

February 2022

## Our approach to the healthcare and social assistance sector

### This policy's purpose

This position sets out our regulatory approach to the healthcare and social assistance sector (HCSA). It also outlines our expectations of PCBUs (persons conducting a business or undertaking) in the sector.

There are several regulators with health and safety responsibilities in this sector. We are making our approach clear to help avoid confusion.

### Who is included in the HCSA sector

The HCSA sector includes hospitals, medical and other health services, residential care services, and social assistance services.

### Our regulatory approach to the HCSA sector

We are the regulator for work health and safety in the HCSA sector. The health and safety of workers, including volunteer workers, is our priority.

Other agencies, such as the Health and Disability Commissioner, are better placed to respond to concerns about the quality and safety of medical treatment for consumers.

New Zealand Police is the appropriate agency to respond to acts of violence causing injury or death.

### How we intervene in the HCSA sector

Although our legislation requires PCBUs to notify us about certain events, and people can inform us about health and safety concerns, we have the discretion to decide whether to intervene.

We are unlikely to intervene for individual incidents. This includes incidents involving workers or others.

We have finite resources and need to make the most effective use of them. Our aim for each intervention is that it will benefit as many workers as possible. Therefore, we usually work with a PCBU or a sector group to improve how the sector manages its work health and safety risks.

We use the information we receive from notifications and health and safety concerns for individual incidents to:

- identify patterns and trends of concern that need to be addressed
- help design and implement widescale interventions.

Our work with HCSA sector PCBUs may include checking to see how they are managing their overlapping duties

We expect PCBUs to be able to explain the steps they have taken to consult, cooperate, and coordinate with other PCBUs to manage work health and safety risks.

## **Our expectations of PCBUs in the HCSA sector**

Under the Health and Safety at Work Act 2015 (HSWA), PCBUs must eliminate risks to work health and safety so far as is [reasonably practicable](#)

If it is not reasonably practicable to eliminate risks, then PCBUs must minimise those risks so far as is reasonably practicable.

We acknowledge a consumer's health and wellbeing may be a factor in deciding what is reasonably practicable. However, PCBUs have a primary duty to ensure that the health and safety of workers and others is not put at risk from work carried out. PCBUs must also ensure all risks are minimised so far as is reasonably practicable. This means finding a balance that ensures the health and safety of workers and others affected by the risks arising from work, so far as is reasonably practicable.

PCBUs must engage with their workers and worker representatives on managing work health and safety risks. PCBUs must also give workers opportunities to help improve work health and safety.

### **Related information**

[How to manage work risks](#)

[Violence in the health and disability sector – guidance for PCBUs](#)

[Moving and handling people in the healthcare industry](#)

[Preventing and responding to bullying at work](#)

[Mentally Healthy Work | WorkSafe](#)