

Safety and Health is Good Business

A GUIDE TO

Managing Health and Safety

TO MEET THE REQUIREMENTS OF THE HEALTH AND SAFETY IN EMPLOYMENT ACT 1992

Important Note:

All the publications in the Publications Archive contain the best guidance available at the time of publishing. However, you should consider the effect of any changes to the law since then. You should also check that the Standards referred to are still current.

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Note:

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There is a wide range of organisations providing services and resources in health and safety management. Should you require assistance, your local OSH office may be able to refer you to local practitioners. A directory of organisations providing health and safety management services is available from Colour Workshop Ltd, P.O. Box 34 355, Auckland

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INTRODUCTION

The Health and Safety in Employment Act 1992 reformed the legislation relating to the prevention of harm to employees while at work. It also strengthened the provisions for ensuring that actions at work do not result in harm to other people, including members of the public.

The Act promotes excellence in the management of health and safety and clearly defines the duties of employers, principals of a contract, the self-employed, and employees. Another significant development is that it clearly sets out a procedure that must be followed in all places of work to identify, assess and control hazards.

This booklet provides guidance for those who have duties under the Health and Safety in Employment Act 1992. It promotes excellence in the management of health and safety and gives advice on practical applications. In some cases what is recommended goes beyond the basic requirements of the Act.

The approach of this booklet is based on the premise that it is essential that any health and safety programme is integrated into the day-to-day operation of the business, and not considered as an add-on or something extra. The practices involved in managing health and safety at work are the same as those used in other critical areas of a business.

The benefits to any company of an effective health and safety programme are many, not the least of which is profitability. More specifically, the new accident rehabilitation and compensation insurance legislation has created an experience rating system which provides for possible rebates on levies for employers with lower levels of claims.

The Occupational Safety and Health Service expects that the advice in this publication will assist you in making better choices regarding health and safety management, and help to make the management of health and safety issues an integral part of your business.

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EXCELLENCE IN HEALTH AND SAFETY

The underlying intent of the Health and Safety in Employment Act 1992 is to encourage employers to strive for the excellent management of health and safety in places of work.

Ideally this involves the setting of goals for health and safety and establishing formal operating plans and procedures. Responsibilities have to be clearly understood, and actual performance measured against objectives.

Emphasis should be placed on strengthening and improving the health and safety programme on a continuing basis. There also needs to be recognition for positive performance.

ACTIVE MANAGEMENT COMMITMENT

Management commitment is indispensable to an effective health and safety programme. Commitment is reflected in management's knowledge of the company's or organisation's particular health and safety needs, their conviction that high standards are attainable and the allocation of adequate resources to achieve these standards.

The following actions will demonstrate your commitment to creating and maintaining a safe and healthy workplace:

- ♦ Set organisational or company goals and objectives for health and safety;
- ♦ Assign health and safety responsibilities to managers, supervisors and employees and hold them accountable for these;
- ♦ Set health and safety performance standards for managers, ensuring legislative responsibilities are included, and measure performance;
- ♦ Provide training for people at all levels so they can effectively meet their responsibilities. This training should include:
 - The identification, control and management of hazards;
 - Information to employees on hazards they are exposed to, including material safety data sheets;
 - Use of control measures, including personal protective equipment;
 - Accident reporting, recording and investigation;
 - Emergency procedures;
 - New employee induction; and
 - Specific training required by regulations.

EMPLOYEE COMMITMENT AND INVOLVEMENT

The knowledge and experience of employees is a valuable resource, but, unfortunately, it is one that is often not fully used.

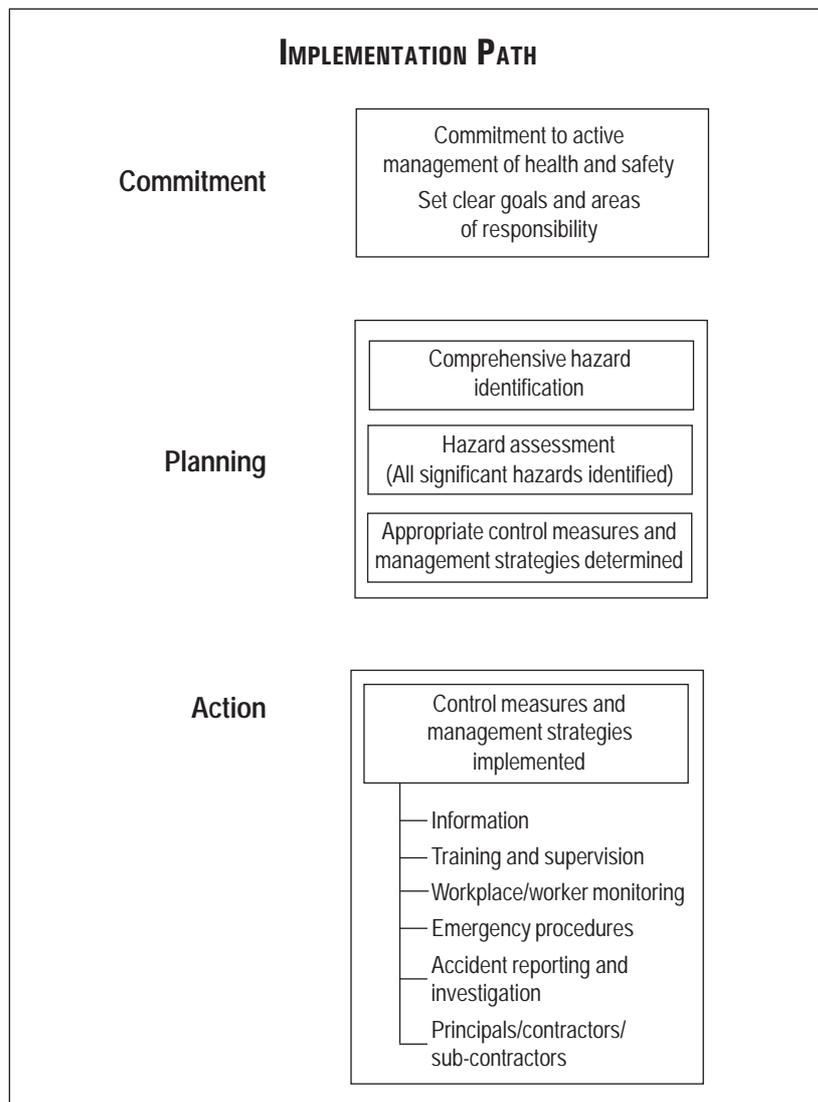
Employees have knowledge of both the work processes and the hazards in their place of work, because they are exposed to them daily. They therefore need to be actively involved in the health and safety programme and be able to contribute to ongoing improvements.

To achieve this they need to be trained and encouraged to identify and report health and safety problems, no matter how small or repetitive.

Active employee participation will include the identification of situations where injury or illness could result, and the analysis of these to arrive at effective control measures.

Managers can encourage employee commitment and involvement through:

- ♦ Involving the people that are affected in the development of procedures for the identification and control of hazards, emergency procedures, and procedures for the investigation of accidents.
- ♦ Including the discussion of health and safety issues in regular team meetings.
- ♦ Including employees on project teams and health and safety committees.
- ♦ Implementing systems for the reporting of hazards and making suggestions for improvements.
- ♦ Ensuring there is positive recognition and reinforcement, e.g. through personnel appraisals, commendations and/or incentives.



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IDENTIFICATION OF HAZARDS

Develop and implement a method to achieve:

- (a) the systematic identification of existing hazards to employees at work; and
- (b) the identification of new hazards.

WHY IDENTIFY HAZARDS?

There are many reasons why managers should ensure that the hazards and risks within their business are clearly identified and then controlled. But, in terms of the law, employers have a duty under section 7 of the Health and Safety in Employment Act to ensure there are effective methods in place to:

- (a) systematically identify existing hazards to employees at work; and
- (b) systematically identify (if possible before, and otherwise, as they arise) new hazards to employees at work.

The comprehensive identification of hazards is a basic building block in the prevention of loss, whether it occurs in the form of harm to people, damage to equipment or process disruption.

From this initial identification of hazards:

- Significant hazards can be identified;
- Appropriate controls for hazards can be established;
- Objectives can be set to cover training and information needs;
- Management, supervision and employee responsibilities can be clearly defined; and
- Comprehensive work standards and procedures (including emergency procedures) can be developed and implemented.

IMPLEMENTATION CHECKLIST

- Establish co-ordinating responsibility/ies** for this exercise and expected time frames.
- Set objectives** regarding the identification, assessment and control of hazards.
- Form project team(s)** with the task of planning and implementing a method to identify hazards, determining significant hazards and arriving at/or proposing appropriate controls.

Teams should include a broad range of skills and experience, e.g:

- Representation from critical areas;
- Representation of different levels (e.g. managers, supervisors, employees);
- Familiarity with critical processes and activities; and
- Representation by appropriate specialists, e.g. occupational health professional, maintenance engineer, laboratory technician.

Most importantly, the team(s) will ensure that all employees have the opportunity to be fully involved in the development of these procedures.

❑ **Provide training for team members** (and others as appropriate) in hazard identification methods and techniques. OSH can provide a workshop resource, *Identifying and Controlling Hazards*, to assist and may facilitate this training if required.

❑ **Reach agreement on how the hazard identification process is to be worked through**, so that it is both comprehensive and systematic.

Consideration should be given to:

Hazard identification by area — Use up-to-date plans of the worksite and charts showing work flows, and divide the worksite into identifiable areas (e.g. stores, production, workshop, office, yard). When identifying hazards in particular work areas consideration must also be given to the design of the workplace, including ergonomic factors.

Hazard identification by task — Identify the tasks people carry out and the hazards involved at each step. (Refer to the section, Training and supervision.)

Hazard identification by process — Identifying the hazards at each stage of a process, e.g:

- Make an inventory of all substances/chemicals used in the process;
- Detail the work flow, from inwards goods to dispatch;
- Develop a flow chart detailing each step (including byproducts);
- Determine hazards (or possible hazards) associated with each step.

Hazard identification by occupation — Identify the hazards associated with specific occupational groups, e.g. theatre nurses, word processing operators.

When identifying hazards use existing resources such as codes of practice/guidelines, industry information booklets, manufacturers' specifications/information, reports from inspectors or consultants, environmental health reports. Use also records of accidents/illnesses and near misses — not only from within your own company/organisation but also within your industry.

❑ **Institute a quality check in the identification process**, to ensure that hazards have not been overlooked. Suitably qualified third parties (e.g. the Occupational Safety and Health Service, the Fire Service, chemical engineers, or health professionals) can be used to assist. Also, the Occupational Safety and Health Service can act as an information and research resource should uncertainty arise regarding specific substances, materials, situations, etc.

❑ **Establish a procedure to be followed whenever any additions, alterations or changes to plant, equipment or process are planned**, to identify possible new hazards arising from these. The same team and consultative approach as applied to existing hazards can be adopted for this identification, including advice from appropriate specialists.

❑ **Assess all hazards to determine whether or not they present a significant hazard**. If they do, appropriate controls must be agreed upon and implemented. (Refer to the section, Significant hazards, which follows.)

EVALUATION

There needs to be an active involvement by employees in the identification process, and a formal review should be carried out when it is completed. This will establish:

- That the objective of developing and implementing a method for systematically identifying hazards has been met;
- That there is a procedure in place (and it is being followed) for the identification of new hazards resulting from additions, or alterations to plant, equipment or process;
- That employees have been actively involved in the development of procedures; and
- That a quality check has been introduced to ensure all hazards have been identified.

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SIGNIFICANT HAZARDS

OBJECTIVE

Determine which of the hazards previously identified are significant, and for these implement appropriate controls in line with the Health and Safety in Employment Act, i.e. elimination, isolation or minimisation.

WHAT MAKES A HAZARD "SIGNIFICANT", AND HOW ARE SIGNIFICANT HAZARDS CONTROLLED?

Hazards that are assessed as "significant" present such a degree of risk that the Health and Safety in Employment Act requires a formal approach in dealing with them.

A significant hazard means a hazard that is an actual or potential cause or source of:

- *Serious harm* (defined in the first schedule of the Act and reproduced in the section, Reporting, recording and investigating accidents); or
- Harm which increases with each exposure or with the duration of exposure to the hazard (e.g. noise-induced hearing loss); or
- Harm that does not usually occur or usually is not easily detectable until a significant time after exposure to the hazard (e.g. asbestosis).

Hazard control

Where the hazard is significant, the Act requires an employer to:

- ♦ Take all practicable steps to eliminate the hazard;
- ♦ If elimination is not practicable or is incomplete, take all practicable steps to isolate the hazard; and
- ♦ If it is impracticable to eliminate or isolate the hazard completely, minimise the likelihood that the hazard will harm employees. This includes:
 - Ensuring that effective control measures such as exhaust ventilation, or personal protective clothing and equipment are provided, accessible, used and properly maintained; and
 - Monitoring employees' exposure to the hazard.

When making decisions about appropriate controls it is necessary to consider not only the likelihood of danger, but also the current state of knowledge of a particular hazard and how to overcome it. OSH can help here.

Hazards in a workplace are mainly controlled by a combination of "local controls", and management activities to ensure that the controls are being implemented, that they are adequate, and that they remain active.

The mechanism for the control of a hazard may not necessarily be a physical one but may be a work standard or procedure designed to reduce the risk.

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IMPLEMENTATION CHECKLIST

- Establish who is responsible** for assessing the previously identified hazards to determine if they are significant.
- Decide who else will be involved** in the process. This includes both internal staff and also specialist advice from external sources.
- Determine who will make the decisions** regarding controls.
- Provide training** in the identification and control of significant hazards.

Note: OSH has produced a workshop resource called *Identifying and Controlling Hazards*. This could be useful here.

It is necessary for all employees to have the opportunity to be fully involved in the development of procedures for the purpose of identifying hazards, and determining significant hazards and appropriate controls.

- Involve employees** in the development of health and safety procedures.
- Assign responsibilities** to ensure hazard controls are implemented and remain effective.
- Implement an information system** to ensure employees are informed about and understand the risks from hazards they work with.
- Ensure there are regular surveys or audits** of the workplace to check that established hazard controls are being used and are effective, and to identify new hazards.
- Put in place activities to encourage and enable employees** to report hazards and/or make suggestions for improvements.
- Maintain an accident reporting and investigation system.**
- Maintain an adequate training programme and adequate supervision** for all staff.
- Implement and maintain emergency procedures.**

EVALUATION

A formal evaluation must be carried out to:

- ♦ Ensure objectives have been met in relation to determining significant hazards and appropriate controls;
- ♦ Check that controls for specific hazards are in place and working; and
- ♦ Ensure a regular review procedure is in place to identify significant hazards arising from new or changed plant, equipment or processes.

HEALTH AND SAFETY INFORMATION FOR EMPLOYEES

Section 12 of the Health and Safety in Employment Act requires the dissemination of information regarding identified hazards, control procedures, and emergencies likely to occur in an employee's place of work.

The dissemination of health and safety information can be conducted through a wide range of activities. The principal aim is to ensure every employee is aware of the hazards in their place of work and of the methods of controlling specific hazards.

Communication within an organisation of any size is a complex process, embracing everything from formal management meetings at one end of the spectrum to rumour at the other. However, it is likely that some or all of the following occur in most New Zealand businesses:

- Management meetings
- Shift meetings
- Supervisor meetings
- Tool box talks
- Classroom education/training
- Supervisor/employee instruction
- Notice boards
- Safety committee meetings
- Safety talks
- Posters
- Memos
- Pamphlets
- Magazines
- Guest speakers
- Induction programmes
- Signage (e.g. for hard hat areas etc.)
- Rule books.

The person(s) responsible for channelling the flow of health and safety information to employees needs to consider all of the above to select the best channel for the type of information to be conveyed.

For example, in a situation where a noise survey has been carried out and as a result a workshop area has been designated as requiring the mandatory wearing of hearing protectors. This information may be conveyed to employees through:

- Team meetings to inform employees why it is necessary and what is required of them.
- A memorandum from the business manager to all staff, and displayed on the notice board. It would clearly designate the area where hearing protectors supplied by the company must be worn.

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- Signs above the entrances to the designated area informing all who enter that they must wear protective gear.
- If a rule book exists, reinforcement of the rule that all supplied protective equipment must be worn when required.
- Displaying results from noise surveys on the notice board.
- Making supervisors responsible for ensuring that hearing protection is worn.

The following methods could also be employed, depending on the size of the company, availability of resources, etc.

- Displaying hearing posters.
- Visits from an occupational health nurse to provide education on hearing protection.
- Hearing assessment of employees.
- Planned health and safety information programme for the year, highlighting one month as hearing protection month.
- Including in the induction programme information on areas where protection is to be worn, and why.

If, however, the information is of a more technical nature, a more formal programme may be needed. For example, if information on the handling of specific chemicals is required it may call for the preparation and formal delivery of an appropriate educational package.

OBJECTIVES

To have health and safety information about all significant hazards present in an organisation known to, and understood by, all staff likely to be exposed to those hazards.

To ensure that all staff know and understand what to do in the event of any emergency likely to occur in their place of work.

IMPLEMENTATION CHECKLIST

Decide who is going to co-ordinate the information programme.

In larger organisations it may be the responsibility of managers or the safety coordinator, whereas in a small workplace the most suitable person could be the workshop supervisor. Clear objectives should be set for the role, with a means of measurement put in place, and sufficient resources allocated.

Compile a list of what health and safety information needs to be communicated.

This information will be assembled from the list of significant hazards each employer is required to identify, plus accident investigations and plant inspections, industry publications, health and safety journals (such as *Safeguard*), and Occupational Safety and Health Service publications.

The co-ordinator should identify:

- What must be communicated;
- How it will be communicated;

- When it will be communicated; and
- Who will be responsible.

As an example, at a timber treatment plant, the removal of racks of timber from a pressure vessel may have been identified as a significant hazard. The key elements to be communicated to employees are:

- The nature of the hazards;
- The wearing of protective clothing;
- Emergencies likely to occur and what to do in each instance;
- Rules regarding smoking and hand washing;
- Information on product labels and material safety data sheets.

☐ Identify employees needing specific health and safety information.

For example, a meat processing company may have a small water treatment plant, with the engineer and an assistant servicing the whole plant. Fifteen boners are employed in a very noisy area.

Information regarding the water treatment chemicals may only need to be given to the engineer and the assistant, but the information on noise and appropriate controls would be delivered to all.

☐ Analyse the suitability of current communication channels and decide on those most appropriate for the information to be conveyed. (See the beginning of this section for examples.)

EVALUATION

An evaluation should be carried out, as part of a regular review of the health and safety programme, to ensure that all employees know and understand:

- (i) All hazards they may be exposed to in their work and the control measures in place; and
- (ii) What to do if an emergency arises.

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TRAINING AND SUPERVISION

OBJECTIVES

- ♦ To identify training needs in the organisation and ensure that all employees know the hazards in their place of work and how to deal with those hazards.
- ♦ To ensure that every employee is adequately trained in the safe use of all plant, objects, substances and protective clothing and equipment they may be required to use or handle.
- ♦ To ensure that all employees who do not have the knowledge and experience required, are supervised by someone who does.

WHY TRAIN?

There are many obvious and strong reasons for an organisation's commitment to training. Specifically, the Health and Safety in Employment Act, section 13 charges employers with the responsibility for training and/or supervising staff at work by:

- ♦ Ensuring that every employee has knowledge and experience of the work, plant and/or substances that they deal with, or are supervised by a person who does; and
- ♦ Ensuring that every employee is adequately trained in the safe use of all plant, objects, and protective equipment that the employee may use or handle.

The employer benefits from a workforce competent in the tasks carried out and who are knowledgeable about the risks and hazards faced, and ways of dealing with those hazards. Other benefits include a reduction in accidents, injuries and ill health, also product/service improvements, and increased productivity.

IMPLEMENTATION CHECKLIST

Identify the training needed

- Assign responsibility for the identification of health and safety training needs.** Those responsible may require training or assistance in how to carry out this task.
- Identify the broad training needs** from hazards identified and from an analysis of accident reports, observations, assessments, etc.
- Draw up a skills chart.** This should list the tasks required to do a job in one column, with the skills and knowledge required to achieve competency listed in rows alongside.

The determining of specific skill/knowledge requirements requires an analysis of all the tasks that make up each employee's job. This process of breaking jobs down into their component parts allows the identification of the specific knowledge and skills required to perform the jobs in question.

- Make a comparison between the skills and knowledge needed and those possessed** by the individual, then identify the training he/she requires to be fully competent for that job.

- ❑ **As an alternative to the above two steps**, a complete process can be worked through to identify training needs by process rather than by job.
- ❑ **Confirm with the appropriate people** that all training needs have been identified.
- ❑ **Review all jobs annually** to ensure that significant changes in the tasks associated with that job have not occurred without the training needs being identified.

Provide the required training

- ❑ **Identify and list the key points** for each item of skills/knowledge where training is required.
- ❑ **Decide how the instruction will be delivered.** Relevant teaching devices or training aids can then be selected as necessary, to support the method. Options include, amongst others:
 - In-house trainers;
 - Package programmes;
 - External courses;
 - Self-paced instruction;
 - Practices and drills;
 - Peer demonstrations;
 - Buddy training; and
 - Lectures and talks.

Record the training given

- ❑ **Keep a formal record.** This is vital to ensure that each employee and/or supervisor is properly trained for each task expected of them. At its most elementary level, this should involve an employee record card detailing:
 - The task;
 - The training given;
 - Who by; and
 - The date of training.

It should be readily available and easy to check to see if an individual employee is competent to carry out the job or the task assigned.

Computers can help here, by allowing easy access to and monitoring of data, and preparation of reports.

With this information accessible, the decision then needs to be made as to whether the job or task can be done with minimal supervision, or if closer or constant supervision is required.

- ❑ **Review the records regularly** with the employees concerned to ensure that it is up to date.

It is important to remember that training is integral to the effectiveness of the overall plan for managing health and safety. All managers, supervisors and employees will require training to be able to meet the full range of responsibilities they have individually been given.

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Training for emergencies

Another important aspect of training is that concerned with the implementation of an emergency plan. Here it should be remembered that:

- All staff will need to be involved in evacuation drills; and
- Key staff will need training to be wardens.

EVALUATION

An evaluation should be carried out as part of a regular review of the health and safety programme to ensure that:

- ♦ Training needs have been identified in relation to hazards in the workplace and how to deal with them;
- ♦ Every employee is adequately trained in the safe use of all plant, objects, hazardous substances, and protective clothing and equipment they may be required to use or handle; and
- ♦ All employees who do not have the appropriate knowledge and experience are supervised by someone who does.

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EMPLOYEE/WORKPLACE HEALTH MONITORING

One of the duties of employers in relation to hazard management is to ensure that hazards are systematically identified, and then — depending upon feasibility — to either eliminate, isolate, or minimise the risk to employees arising from that hazard. This duty is set out in section 10 of the Health and Safety in Employment Act.

However, after identifying the existence of a hazard, but before beginning to implement the appropriate control measures (i.e. elimination, minimisation, or isolation) there is a need to assess the risk that the identified hazard presents to employees. Often this will include monitoring the exposure of employees to either physical, chemical, or biological agents in the place of work. Such monitoring may include either direct, or indirect quantitative measurement of those agents.

Direct measurement involves monitoring the health of an employee, and may require obtaining biological specimens, e.g. blood. This type of monitoring will obviously require the consent of the employee concerned.

Indirect monitoring involves assessing the amount of the physical, chemical, or biological agent in the workplace environment, e.g. the concentration of a gas in the atmosphere. Conclusions about the safety of the environment can then be made by comparison to recognised standards, e.g. the New Zealand Workplace Exposure Standards.

Both direct and indirect monitoring of this type provide the only means of evaluating the final effectiveness of any control measures put in place.

OBJECTIVE

To use workplace monitoring to obtain an accurate assessment of the exposure of employees to either physical, chemical, or biological agents. The results obtained, when compared to accepted standards, then form an essential part of the assessment, that must be carried out to determine the most appropriate control procedures.

PRINCIPLES OF MONITORING

Monitoring is defined as being any action taken to determine the current state of a workplace, or worker, in relation to a hazard.

Examples of the types of hazards that can be monitored would include:

Physical agents — Noise, vibration, light, heat, ionising and non-ionising radiation, ergonomic factors;

Chemical agents — Gases, vapours, dusts, liquids (e.g. organic solvents, lead);

Biological agents — Bacteria (e.g. legionnaires' disease), fungi, plant or animal products.

When workplace monitoring is carried out it is important to ensure that:

- ♦ All samples obtained are representative of the process under investigation;

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- ♦ The method of sampling is appropriate;
- ♦ The standards against which any results are assessed are appropriate; and
- ♦ The interpretation applied to the results is appropriate.

IMPLEMENTATION CHECKLIST

Assessing the risks to an employee

- Identify workplace hazards requiring monitoring.** Those where there is a significant possibility that the hazard could cause harm to employees.
- Decide upon the appropriate monitoring method and strategy** for the hazard, e.g. how, where, and for how long monitoring should be carried out.
- Carry out direct or indirect monitoring**, e.g. blood samples for lead, dust samples for silica, lighting levels in an office.
- Compare the results obtained against recognised standards**, and interpret them to assess the extent of the control measures required. In the case of atmospheric contaminants, the most appropriate standard for comparison would be the Workplace Exposure Standards for New Zealand.
- Take action to manage the place of work by implementing the correct control strategies.**
- Repeat monitoring at appropriate intervals**, or after process modification, to ensure control procedures are effective.

Monitoring and surveillance records

- Record all monitoring results** in an orderly manner for future reference. Personal health records must be kept in a locked facility to protect confidentiality.
- The informed consent of each employee is required** before personal monitoring of their health is undertaken. As with any medical record, unless an employee gives specific permission for such results to be made available to the employer, the results of biological monitoring carried out on an employee are confidential between that person and the person who carried out the test. The only biological monitoring results to which an employer would otherwise normally have access would be group results with personal identifiers removed.

RESOURCES

OSH staff can advise on workplace monitoring, and may also carry out limited investigatory monitoring themselves, to assist with administration and enforcement of the Health and Safety in Employment Act. OSH staff can also assist with the interpretation of monitoring results, and in this way provide guidance on compliance.

Although simple types of monitoring can be carried out by most people, many types require either specialised skills or equipment. Occupational hygiene consultants are available in the major centres to carry out workplace monitoring, and occupational health nursing and medical services are also available to carry out biological testing. Information on the private services available in your area can be obtained from OSH.

OSH has a variety of publications, e.g. the *Workplace Exposure Standards*, guidance notes, and codes of practice, that can help employers with the identification and assessment of workplace hazards, and the implementation of appropriate monitoring regimes.

EVALUATION

Evaluating the effectiveness of the monitoring process will highlight deficiencies and identify the need for ongoing monitoring.

The evaluation must be carried out in order to:

- ♦ Regularly review the process in line with the objective.
- ♦ Ensure that the monitoring regime is still appropriate.
- ♦ Ensure that the correct control procedures are adopted.
- ♦ Ensure that employees are not suffering from health effects that may cause harm.

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EMERGENCY PROCEDURES

OBJECTIVE

To have an effective general emergency plan to cope with all types of emergencies likely to occur at any part of an organisation's operation, and to comply with legislative requirements.

WHY HAVE AN EMERGENCY PLAN?

When confronted with an emergency, it is too late to decide who needs to do what, the assistance available, and the responses that are desirable. These plans need to be developed before an emergency occurs. Section 6 of the Health and Safety in Employment Act therefore requires the development of emergency procedures, and section 14 requires employees to be involved in their development.

IMPLEMENTATION CHECKLIST

- Identify all likely emergency conditions**, fully involving all employees. Establish evacuation procedures.

Consider the following list:

- Fire;
 - Flood;
 - Storm;
 - Chemical spill;
 - Bomb threat;
 - Explosion;
 - Structure collapse;
 - Radiation leak;
 - Equipment failure;
 - Earthquake;
 - Serious injury or medical emergency; and
 - Other.
- Appoint a co-ordinator** to take control in an emergency.
 - Establish what action needs to be taken** in specific cases, e.g. radiation leak, chemical spill. Also consider surrounding sites.
 - Establish alarm signals** where appropriate.
 - Identify**, where necessary, **what means of communication** will be used during an emergency, e.g. cell phone, walkie-talkie.
 - Develop a search and rescue plan** where appropriate.
 - Decide which emergency services need notifying**, how, and by whom.
 - Prepare and display emergency procedure directions**, e.g. adjacent to a phone, or on notice boards. Ensure they are understood by all workers.

- Decide the back-up systems required:**
 - Emergency lighting;
 - Emergency power;
 - Other?
- Decide the alarm systems required:**
 - Heat detection;
 - Smoke detection;
 - Gas detection;
 - Direct alarms to Fire Service;
 - Hazardous substances, e.g. chlorine;
 - Other?
- Develop a procedure to account for all people** on site (including visitors).
- Develop shut-down procedures** for processes, machinery, etc.
- Implement emergency plan training** for all staff.
- Decide how many drills are needed** in a year.
- Survey the need for emergency equipment** to suit the conditions (e.g. fire extinguishers, ropes, etc.) and provide these.
- Identify first aid training requirements.**
- Consider ways of protecting vital records** (e.g. payroll, drafted plans, formulae, etc.)
- Consider the need for release of information to the public/media** in a major emergency.
- Design an all-clear and re-entry procedure.**
- Consider and develop a plan to enable a speedy return to normal operations.**
- Review the procedure at least annually**, involving employees.

EVALUATION

Consider the following:

- ♦ Does your plan meet the objectives set earlier?
- ♦ Do the fire service, police, or other authorities agree?
- ♦ Have practice drills been analysed for improvements?

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REPORTING, RECORDING AND INVESTIGATING ACCIDENTS

OBJECTIVE

To develop and implement an accident recording, reporting and investigation system to ensure:

- (a) All incidents that harmed, or might have harmed, any employee at work, or any person in a place of work controlled by the employer and every occurrence of serious harm, are recorded, investigated, and remedial action is taken; and
- (b) All instances of serious harm are reported to the Occupational Safety and Health Service of the Department of Labour as required by the Health and Safety in Employment Act 1992.

WHY REPORT AND INVESTIGATE ACCIDENTS?

The reporting and investigation of accidents is one effective method to help prevent a recurrence, and to determine if hazards have been identified and/or controls are effective.

In addition, the reporting of accidents (including near misses) leads to the elimination or control of many situations or activities that also affect production and quality of work.

Accident theory and research backs up the need to report all accidents. It suggests, among other things, that on average there are about 30 small accidents for every major one. It follows logically that unless you get on top of and eliminate small accidents then you will never be able to reduce the likelihood of more serious ones.

Current loss control theory has also expanded the definition of accidents to cover property damage and accidents with no visible injury or damage. The rationale is that if you wish to effectively reduce serious or major accidents, you must expand your base of control to cover minor injuries, property damage accidents and near misses.

The direct relationships between them indicate it is unwise to direct our total effort at the relatively few events resulting in serious or disabling injuries, when there are accidents occurring that give an earlier indication of the possibility of harm. Above all else, remember that prevention is better than cure.

THE NEED FOR A REGISTER

For the reasons given above, the Health and Safety in Employment Act requires every employer to maintain a register of accidents and serious harm in a prescribed form.

The Act defines accidents as incidents that either:

- (a) resulted in harm to any employee at work, or at a workplace controlled by an employer; or
- (b) might have resulted in harm.

Preprinted registers that meet the requirements of the Act are available for a small charge from branch offices of the Occupational Safety and Health Service, OTC Office Supplies Ltd, or GP Stationery Ltd.

As well as recording accidents and injuries in the register, employers must investigate these to determine whether they were caused by or arose from a significant hazard.

REPORTING REQUIREMENTS

When instances of serious harm occur (as defined in the first schedule of the Act and reproduced below), the Occupational Safety and Health Service of the Department of Labour must be notified as soon as possible after the event. In addition, within 7 days of the occurrence formal notice of the circumstances must be given in the prescribed form.

The scene of an accident resulting in serious harm must not be disturbed, unless authorised by an OSH inspector, or to save life, prevent further harm or damage to property, or relieve the suffering of any person.

DEFINITION OF "SERIOUS HARM" FROM THE FIRST SCHEDULE OF THE ACT

1. Any of the following conditions that amounts to or results in permanent loss or bodily function, or temporary severe loss of bodily function:
 - Respiratory disease
 - Noise-induced hearing loss
 - Neurological disease
 - Cancer
 - Dermatological disease
 - Communicable disease
 - Musculoskeletal disease,
 - Illness cause by exposure to infected material
 - Decompression sickness
 - Poisoning,
 - Vision impairment
 - Chemical or hot metal burn of eye
 - Penetrating wound of eye
 - Bone fracture
 - Laceration,
 - Crushing.
2. Amputation of body part.
3. Burns requiring referral to a specialist registered medical practitioner or specialist outpatient clinic.
4. Loss of consciousness from lack of oxygen.
5. Loss of consciousness, or acute illness requiring treatment by a registered medical practitioner, from absorption, inhalation, or ingestion, of any substance.
6. Any harm that causes the person harmed to be hospitalised for a period of 48 hours or more commencing within 7 days of the harm's occurrence.

INVESTIGATING ACCIDENTS

With the above reporting requirements fulfilled, accident investigations should commence as soon as possible after the event. A standard regarding this can be established for those responsible for carrying out investigations.

Investigations will follow the format of your investigation form, e.g:

- ♦ Note the particulars regarding date and time of occurrence, people involved (including occupation and experience) materials and equipment involved, location, type of and severity of injury.
- ♦ Describe how serious the injury could have been and the likelihood of the accident happening again.
- ♦ Describe how the accident occurred — including a brief account of what happened and emergency actions taken.
- ♦ Include also the key facts relating to people, equipment, materials and environmental factors.
- ♦ Include any statements from witnesses, to make sure all relevant information is collected.
- ♦ Establish the underlying causes and decide whether or not the occurrence was caused by, or arose from, *a significant hazard*.
- ♦ List the remedial actions, assign responsibility and set the completion dates.
- ♦ Review to ensure actions have been completed, and that they are effective.

The sequence of questions will uncover significant hazards that were a cause of the accident and lead to appropriate short- and long-term solutions.

Some useful hints

With witnesses: To be able to obtain useful information, witnesses must first be convinced that the purpose of the investigation is not to lay blame. It is important to get this message across. The investigation is to determine what were contributing factors, including hazards involved, so that future harm can be avoided.

Ask open ended questions: Who? What? When? Where? How? Why?

Take photographs and/or make sketches whenever practicable.

If in doubt, obtain assistance from OSH or other specialists.

IMPLEMENTATION CHECKLIST

- Establish a register** in the prescribed form, for the recording of accidents and harm, and for reporting serious harm (available from OSH).
- Assign responsibility** for:
 - Entering of details in the register (e.g. to supervisors or occupational health nurse); and
 - Reporting accidents resulting in serious harm, and gaining authorisation to recommence work.

- ❑ **Implement an information programme** to inform employees of their responsibilities to report accidents and serious harm. This information should be presented in such a way that it is understood by all and covers:

- (a) what must be reported, in what format and to whom; and
- (b) why this is necessary.

Note: Accidents are often not reported for reasons such as fear of discipline, desire to avoid work interruption and a poor understanding of the importance of reporting.

- ❑ **Assign responsibility for investigating accidents**, as defined above, and serious harm.

Supervisors or forepersons should be involved, as they know their work areas and staff, and will frequently be responsible for implementing follow-up action. Managers, safety and health representatives and company specialists (e.g. occupational health nurse, engineer, technician, etc.) may also be involved.

- ❑ **Develop an accident investigation procedure** designed to lead to the uncovering of underlying causes and to determine whether or not the situation was caused by or arose from a **significant hazard**. A special form can help here. It should include:

- What action needs to be taken to prevent a similar recurrence;
- Who will be responsible for remedial actions and time frames; and
- A subsequent review to ensure actions have been carried out.

- ❑ **Ensure significant hazards revealed by the reporting or investigation process are acted on.** See the earlier section, Significant hazards.

- ❑ **Involve employees** in the development of procedures for the reporting and investigation of accidents and harm. Written procedures will act as a guide for all staff to follow.

Communicate information on accidents, investigations and trends to all employees, and table it at management meetings.

- ❑ **Establish a database** (either manual or computer-based) for the recording and analysis of investigation results.

- ❑ **Provide accident investigation training** for those assigned with this responsibility. OSH can advise here.

- ❑ **Ensure the requirements for reporting work-related accidents under the Accident and Rehabilitation and Compensation Insurance Corporation Act 1992** are being met. The corporation can give further information on this.

- ❑ **Regularly review the accident register and accident investigation reports** to identify accident and injury trends.

EVALUATION

- ♦ Check to see that the accident and harm recording, reporting and investigation procedures meet the requirements of the Act.
- ♦ Audit on a regular basis to ensure that all accidents, injuries and occupationally-related ill health are:

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- Being recorded;
- Being investigated;
- Reported to OSH as required; and
- Being analysed for trends, and that this information is made available to managers and employees.

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MANAGING OTHER DUTIES UNDER THE ACT

OBJECTIVE

To identify and implement those measures to be taken to ensure no action or inaction by employees, while at work, causes harm to any other person (including other employees).

WHY MANAGE OTHER DUTIES?

Although much of the Health and Safety in Employment Act is related to the obligations of employers to employees, there are also duties regarding other parties. Sections 15, 16, 17, 18 and 19 of the Act set out these duties for employers and others. It is important to remember that under the Act a person can be two or more identities with corresponding responsibilities, e.g. an employer and a principal, or self-employed and a principal, or self-employed and a contractor, or self-employed and an employer.

Note: The example activities outlined below are practical suggestions derived from successful safety and health management practices. At the date of publication the courts have not yet given any guidance on “all practicable steps” in relation to the duties discussed. It may be necessary to seek legal advice for specific interpretation.

DUTIES OF EMPLOYERS TO PEOPLE WHO ARE NOT EMPLOYEES

Implementation checklist

- Determine where actions or inaction of your employees could harm any other person.** Use the techniques referred to in the section, Hazard identification, and information gathered in earlier stages of hazard identification. Alternatively, as a separate exercise, determine where actions or inaction of employees could harm any other person. This includes those that may later cause harm to any other person.

For example, if your business is drainlaying in public roads then you will have many instances where other people could be harmed — such as when welding pipes on a footpath the public passing by could be exposed to welding flash, or there could be a danger if excavations are not properly marked and cordoned off from the public.

- Decide on the steps that are practicable to control these and then implement them.**

These may include, for example:

Planning of work — All work should be planned so the risk to people from employees' work is minimised, e.g. maintenance work must be planned taking into account the risk to other people, and may have to be scheduled for times when fewer people are around. Effective traffic control on road works is another method of trying to reduce the risk to persons other than employees.

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Control of visitors to places of work — All persons other than employees should be limited in access to areas where they may be affected by work hazards.

Regular meetings — Continual reinforcement of the need to ensure that employees do not either by action (e.g. working overhead on a public access without protection and dropping tools) or inaction (e.g. no fencing of excavations) harm other people.

- Integrate these measures into your training and planning procedures.** (Refer to the section, Training and supervision.)
- Monitor the results** of the measures to see if they need improving.

OBJECTIVE

To determine what practicable steps can be taken, as the principal in a contract to ensure that contractors, sub-contractors and their employees are not harmed while doing work they were engaged to do.

DUTIES OF PERSONS WITH CONTROL OF PLACE OF WORK

Section 16 of the Act states:

To the extent that a person is -

(a) The owner, lessee, sublessee, occupier, or person in possession of a place of work or any part of a place of work (not being a home occupied by the person); or

(b) The owner, lessee, sublessee, or bailee, of any plant in a place of work (not being a home occupied by the person),

— the person shall take all practicable steps to ensure people in the place of work, and people in the vicinity of the place of work, are not harmed by any hazard that is or arises in the place of work.

This section is intended to cover persons who have some ability to control places of work and who may not be covered elsewhere in the Act. It has a wide range of applications. For instance, employees who own their own tools will also have a duty under section 16.

IMPLEMENTATION CHECKLIST

- Identify where duties exist.**
- Decide what “practicable steps” to implement.**

Examples of such steps include:

- (i) A building owner planning major refurbishments would ensure that the areas they had control over would not harm people in or around the place of work; or
- (ii) A company hiring out plant for use in places of work would ensure as far as is practicable that competent persons use the plant, that it is in good repair and condition, and that people using the equipment have information on associated hazards and their control.

DUTIES OF SELF-EMPLOYED

Section 17 of the Act states:

Every self-employed person shall take all practicable steps to ensure that no action or inaction of the self-employed person while at work harms the self-employed person or any other person.

A self-employed person may also have duties as an employer, and/ or principal.

Examples of activities include:

A safety programme — Self-employed people must be aware of the legislation affecting their work. They should be trained and experienced to carry out work so as to minimise the risk of harm from hazards. They must equally plan their work so to not harm any other person.

Knowledge of hazards — The self-employed then you can use similar methods to any company to determine what hazards are faced at work, and the most practicable means of managing these hazards. For example self employed people can insist that suppliers deliver material safety data sheets with all chemicals and substances in the same way that larger companies can.

DUTIES OF PRINCIPALS

A “principal” is defined in the Act as any person who engages any other person, other than as an employee, for gain or reward.

Under section 18 every principal is required to take all practicable steps to ensure that no employee of a contractor or subcontractor and, if an individual, no contractor or subcontractor is harmed while doing work they were engaged to do.

IMPLEMENTATION CHECKLIST

- Identify the business situations where you are a “principal”.**
- Determine what practicable steps to take** to ensure that no contractor or subcontractor, or their employees, is harmed. These steps may include:

Contracts — Health and safety performance requirements should be written into contracts. This includes the need to meet legislative and industry standards, these being stated in specific terms.

Selection procedures — Criteria for the selection of contractors should include past health and safety performance, e.g. injuries/incidents, or compliance with past contract performance standards.

Consideration also needs to be given to the way in which contractors intend to manage health and safety, e.g. a management plan may need to be submitted by a contractor detailing how he or she intends to meet and enforce legislative standards.

Induction of contractors/subcontractors — There should be a planned induction of all contractors and/or sub-contractors to ensure:

- (i) They are knowledgeable about all significant hazards they may be exposed to in their work, and the controls for these; and

- (ii) They understand the health and safety conditions agreed to in the contract.

Monitoring contractors' performance — The principal should put in place mechanisms to monitor the health and safety performance of contractors, establishing that they are working to expected standards.

Such monitoring activities include:

- ♦ Regular review of a contractor's programme, including the completion of accident/incident investigation reports and the recording of site health and safety inspections;
 - ♦ Including health and safety as a formal component of progress meetings with contractors; and
 - ♦ As principal, arranging for an audit of a workplace(s) to determine the level of health and safety performance.
- ☐ **Integrate the above measures into your contract planning, monitoring, and normal business activities.**

DUTIES OF EMPLOYEES

While at work, employees are responsible for ensuring their own safety and the safety of others as far as practicable. This is best achieved by maintaining active and participative health and safety activities in organisations.

Employees who are adequately informed of the hazards they face, trained in how to protect themselves from the hazard, and are lead by managers who model expected behaviour, are more likely to work in a safe and healthy manner.

Examples of activities are:

Work standards/procedures — Establish expected health and safety standards for specific tasks. Employees should be fully trained in correct work methods and procedures, and their performance monitored. High standards should receive positive recognition, but procedures should also be in place for dealing with substandard performance.

Hazard reporting and improvement suggestions — Establishing a system that encourages employees to report hazards and to make suggestions for improvements.

Regular meetings — Meetings where employees can discuss problems, and safe behaviour can be reinforced.

Commendations — Regular commendations for complying with safety and health standards reinforce this behaviour.