

# SUBMISSION



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To: Independent Taskforce on Workplace Health and Safety  
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Submission on: **Independent Taskforce on Workplace Health and Safety**

From: Federated Farmers of New Zealand

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## **1. INTRODUCTION**

- 1.1 Federated Farmers welcomes the opportunity to submit to the Independent Taskforce on Workplace Health and Safety on the Safer Workplaces Consultation Document.
- 1.2 The Federation takes workplace health and safety extremely seriously and is supportive of this review.
- 1.3 This submission addresses the questions asked by the taskforce in the Safer Workplaces Consultation document and has been divided up to match the fourteen discussion topics.
- 1.4 Federated Farmers will focus primarily on the role the Ministry of Business, Innovation and Employment (MBIE) plays in New Zealand's health and safety system. However, we acknowledge there are other agencies which have legislative mandates, responsibilities, objectives and levers which enable them to influence workplace health and safety decisions and behaviours. These agencies include the Ministry of Environment, the Accident Compensation Corporation (ACC), the Environmental Protection Authority (EPA), the Civil Aviation Authority (CAA), the Ministry of Health, and local government.
- 1.5 The Federation would like to remain involved in any further discussions around the development of policy and legislative changes for workplace health and safety.

## **2. SUMMARY OF RECOMMENDATIONS**

- 2.1 Federated Farmers requests the following recommendations be included in the Independent Taskforce's report to the Government:
  - a. The Health and Safety in Employment Act 1992 definition of the primary duty holder definition, 'employer', be amended to state 'a person conducting a business or undertaking'. This would incorporate small enterprises where a person is self employed.
  - b. There must be an informed and rational debate on whether there should be an added presumption of 'safety ahead of cost' so that an appropriate balance may be struck between risk of harm and the cost of preventing that harm.
  - c. The regulators follow the Compliance Service Delivery Model when enforcing health and safety on farms. This is the approach the Ministry of Primary Industries (MPI) takes to animal welfare.
  - d. The regulator increases its capacity to ensure its inspectors take a more industry specific approach when inspecting farms. For agriculture this would involve broadening its focus beyond agricultural vehicles and acknowledging the other contributing factors in work related accidents and fatalities on farms, such as mental health and stress.

- e. A simple step by step industry specific checklist is developed in consultation with the agricultural sector explaining what a farm owner must do to meet their workplace health and safety requirements under the relevant regulations and legislation.
- f. That health and safety training is included in the Tertiary Qualifications review as a component of all training qualifications.
- g. An educational campaign is developed to address the 'she'll be right' attitude using existing agencies and 'local champions' to promote on-farm health and safety and mental wellbeing. This would be an extension of what is already happening.
- h. On farm workplace health and safety is incorporated into existing agricultural tertiary qualifications and the existing accredited on farm health and safety courses coverage and frequency is increased to also address the 'she'll be right' attitude.

### **3. WHO GETS HURT, KILLED OR SUFFERS FROM ILL-HEALTH OR DISEASE AS A RESULT OF WORK?**

- 3.1 Federated Farmers welcomes the Government's decision to appoint an independent taskforce to review the current health and safety system.
- 3.2 MBIE's latest statistics show from 2008 to 2010 there was an average of 4.1 work-related fatalities for every 100,000 workers. This compares unfavourably with other developed countries and we agree that action is needed to improve this record.
- 3.3 That said, the nature of New Zealand's economy and the dominance of the primary sector means caution is needed when making international comparisons. New Zealand's relatively high levels of employment in higher risk sectors such as agriculture, forestry, fishing and mining compared to Europe and the United Kingdom in particular (where these sectors are much smaller) means caution must be exercised in making such comparisons. It would be interesting to know how New Zealand compares to other countries in terms of agriculture for workplace health and safety.
- 3.4 At present agriculture has the highest number of work related fatalities out of the sectors identified as 'high risk' by MBIE; Manufacturing, Agriculture, Forestry and Construction. MBIE's statistics show last year there were 15 work related deaths in agriculture. This compares to three workplace fatalities in Manufacturing, four in Construction and three in Forestry.<sup>1</sup>
- 3.5 Federated Farmers agrees that the agricultural sector needs to become more involved in discussions around workplace health and safety. If agriculture works with the Government, MBIE, ACC and the other three high risk sectors we may be able to

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<sup>1</sup> *New Zealand's Health and Safety performance-Industry Comparison*, Ministry of Business, Innovation & Employment, 2012.



come up with a solution to the unique challenges agriculture (and other sectors) faces.

3.6 These challenges include:

- Working in isolated areas, often alone;
- Workplaces that are large geographic areas, with challenging topography;
- Having to work in all weather conditions;
- The farm being both a workplace and a home;
- A lack of understanding that day-to-day features of farming, such as use of electric fences, quad bikes and management of stock, constitute 'hazards'; and
- A significantly higher than average proportion of self-employed in the agricultural sector and an ageing farmer demographic.

3.7 In addition to these challenges, and perhaps as a direct result of these challenges, some farmers find it hard to understand what taking "all practicable steps" actually entails when implementing a health and safety plan on their farm.

3.8 Federated Farmers believes that when considering changes to the workplace health and safety framework and how it is implemented and enforced, MBIE and other policy makers and decision makers need to carefully consider these challenges. Heavy handed regulation is unlikely to be effective in promoting safer workplaces. Instead we need regulation that is clear and fit for purpose and better communication and engagement with those being regulated.

#### **4. REGULATORY FRAMEWORK**

4.1 At present New Zealand's workplace health and safety system follows the performance based 1974 Robens model, which is a balance between state and self-regulation.<sup>2</sup>

4.2 For most industries and occupations the current framework is likely to be suitable and fit for purpose and major change is unlikely to be needed. The challenge is to find ways to improve the framework for high-risk industries and occupations in ways that would actually lead to better safety outcomes. Federated Farmers believes imposing heavy-handed regulation and taking more of a prosecution focus may not result in better safety outcomes, especially where the risk factors would not be easily addressed by regulation and prosecution.

4.3 With regard to agriculture, Federated Farmers supports self regulation and performance based rating. Imposing more prescriptive 'must do' requirements (e.g., formal risk assessment and management systems) would not be useful especially if

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<sup>2</sup> pp18, *Safer Workplaces Consultation Document*, Independent Taskforce on Workplace Health and Safety



they are impractical and unenforceable for small firms in the agricultural sector. That said we believe the current regulatory framework could be improved.

- 4.4 For example, the Health and Safety and Employment Act 199 (HSE Act) currently places all onus on the 'employer' as the primary duty holder. This person is legally responsible for the health and safety of their workplace.
- 4.5 A large portion of Federated Farmers members are self-employed, thus do not match the definition of an employer. As a result, many self-employed farmers do not think the HSE Act applies to them. However, self-employed farmers are expected by the regulator, MBIE's Labour group, to meet the HSE Act's requirements to operate a safe workplace.
- 4.6 The Federation **recommends** the definition of the primary duty holder in the HSE Act is amended to say '*a person conducting a business or undertaking*'. This would clarify the definition to make it clear that small enterprises run by the self-employed are covered by the Act. This would match what has happened in Australia, as pointed out on page 25 of the consultation document.
- 4.7 With regard to the existing standard of 'all practicable steps', Federated Farmers **recommends** that there must be an informed and rational debate on whether there should be an added presumption of 'safety ahead of cost' so that an appropriate balance may be struck between risk of harm and the cost of preventing that harm. The consequences of 'safety ahead of cost' need to be clearly understood.

## 5. REGULATORY ROLE AND RESPONSIBILITIES

- 5.1 Federated Farmers believes that improvements can be made to regulatory roles and responsibilities. The approach to quad bike safety is a useful example of why change is needed.
- 5.2 In November 2010 the Department of Labour (now MBIE's labour group) began focusing primarily on quad bike safety in an attempt to improve on farm safety.
- 5.3 It launched the Quad Bike Harm Reduction Project and the quad bike guidelines. Under these guidelines farmers, their employees and contractors must wear helmets while operating a quad bike on farm.
- 5.4 To ensure farm owners are implementing the guidelines on their farms, MBIE's labour inspectors have been conducting random on farm visits, issuing non-compliant farm owners with infringement notices or fines.
- 5.5 Focusing primarily on quad bikes has not had the desired effect. While quad bikes are a contributing factor to agricultural work related injuries and fatalities, Federated Farmers feels there are better ways to engage with farmers about their health and safety requirements under the HSE Act.
- 5.6 While most farmers take health and safety very seriously, they do not always view all the on-farm hazards, such as quad bikes, livestock and electric fences, as

'dangerous'. A large portion of farmers live on the farm and as a result it can be hard for them to see the farm as a place of work.

- 5.7 Thus, the Federation recommends MBIE changes the way it enforces and approaches workplace health and safety on farms. The current enforcement-heavy approach is not working, it is alienating farmers instead of encouraging them to meet the HSE Act requirements and improve on farm safety.
- 5.8 Federated Farmers proposes MBIE implements the Compliance Service Delivery Model, used by the Ministry of Primary Industries (MPI) to address animal welfare, to do this.
- 5.9 MPI has seen an improvement in animal welfare on farms since implementing this model. Most farmers have been much more willing to address the problem because the ministry is taking an encouraging educative approach, as opposed to a heavy handed enforcement approach.
- 5.10 The Compliance Service Delivery Model is divided into four steps: Voluntary, Assisted, Directed and Enforced. These stages would be the process used to implement an agriculturally focused health and safety system on New Zealand's farms. Federated Farmers suggests these stages be implemented over a given time period. This is also similar to the approach being taken with the National Animal Identification and Traceability (NAIT) scheme.
- 5.11 The first step (Voluntary) would involve getting farmers to voluntarily comply and become informed about implementing a farm health and safety plan on their farms. Although Federated Farmers and Farmsafe, along with a number of other organisations, are already providing farmers with health and safety manuals, this process could be expanded to include MBIE and the other major agricultural industry bodies and agencies.
- 5.12 By working together we could educate farmers about what they need to do to meet the HSE Act's requirements. This could involve distributing brochures, holding public meetings using existing mechanisms and networks and getting individuals from local communities to educate their areas' farm owners on their responsibilities.
- 5.13 The next step (Assisted) would involve assisting farmers implement health and safety plans on their farms. This would mean a series of on farm visits would be required. This could either be done by MBIE's labour inspectors or through the mechanisms already in place, such as Farmsafe.
- 5.14 By the third step (Directed), the majority of farm owners should have implemented an up-to-date health and safety plan on their farm. Ensuring their family, staff and contractors understand the plan's requirements. MBIE and the other existing mechanisms mentioned above would then need to carry out a series of on-farm checks to ensure these plans meet the minimum HSE requirements and are being enforced correctly. These checks would not involve any enforcement measures, the farms which do not meet the minimum standard, would be given a certain period to comply without being penalised.



- 5.15 Under the final step (Enforced) the farms which continue not to comply with the HSE Act requirements would be penalised.
- 5.16 Federated Farmers **recommends** MBIE's Labour group work with the agricultural industry to ensure farm owners know what is needed to operate a safe working environment for their staff, family and contractors by implementing MPI's 'Compliance Service Delivery Model'.
- 5.17 This would also involve ensuring the labour inspectors understand the hazards and challenges on farms. Ideally inspectors would contact the farmer in advance of their visits to understand likely hazards. Federated Farmers acknowledges inspectors might need to turn up to inspect a farms safety practices without making an appointment, but we still believe it is crucial they are aware of the hazards, such as livestock, before turning up unannounced.
- 5.18 The Royal Commission on the Pike River Tragedy has made a recommendation which appears to be in line MPI's 'Compliance Service Delivery Model'. It makes the following recommendation for a modern compliance strategy to be implemented:

*"A modern compliance strategy, like that operated by a number of other government agencies, identifies the extent to which employers do not comply with their health and safety obligations, the characteristics of those employers, the drivers of non-compliance and the remedial action required.*

*Implementation of the strategy includes selecting the right mix of interventions: changes to regulations, education and information, publicity, approved codes of practice, general or specific guidance and enforcement. Information systems and communications technology are designed to support the strategy.*

*Enforcement under a modern compliance strategy requires a risk-based selection of employers for audit and inspection, intelligence gathering, audit and inspection methodologies, work measurement and a graduated use of enforcement tools. Results should be continually fed back to the strategic level and into policy development. The work of the mining inspectors would then take place within a coherent framework.*

*The aim should be to develop an initial health and safety compliance strategy that can then be progressively improved."*<sup>3</sup>

- 5.19 The Royal Commission also recommends that DOL, now MBIE's Labour group, changes the way it uses the Health and Safety in Employment Act to enforce health and safety, and undergoes some major structural changes.

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<sup>3</sup> Royal Commission on the Pike River Mine Tragedy Report- Volume 1, Proposals for Reform, A modern compliance strategy, <http://pikeriver.royalcommission.govt.nz/Volume-One---Proposals-for-Reform>



*“The Health and Safety in Employment Act 1992 (HSE Act) placed primary responsibility for health and safety on the employer. This was appropriate, but was unfortunately seen by DOL as somehow reducing its responsibility to actively administer the legislation. DOL’s approach did not accord with the scheme and purpose of the legislation. The act requires the regulator to provide information, education and guidance to employers and to take all reasonable steps to ensure that the act is being complied with.*

*The regulator requires a major change in thinking that is reflected in its strategy and structures.”<sup>4</sup>*

- 5.20 Federated Farmers recommends the taskforce considers both these recommendations stated above when considering how the current workplace health and safety regulatory system should be changed.
- 5.21 Federated Farmers is neutral on whether there should be single-focus agency for workplace health and safety. With regard to single versus multiple regulators there are likely to be good reasons why New Zealand (and other countries) have issue-specific regulators that cover both workplace and non-workplace safety.
- 5.22 Federated Farmers also believes that ACC needs to retain its focus on being a provider of workplace accident insurance, rehabilitation, and compensation. It should not be a regulator and nor should it be swallowed up by a regulator. Doing so would compromise the long-standing ‘no-fault’ basis of ACC.

## **6. NEW ZEALAND’S CHANGING WORKFORCE AND WORK ARRANGMENTS**

- 6.1 Workforce demographics and the changing nature of work is having and will have a major influence on health and safety. In some respects these trends will help improve injury and death rates – for example, the reducing proportion of employment in higher-risk areas like agriculture, forestry, fishing, and manufacturing, and the increasing proportion in lower risk sectors like services. Similarly, the increased use of technology and machinery means the need for heavy, physical labour is reducing. However, these same trends can also have the opposite effect – for example, new risks around sedentary work and stress and greater use of machinery.
- 6.2 With regard to agriculture, the agricultural workforce has changed markedly over the last decade. Up until recently, the vast majority of New Zealand’s farms were family businesses and the day-to-day running of the farm was passed from one generation to the next.
- 6.3 While most farms are still family businesses, increasing numbers of young people are opting to go to university and do office-based jobs in the cities (or overseas) instead of staying and working on the family farm.

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<sup>4</sup> Royal Commission on the Pike River Mine Tragedy Report- Volume 1, proposals for reform, Clearer role, <http://pikeriver.royalcommission.govt.nz/Volume-One---Proposals-for-Reform>

- 6.4 Consequently the average age of the agricultural workforce has increased, because with no family member to take over older farmers are being forced to keep working for longer.
- 6.5 Similarly, and for much the same reasons that children of farmers are becoming less likely to take over the family farm, many farm employers, especially in the dairy sector, are finding it increasingly difficult to find suitably experienced, qualified, and motivated New Zealanders to fill positions. Skilled agricultural positions, such as Farm Manager (dairy and meat and fibre) and Assistant Herd Manager (dairy) are being filled increasingly by migrants coming into the country on temporary work visas under the Immediate Skill Shortage List (ISSL).
- 6.6 The seasonality of farming also leads to a shortage of workers at certain parts of the year. Meat and fibre farmers are particularly reliant on temporary migrant shearers to meet their needs.
- 6.7 Economic conditions, such as commodity prices and the impact of the exchange rate, are also affecting the agricultural sector. Although employment on dairy farms has increased in recent years, many sheep and beef farmers, who have had relatively lower farmgate revenues, are opting not to employ staff and instead do day-to-day work themselves with the assistance of contractors for specific tasks.
- 6.8 Work stress and more sedentary work are also relevant to farming. Although farming is still more active than most occupations, it is becoming less so with greater use of technology, vehicles and machinery. Stress is also a major concern and is one of the priority areas in the Agricultural Action Plan.

## 7. WORKER PARTICIPATION AND ENGAGEMENT

- 7.1 On some farms, communication between a farm owner and their staff can be challenging. The farm's health and safety plans requirements are not always communicated clearly. Federated Farmers is aware of many cases of employers experiencing difficulty in getting their staff members to wear helmets when using quad bikes and follow the farm's health and safety protocol. However, other than taking disciplinary action against their employee, which is often not a viable option as it can be very hard to find a replacement and the farm business relies on their labour, they have very little power to enforce the rule.
- 7.2 Enforcing a health and safety plan can also be challenging for farm owners due to the size of the farm they are working on. In most cases the farm employer simply can not watch their staff at all times. It can also be difficult for a farm owner to keep track of all the people who are on the farm at one time. This is made even more difficult when farms comprise multiple, non-contiguous blocks and when there is a growing trend of farming enterprises taking in multiple farms often separated by considerable distances.
- 7.3 Federated Farmers **recommend** the independent taskforce takes these factors into consideration before making any changes to the way on-farm health and safety is enforced under the HSE Act. The agricultural sector has some very unique



challenges and varies vastly from the manufacturing and construction sector where it is much easier to monitor whether staff are complying with the workplace's health and safety plan.

- 7.4 In addition to this, many of the trends in workforce composition and work arrangements are in response to economic forces and the need for businesses to be productive and competitive. The Federation believes it is important that any changes to the framework need to recognise these developments and not attempt to unduly constrain them.
- 7.5 If, for example, there is a push to reduce temporary and/or casual work in the name of 'health and safety' this could make the labour market less flexible and productive and ultimately cost jobs and reduce living standards. It could also marginalise some workers and make it harder for them to get gainful employment. For many people, temporary and casual work suits their personal circumstances.
- 7.6 Similar comments can be made to the concerns expressed in the discussion document about longer and irregular working hours, performance targets and contracting arrangements, internationalisation of production, and other pressures to reduce costs. Of course we do not want working arrangements that are dangerous but nor should we seek to put jobs at risk by trying to constrain arrangements that are important for competitiveness and productivity.

## **8. LEADERSHIP AND GOVERNANCE**

- 8.1 The separation between the owner/farm manager and their staff is usually small, with most farmers working alongside their workers and doing the same or similar tasks. As a result the farm owner has the opportunity to have a very influential health and safety role.
- 8.2 While most farmer owners and managers take health and safety seriously, it is not always the main priority. They often juggle multiple demands at once. These include complying with local council rules and regulations, managing the business, looking after their family and meeting with farm advisors, bank managers, etc.
- 8.3 Most farms have a health and safety plan in place, but when there are so many things going on at once taking a leadership role can be hard for farm owners.
- 8.4 In saying this Federated Farmers agrees with the taskforce's statement on page 38. *"It appears that a significant opportunity exists to improve workplace health and safety outcomes by increasing the involvement, focus, competency and accountability for directors and senior leaders on matters related to health and safety."*
- 8.5 This is why the Federation believes it is so important for the main regulator, MBIE, to engage with farmer owners in a positive and educational manner on workplace health and safety.



## 9. CAPACITY AND CAPABILITY OF THE WORKPLACE HEALTH AND SAFETY SYSTEM

- 9.1 Federated Farmers believes more and more user-friendly information and advice would be a good start, especially targeted to small businesses. Industry associations have an important role to play and Federated Farmers has developed a health and safety policy for its members, most of whom are owners of farms.
- 9.2 We **recommend** the current health and [safety checklist](#) available on MBIE's website is improved and a series of industry specific checklists are developed, in consultation with each sector, to encompass the unique challenges different sectors experience.
- 9.3 Making directors a 'duty holder' under the Act may improve workplace health and safety, but the Federation is cautious about making this duty too onerous or detail-focused given that 'good practice' holds that governance should be kept distant from operational matters, which are the responsibility of management. Federated Farmers would not want to discourage good quality people from becoming directors because of fear of being prosecuted over something they did not have control.

## 10. INCENTIVES

- 10.1 Federated Farmers believes the use of financial incentives, such as ACC levy premium discounting/loading, should be useful for encouraging safer workplaces – and they are commonly used overseas. We are not aware of any evidence of under-reporting of injuries to get these financial incentives.
- 10.2 Subsidies and grants for training and business improvements may also be effective incentives.
- 10.3 Enforcement mechanisms and penalties should be effective deterrents (i.e., maximum fine of \$500,000 and two years imprisonment), but we accept the risk of being found non-compliant is low and the financial penalties meted out in practice are relatively small.
- 10.4 Federated Farmers does not see a need to increase the maximum penalties for non-compliance as they appear to be not significantly out of line compared to those in place overseas. The problem, if there is one, is more about judicial interpretation and willingness to impose higher penalties.
- 10.5 More enforcement activity may have an effect of increasing the risk of a firm being found non-compliant, but if this is to happen then Federated Farmers believes there needs to be a clear and well-understood process in place. To this end we **recommend** the 'Compliance Service Delivery Model' is used.
- 10.6 The Federation believes ACC's systems of experience rating and no claims discounts/claims loadings need to be given a chance to have an impact. It has only been in place since mid-2011 and businesses will only now be starting to see the impact on their ACC invoices.

## **11. INFLUENCING HEALTH AND SAFETY OUTCOMES BEYOND ONE'S OWN WORKPLACE**

- 11.1 As stated in the discussion people are influencing health and safety outcomes beyond their own workplace to some extent (probably mainly in government and large corporates). However, Federated Farmers suspect it is not a major consideration for most small businesses, including farmers.
- 11.2 We do not think a lot more should be done. Making these pressures stronger is likely to impact disproportionately on small businesses that simply do not have the resources or capability to put in place formal systems. We fear that many large businesses would welcome this as a good way to eliminate potential competitors, to the detriment of the consumer.

## **12. MAJOR HAZARDS**

- 12.1 Federated Farmers believes 'major hazards' is an area where New Zealand's historic approach has perhaps been relatively weak (with the possible exception of some specific areas like aviation safety). This was exposed by the Pike River tragedy. It appears some of these lessons have been learnt (albeit belatedly), for example the review of petroleum regulations and the establishment of the MBIE's 'high hazards unit'.
- 12.2 While the Federation agrees that changes needed to be made post-Pike River, we would be cautious about extending major hazard regulation too far beyond the already included sectors such as underground mining and petroleum extraction. Although agriculture has a relatively high rate of workplace injury and fatalities, the Federation does not believe it should not be classed as 'high hazard'.

## **13. HEALTH AND HAZARDOUS SUBSTANCES**

- 13.1 This is an issue for farmers who are often working with insidious hazards such as livestock (which can spread leptospirosis), agricultural chemicals, the weather, and agricultural machinery.
- 13.2 Federated Farmers agrees with the challenges referred to in the discussion document, in particular that diseases, etc. are often not visible or clearly attributable or even if caused in the workplace, and that new risks are constantly emerging.
- 13.3 This is a vexed issue and Federated Farmers believes the most effective way to deal with this would be to promote greater awareness of the factors that cause some of these conditions.

## **14. SMALL TO MEDIUM-SIZED ENTERPRISES (SMES)**

- 14.1 This is a huge issue and highly relevant to farm businesses, most of which are small. Federated Farmers agree with the characteristics of small businesses mentioned in the discussion paper and that these result in such businesses approaching health and safety differently.

- 14.2 The Federation believes where regulation is justified there must be clarity in defining obligations, together with consistency, certainty, and transparency in their monitoring and enforcement.
- 14.3 There is a lack of clarity in definition, monitoring and enforcement obligations as it applies to SMEs.
- 14.4 There has been a proliferation of consultant-delivered and paper-based systems providing 'tick-box' compliance, with little obvious relevance to the day-to-day activities or the health and safety performance of the SMEs that use them.
- 14.5 The point about consultants is very applicable to farmers, many of whom have complained to us about pushy consultants trying to sell them expensive products of dubious value. This was one of the reasons why Federated Farmers developed its Occupational Health and Safety manual.
- 14.6 The document recognises the high proportion of employment in SMEs for the agricultural, forestry and fishing sectors.
- 14.7 The Federation agrees with the challenges for SMEs, especially how the close involvement of owners and managers in the day-to-day running of the business can help foster close involvement of workers but that formal opportunities for involvement are limited. This is certainly true for farming as SMEs are simply less likely to have formal systems in place generally.
- 14.8 Any changes must recognise the fact that most SMEs simply do not have the resources or capacity to put in place formal systems, nor is a unionised workforce the answer.
- 14.9 Information and education and the use of incentives (both financial and non-financial) are more likely to improve outcomes. Enforcement and prosecution does have a role but it needs to be applied in a consistent manner and according to agreed processes and criteria, as per the 'Compliance Service Delivery Model'

## **15. MEASUREMENT AND DATA**

- 15.1 Federated Farmers believes New Zealand's workplace injury and occupational disease data collection mechanism is not conducive to robust monitoring, investigative and comparative analysis. This is based on the information provided in the consultation document.

Good information is crucial to policy and decision-making so it would be good to address the shortcomings discussed in the consultation paper.

## **16. OUR NATIONAL CULTURE AND SOCIETAL EXPECTATIONS**

- 16.1 The consultation document notes, correctly, that New Zealand's high injury and fatality rates are not just in the workplace but are also evident in the home and on the roads.



- 16.2 Federated Farmers does not believe New Zealand's cultural diversity or ethnic make-up is a major driver behind our health and safety record – after all, our Asian population appears to have the best safety record.
- 16.3 However, we do believe that our national culture, especially the 'she'll be right' or 'near enough' mind set, is a factor. Kiwi ingenuity, the 'number eight wire' mentality, a skepticism of 'experts' and bureaucracy, and a general reluctance to 'stand out from the crowd' or to 'make a scene', are also important. These attributes are in many respects very good, but they are perhaps not so good when it comes to health and safety.
- 16.4 Federated Farmers agrees with the taskforce that it is not impossible to change ingrained cultural behavior. This is evident in the change in attitude to drink driving and smoking in New Zealand. These changes take time though.
- 16.5 The Federation recommends that MBIE and ACC work together with the different sectors and develop a number of education campaigns, to break the 'she'll be right' culture around health and safety.
- 16.6 While there are already a number of campaigns targeting agricultural health and safety in place, more resources are needed to ensure the sector works together to improve on farm health and safety.
- 16.7 Federated Farmers, Farmsafe and ACC have been running a Human Factors campaign, where real stories are told about health and safety on different farms. Dairy Women's Network is also doing a lot of work around farmer wellbeing, using farmer wives as the mechanism to make farmers make health and safety changes.
- 16.8 The Federation also recommends that workplace health and safety training is incorporated into existing agricultural qualifications to help break the current culture around on-farm safety. This would mean MBIE would need to engage with the different training providers such as Farmsafe, Primary Industry Training Organisation (ITO) and New Zealand's various universities and get them to take a ground up approach to on workplace health and safety.
- 16.9 In addition to this Federated Farmers also recommends that existing accredited agricultural workplace health and safety courses are subsidised by the Government and promoted so that more farmers will complete them.
- 16.10 While the Federation acknowledges that cultural changes take time to become widely accepted, we believe by getting the sector to work together with the Government we can address the 'she'll be right' and 'number eight wire' attitude to farm health and safety. The campaigns already in place are making a difference; they just need to be implemented on a bigger scale.

## **17. ABOUT FEDERATED FARMERS**

- 17.1 Federated Farmers is a member based organisation that represents farmers and other rural businesses. Federated Farmers has a long and proud history of representing the needs and interests of New Zealand's farmers.
- 17.2 The Federation aims to add value to its members' business. Our key strategic outcomes include the need for New Zealand to provide an economic and social environment within which:
- Our members may operate their business in a fair and flexible commercial environment;
  - Our members' families and their staff have access to services essential to the needs of the rural community; and
  - Our members adopt responsible management and environmental practices.