

Submission to Health & Safety Taskforce

From: Peter Bateman, editor of Safeguard magazine.

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This submission is made in the spirit of raising ideas that might not necessarily be covered by other submissions.

Quotes from Albert Einstein

Logic will get you from A to Z; imagination will get you everywhere.

The world as we have created it is a process of our thinking. It cannot be changed without changing our thinking.

Two things are infinite: the universe and human stupidity; and I'm not sure about the universe.

Re-read the Woodhouse Report of 1967

There is no holy grail in health and safety, but this is the nearest thing we have to a sacred text. It is available on the University of Auckland's website.

Aim to change the national risk culture

New Zealand culture does not currently value risk assessment.

The aim must be audacious: to gradually change our culture so that we naturally assess risks to our health in every sphere of activity, and take corrective actions to preserve it.

Focus on health before safety

A focus on health gives a basis for an ongoing social marketing campaign on our risk culture. Safety is commonly perceived as a negative (boring, compliance-oriented).

Promoting health turns the message into a positive.

A positive message is essential for success in social marketing.

Everyone is interested in their own health: the message will resonate with people.

Health obviously includes safety. That is, safety is a subset of health.

Develop a Workplace Health Check (which includes safety).

Use the public sector to coordinate

The resources of the public and private sectors must be directed to the same goal.

Only the government can set agreed national goals and coordinate efforts to reach them.

Only the government can set up a framework to measure progress.

Get the private sector – including consultants – on board and aligned with national goals.

Establish a stand-alone OHS enforcement regulator

As suggested by the Pike River commission and many Safeguard readers.

The consequences of failure are too severe to allow the regulator's focus to be diluted.

However, it is unclear to what extent the regulator should be charged with developing the extensive new education materials that are clearly required (Codes of Practice etc).

The regulator's focus should be on enforcement of legislation.
Development of education material goes well beyond compliance issues and requires extensive industry liaison and significant resourcing.
Hence ...

Re-assert Woodhouse: ACC's primary role is injury prevention

Investigate how ACC's injury prevention resources can be best used to fully implement the Robens model, which requires not only extensive regulations (the role of the regulator) but also Codes of Practice and guidelines.

Investigate how other jurisdictions combine the OHS regulator with the workers' compensation role: could this work in New Zealand, given our unique workers' compensation system?

For 40 years ACC and the Department of Labour have failed to achieve synergies in their injury prevention efforts. Whatever the structural outcome, this must be fixed.

Make engagement in OHS risk a no-brainer for company directors

An engaged leadership is a prerequisite for good OHS performance.

Set up a framework which makes being engaged with OHS risk a no-brainer for people in governance roles.

Agree a Code of Practice for health and safety governance for organisations.

Back this up with a new (ACC) audit focused on simple questions designed to elicit evidence of an engaged governance group.

The model being developed by CPNZ could be useful to look at.

Fail the audit? Impose a penalty levy; re-audit each year until pass; increase penalty each time; if fail twice then alert the regulator.

Pass the audit? No further audit for three years. No penalty on your levy.

The audit to be the same for all organisations above a certain size.

The "certain size" to be set low.

The difference is that the degree of evidence required should be greater for organisations operating in high-risk sectors or routinely doing high-risk tasks.

Employee participation

Research what kinds of employee participation actually make a difference to OHS outcomes.

Use this research evidence – presuming it is found – to create a Code of Practice for employee participation in OHS.

Link it to the Code of Practice for OHS governance mentioned earlier.