistics from Statistics New Zealand. These statistics were revised in 2014/15 and the latest data is included in this report. The rates are based on calendar years.

<sup>&</sup>lt;sup>23</sup> The rates published in WorkSafe's SOI 2014-2018 were based on injury claims managed by ACC. These rates have been revised to include injury claims managed by third parties under the Accredited Employer Programme to provide a more comprehensive picture of severe injury.

	DESIRED	2014/15	
PERFORMANCE INDICATOR	OUTCOME	RESULT	COMMENTS

### 14. Public fatalities from electricity and gas trend down

Our aim is that fatality rates are no higher than these averages from 2009 to 2013<sup>24</sup>:

a. 0.8 per million people exposed to electricity. Ref SOI 14/18 p22.	<0.8	0.3	
b. 0.9 per million people exposed to LPG. Ref SOI 14/18 p22.	<0.9	0.3	Fatality rates from electrical and gas accidents for 2014 were lower than the 2009-2013 averages. Fatalities continue to trend downward due to industry improvement and our ongoing influence. For more, see
c. 0.7 per million people exposed to natural gas. Ref SOI 14/18 p22.	<0.7	0.3	page 26 of this report.

# 15. 25% reduction in workplace fatalities and injuries by 2020<sup>22</sup>

a. We expect that fatal work-related injuries per 100,000 workers will be no higher than 2.1 by 2020. Ref SOI 14/18 p23.	<b>&lt;2.1</b> by 2020		
b. We expect that serious, non-fatal work-related injuries per 100,000 workers will be no higher than 12.1 by 2020. Ref SOI 14/15 p23.	<b>&lt;12.1</b> by 2020		official statistics and time-series on f this report and in <i>Working Safer: ard the target</i> .
c. We expect that ACC claims for more than a week off work per 1,000 FTEs will be no higher than 6.3 by 2020. Ref SOI 14/18 p23.	<b>&lt;6.3</b> by 2020		
16. No catastrophic events			
The catastrophic events on which we focus are those with the potential for multiple fatalities or serious community or occupational health problems. Pike River was the most recent catastrophic event, but there have been others in our high hazard sectors in the past 100 years. Our aim is zero.	Zero	Zero	There were no catastrophic events within New Zealand's high hazard sectors and major hazard facilities in 2014/15. For more, see page 22 of this report.

 $^{\rm 24}\,$  Five-year averages, based on calendar years.

# **Official statistics**

The following pages set out the official statistics for measuring progress towards the Government's health and safety targets. The graph sections are from MBIE's report <u>Working Safer: Progress toward</u> <u>the target</u>, March 2015. The exact rates are presented in tabular form to show baselines, results over time, and targets for 2016 and 2020.



### RATE OF FATAL WORK-RELATED INJURY (THREE-YEAR MOVING AVERAGE)

Latest result: 2012 (average for 2011-13)\*

Change from previous year: 15% lower

Change from baseline: 13% higher

**Comment:** Rates have been higher in recent years following the 2010 Pike River Coal Mine Tragedy and the 2011 Canterbury earthquake

Data: WorkSafe investigations and ACC claims

	BASELINE (AVERAGE 2008-2010)	2010 (2009-2011)	2011 (2010-2012)	2012 (2011-2013)	2016 TARGET	2020 TARGET
Rate (per 100,000 workers)	2.74	4.0**	3.6**	3.1	2.5	2.1
Difference from baseline		46% higher**	33% higher**	13% higher	10% lower	25% lower

\* A three year average is used to moderate the fluctuations that can occur when reporting data with numbers lower than 100. The reporting is against the middle year.

\*\* The deaths from Pike River are included in the rates, but not the baseline, to ensure change is measured.



## RATE OF SERIOUS, NON-FATAL WORK-RELATED INJURY

Latest result: 2013

Change from previous year: 2% lower

Change from baseline: 2% lower

**Comment:** Serious non-fatal injury rates continue to trend downwards

Data: ACC claims and hospitalisations

	BASELINE (AVERAGE 2008-2010)	2011	2012	2013	2016 TARGET	2020 TARGET
Rate (per 100,000 workers)	16.09	16.4	16.1	15.8	14.5	12.1
Difference from baseline		2% higher	0.1% lower	2% lower	10% lower	25% lower



### RATE OF WORK-RELATED INJURY RESULTING IN MORE THAN A WEEK AWAY FROM WORK

Latest	result: 2013
Chang	e from previous year: 2% higher
Chang	e from baseline: 4% lower
Comm	ent: Rates have levelled off
Data: /	ACC claims

	BASELINE (AVERAGE 2009-2011)	2011	2012	2013	2016 TARGET	2020 TARGET
Rate (per 1,000 FTEs)	8.41	7.9	7.9	8.1	7.6	6.3
Difference from baseline		6% lower	6% lower	4% lower	10% lower	25% lower

The rate of injuries requiring more than a week off work has increased slightly. Recent economic growth is likely to have played a role; see page 18 of this report.



### DISCLAIMER

WorkSafe New Zealand has made every effort to ensure the information contained in this publication is reliable, but makes no guarantee of its completeness. WorkSafe may change the contents of this publication at any time without notice.

ISSN: 2382-0608 (print) ISSN: 2382-0616 (online)

Published: January 2016

PO Box 165, Wellington 6140, New Zealand

www.worksafe.govt.nz



Except for the logos of WorkSafe, Twitter and LinkedIn this copyright work is licensed under a Creative Commons Attribution-Non-commercial 3.0 NZ licence.

To view a copy of this licence, visit http://creativecommons.org/licenses/by-nc/3.0/nz/

In essence, you are free to copy, communicate and adapt the work for non-commercial purposes, as long as you attribute the work to WorkSafe and abide by the other licence terms.

### WorkSafe New Zealand

Level 6 86 Customhouse Quay PO Box 165 Wellington 6140

Phone: +64 4 897 7699 Fax: +64 4 415 4015 0800 030 040 www.worksafe.govt.nz

ISSN: 2382-0608 (print) ISSN: 2382-0616 (online)



New Zealand Government