

Review of the safety audit standard for adventure activities

CONSULTATION PAPER

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Te Kāwanatanga o Aotearoa
New Zealand Government

WORKSAFE
Mahi Haumarū Aotearoa

How to have your say

Making a submission

We want to know what changes you think should be made to the Safety Audit Standard for Adventure Activities (Requirements for a Safety Audit of Operators).

WorkSafe New Zealand is seeking written submissions on this consultation paper by **5pm on Friday 25 November 2022**. This document includes a number of questions to guide submissions. Your submission may respond to any or all of these questions. We also encourage your input on any other relevant issues.

Please include your name, the name of your organisation (if applicable), and your contact details in your submission.

You can make your submission by using the submission form, accessed via the WorkSafe consultations webpage (go to [Consultations | WorkSafe](#)), and emailing your submission to aao@worksafe.govt.nz

Use of information

We will use the information you provide in your submission to inform the review and development of the Safety Audit Standard. We may contact you if we require clarification of any matters you raise.

Release of information

Release of submissions is subject to the *Official Information Act 1982*. Tell us as part of your submission if you have any objection to the release of any information in the submission, which parts you consider should be withheld, and include your reasons for withholding the information (for example, commercially sensitive material). We will consider any objections you note and consult with you when responding to requests under the *Official Information Act 1982*. Indicate on the front of your submission if it contains confidential information and mark the text accordingly.

Private information

The *Privacy Act 2020* establishes certain principles with respect to the collection, use and disclosure of information about individuals by various agencies, including WorkSafe. Any personal information you supply to WorkSafe in the course of making a submission will be used in the collation of feedback to inform the review and development of the Audit Standard. Clearly indicate in your submission if you do not wish your name to be included in any summary of submissions that we may publish.

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Situation

Adventure Activities in New Zealand

New Zealand has some of the most exciting adventure activities in some of the most spectacular locations in the world. Many of these adventure activities are offered to international and domestic visitors by commercial operators.

In addition, numerous students participate in outdoor education programmes provided by commercial operators.

All adventure activities involve inherent risk of harm. The degree of risk varies among activities and locations. It is important that adventure activity operators take all practicable steps to manage the risks and deliver adventure activities safely while keeping alive the sense of adventure and excitement.

To protect the health and safety of staff and participants engaged in adventure activities, and to protect New Zealand's reputation as a world-leading provider of adventure activities, the Government introduced regulations in 2011 to ensure operators have sound safety management systems in place.

The current regulations are the *Health and Safety at Work (Adventure Activities) Regulations 2016* made under the *Health and Safety at Work Act 2015* (HSWA).

The regulatory regime and the role of the Safety Audit Standard

Adventure activities, by definition, expose participants to some serious risk. Consequently, the objective of the adventure activities regulatory regime is not to attempt to eliminate the risk of harm entirely, but rather to minimise the preventable harm that occurs and to provide assurance that safety is consistently being managed well across the sector.

Adventure activity operators, like all businesses in New Zealand, have general duties under HSWA to ensure, so far as is reasonably practicable, that their work does not put at risk the safety of their workers or other persons. HSWA also imposes obligations on other parties involved in activities to manage risks, such as those who control access to the places where activities occur.

More specific requirements are set out in the Adventure Activities Regulations. The core requirement of these regulations is that all adventure activity operators must pass a safety audit every three years and register their operation with WorkSafe. These audit requirements provide a proactive check that operators are meeting their obligations and have effective safety systems in place.

To pass the safety audit, an operator must satisfy the safety auditor that their safety management system complies with the Safety Audit Standard, both in intention and in practice.

The Safety Audit Standard, developed and published by WorkSafe, sets out the requirements that adventure activity operators must comply with to reduce risks when providing adventure activities. The Standard sets out requirements of a safety management system (SMS) for operators that provide adventure activities. The scope of the Standard also includes ancillary services provided by an operator to participants where such services involve serious risk (such as, for example, off-road transport to or from an adventure activity).

The drivers for a review of the Safety Audit Standard

On 9 December 2019 Whakaari/White Island erupted while there were adventure activity tour groups on the Island. The disaster left 22 people dead, and 25 people with serious life-long injuries. This event triggered a range of work across government.

The Ministry of Business, Innovation and Employment (MBIE) carried out a targeted review of the adventure activities regulatory regime to identify issues and suggest where immediate improvements could be made to support safety in the sector, with a particular focus on how the risks from the natural environment were being managed. Through this work it became clear that changes to the Safety Audit Standard were necessary to: introduce specific requirements for operators to assess and manage risks associated with natural hazards; and provide detailed requirements for what information about risks must be provided to participants and how risk communication should occur.

In parallel to MBIE's process, WorkSafe undertook a comprehensive internal '*health check*' of the way it regulated adventure activities and identified areas for improvement, including a need to review the 2017 Safety Audit Standard. However, commencement of this review was delayed until we had sufficient clarity on the package of regulatory and non-regulatory changes emerging from MBIE's targeted review.

In addition to the above drivers, WorkSafe also has a legal obligation to develop and continue to review one or more safety audit standards under regulation 19 of the Adventure Activities Regulations.

Proposed changes to the Safety Audit Standard

Proposed change to the title of the document

Reference:	Document title on front cover
Issue:	The title is often misinterpreted by operators who think it's a document for auditors only, when it is intended for operators reference also.
Current text:	Safety Audit Standard for Adventure Activities - Requirements for a Safety Audit of Operators
Proposed change:	We propose to delete the current title and replace with the following: "Safety Audit Standard for Adventure Activities - Safety Management System Requirements"
Question:	Do you agree with this proposed change? If no, why?

Proposed changes to Section 01 – Introduction

Reference:	Sub-section 1.4 - Ongoing compliance, page 6
Issue:	This section could imply that the SMS cannot be altered between audits, this is not the intent. The SMS should be updated and amended for all significant changes to the system or procedures.
Current text:	Having passed an audit, it is the operator's responsibility to continue to comply with this standard. They must ensure their safety culture remains positive, the approved SMS is followed, and good practice is maintained. Additionally, they must review their SMS in response to new information or as their business changes.
Proposed change:	We propose to delete the current text at sub-section 1.4 and replace with the following: "Having passed an audit, it is the operator's responsibility to continue to comply with this standard. They must ensure their safety culture remains positive, the approved SMS is followed, and good practice is maintained. Additionally, they must review their SMS in response to new information or as their business changes and at least annually review the performance of the SMS against the SMS's stated safety goals and objectives. This review should take into account any audit findings, reports from technical advisers and/or technical experts, and analyses and recommendations from specific reviews, including reviews of incidents."
Question:	Do you agree with this proposed change? If no, why?

Proposed changes to Section 02 - Definitions

Reference:	definition table, pages 8 - 11
Issue:	MBIE's targeted review identified a need to increase the focus on risks from natural hazards. The Audit Standard doesn't currently define this term and it should be included to provide clarity for operators.
Current text:	There is no definition currently in the Audit Standard.
Proposed change:	<p>We propose introducing the following definition for 'natural hazards' into the Audit Standard:</p> <p><i>Natural hazards</i> are physical, quick-onset natural events with a degree of localised impact that have the potential to cause multiple fatalities. For example: extreme weather (such as high winds or severe temperature changes), water surges and flooding, rockfalls, landslides, avalanches, volcanic eruptions, geothermal hazards, and rapids.</p>
Question:	Do you agree with the proposed definition? If not why and how do you think this term should be defined?

Reference:	<i>Incident</i> definition, page 8
Issue:	We have been advised that additional wording is needed to better clarify what we mean by a 'near miss'.
Current text:	<p>Incident: Event that caused or could have caused harm to any person.</p> <p>Note: An incident that did not cause harm is also called a 'near miss', 'near hit', 'close call', 'near-accident', or similar.</p>
Proposed change:	<p>After -</p> <p>"Note: An incident that did not cause harm is also called a 'near miss', 'near hit', 'close call', 'near-accident', or similar."</p> <p>Insert the following proposed wording:</p> <p>"A near-miss is a potential hazard or incident in which no personal injury was sustained, but where, given a slight shift in time or position, injury easily could have occurred. Near misses also may be referred to as close calls, near accidents, or injury-free events."</p>
Question:	Do you agree with the proposed definition? If not why and how do you think this term should be defined?

Reference:	<i>Safety management system (SMS)</i> definition, page 11
Issue:	The definition should be more detailed and provide examples of the documents that might make up an SMS.

Current text:	Documented management system for directing and controlling an operation in regard to safety.
Proposed change:	<p>After –</p> <p>“Documented management system for directing and controlling an operation in regard to safety.”</p> <p>Insert the following proposed wording:</p> <p>“An adventure activity operator’s safety management system should include (but is not limited to):</p> <ul style="list-style-type: none"> • overarching safety management policy statement(s) • a document or statement summarising the components of the SMS and how they relate to each other • safety goals and objectives • roles and responsibilities (including technical advisers) • hazard and risk identification, assessment, and management • policy for managing the risk of drug and alcohol impairment • procedures for communicating relevant safety information to and from staff, participants, potential participants, and other parties • evidence of staff competence (including technical advisers) • staff induction and training • activity and ancillary service SOPs (Standard Operating Procedures) • emergency preparedness and response plans (and results from tests and reviews) • records to show operational processes and procedures have been carried out as planned (e.g. trip reports) • procedures for responding to, recording, investigating, and reporting incidents • incident records, investigations, and reports • good documentation and record keeping • audit findings • results of internal reviews of the SMS and their adventure activities • evidence of safety problems and what you did to fix them • process for managing overlapping duties with other PCBU’s
Question:	Do you agree with the proposed amendment to the definition? If not, why, and how do you think this term should be defined?

Reference:	<i>Technical adviser</i> definition, page 11
Issue:	<p>Firstly, the note in the definition say’s that a safety auditor’s technical expert must be fully qualified when there aren’t comprehensive qualifications in place for all activities.</p> <p>Secondly, the definition is focused on the activity, and does not take into account persons that may be needed to advise on natural hazards associated with the activity.</p>
Current text:	Person or group of people that has professional credentials such as a high-level, nationally recognised qualification, or extensive knowledge, skills and experience to assist an operator with various technical tasks, including

	<p>advising and reviewing the policies, procedures and practices relating to an activity.</p> <p>Note: This term has been changed from Version 1.0 which used the term 'technical expert'. 'Technical expert' is used (with a different definition) by the NZ Adventure Activities Certification Scheme in relation to audit team members. This change clarifies that an operator's technical adviser is not the same as the audit team's technical expert.</p> <p>An operator's technical adviser(s) may be contracted by, or closely connected to the operator. The credentials may be achieved by combining those of two or more people, who may be staff members. In contrast, technical experts are required to be fully qualified as an individual and they must be independent of the operator.</p>
Proposed change:	<p>After –</p> <p>"Person or group of people that has professional credentials such as a high-level, nationally recognised qualification, or equivalent knowledge, skills and experience to assist an operator with various technical tasks, including advising and reviewing the policies, procedures and practices relating to an activity"</p> <p>Insert the following proposed wording:</p> <p>"(including natural hazards in the location where the activity is conducted)."</p> <p>AND</p> <p>Deleting the current text in the second paragraph of the note –</p> <p>"In contrast, technical experts are required to be fully qualified as an individual and they must be independent of the operator."</p> <p>and replacing with:</p> <p>"In contrast, technical experts are required to meet the qualification or attestation requirements detailed in the New Zealand Adventure Activities Certification Scheme and they must be independent of the operator."</p>
Question:	Do you agree with the proposed amendment to the definition? If not, why, and how do you think this term should be defined?

Proposed changes to Section 04 – Leadership and Management

Reference:	Sub-section 4.5 - Communication, page 16
Issue:	<p>MBIE's targeted review of the adventure activities regulatory regime found that statements made by participants suggest they are not always given enough information about the risks to enable them to make informed decisions on the level of risk they are taking. The review also found that operators have differing views of how and what information about risks should be passed to participants.</p> <p>While sub-section 4.5 of the Audit Standard requires operators to have procedures to communicate "relevant safety information" to participants, no</p>

	direction is provided about what risk information should be communicated or how communications should be made. There is an opportunity to create clearer and consistent minimum standards for risk communication.
Current text:	<p>The operator must establish, implement, and maintain procedures for communicating relevant safety information to and from staff, participants, potential participants, and other parties.</p> <p>Note: 'Other parties' may include other PCBUs who have overlapping duties with the operator. See also Sections 33- 34 of HSWA.</p> <p>The operator must have procedures for risk disclosure between the operator and participant, and subsequent acknowledgement.</p> <p>The operator must establish and maintain policies and procedures for receiving complaints and using any complaints about safety to review the SMS.</p> <p>Safety must be addressed regularly at internal meetings. Decisions and any action points arising from these meetings must be communicated to staff and implemented.</p>
Proposed change:	<p>After –</p> <p>"The operator must have procedures for risk disclosure between the operator and participant, and subsequent acknowledgement."</p> <p>Insert the following proposed wording:</p> <p>"The procedures must ensure that appropriate risk information is provided to potential purchasers before the activity is booked to enable them to make informed choices about the activity. The procedures must also ensure that appropriate risk information is provided to participants before and during the activity to ensure their participation is as safe as practicable and so they are aware of any changes to information provided previously. As a minimum the information should include:</p> <ul style="list-style-type: none"> • sources of serious risk associated with the adventure activity type • sources of serious risk specific to the location, including risks associated with natural hazards • up to date information on the status of those risks and hazards • actions to take in response to incidents and emergencies. <p>When communicating with participants to manage their health and safety, the operator should take into account, their communication needs and abilities."</p>
Question:	Do you agree with this proposed change? If no, why?

Proposed changes to Section 05 – Risk and Hazard Management

Reference:	Sub-section 5.2 - Risk Management Measures, page 18
Issue:	This sub-section refers to using the hierarchy of controls to choose the most effective control measures for managing the serious risks arising from their activities, but it does not refer to the need to monitor the performance of the control measures to ensure they remain effective.

Current text:	<p>The operator must eliminate serious risks arising from their activities, so far as is reasonably practicable.</p> <p><i>Note: By definition, an adventure activity includes some serious risk. The requirement is to eliminate unnecessary serious risks.</i></p> <p>When it is not reasonably practicable to eliminate serious risks, the operator must minimise the serious risks arising from their activities.</p> <p>In minimising risks, the operator must (if reasonably practicable) take one or more of the following actions that is most appropriate for the risk:</p> <ul style="list-style-type: none"> • substituting the hazard giving rise to the risk with something that gives rise to a lesser risk • isolating the hazard giving rise to the risk to prevent anyone coming into contact with it • implementing engineering controls. <p>The operator must manage the remaining risk arising from their activities, by using the administrative controls and/or personal protective equipment that are most appropriate for the risk.</p> <p>The operator must engage with staff when making decisions about ways to eliminate or minimise risks.</p>
Proposed change:	<p>After -</p> <p>“The operator must manage the remaining risk arising from their activities, by using the administrative controls and/or personal protective equipment that are most appropriate for the risk.”</p> <p>Insert the following proposed wording:</p> <p>“Control measures should remain effective; be fit for purpose; be suitable for the nature and duration of the work; and be installed, set up, and used correctly.</p> <p>This means that control measures must be regularly monitored and checked to ensure that they are still managing the risk effectively. This should occur on an ongoing basis – not just when the control measure is first put in place.”</p>
Question:	Do you agree with this proposed change? If no, why?

Reference:	Sub-section 5.2 - Risk Management Measures, page 18
Issue:	This sub-section doesn't provide clarity on what the elimination of unnecessary risks might look like.
Current text:	<p>The operator must eliminate serious risks arising from their activities, so far as is reasonably practicable.</p> <p><i>Note: By definition, an adventure activity includes some serious risk. The requirement is to eliminate unnecessary serious risks.</i></p>

	<p>When it is not reasonably practicable to eliminate serious risks, the operator must minimise the serious risks arising from their activities.</p> <p>In minimising risks, the operator must (if reasonably practicable) take one or more of the following actions that is most appropriate for the risk:</p> <ul style="list-style-type: none"> • substituting the hazard giving rise to the risk with something that gives rise to a lesser risk • isolating the hazard giving rise to the risk to prevent anyone coming into contact with it • implementing engineering controls. <p>The operator must manage the remaining risk arising from their activities, by using the administrative controls and/or personal protective equipment that are most appropriate for the risk.</p> <p>The operator must engage with staff when making decisions about ways to eliminate or minimise risks.</p>
Proposed change:	<p>After -</p> <p>“Note: By definition, an adventure activity includes some serious risk. The requirement is to eliminate unnecessary serious risks.”</p> <p>Insert the following proposed wording:</p> <p>“An example of eliminating a risk might be where a tree has come down into the main channel in a river used for rafting. This creates a specific risk of drowning in that strainer. By removing that tree from the river, that specific hazard and risk is eliminated.”</p>
Question:	Do you agree with this proposed change? If no, why?

Reference:	Sub-section 5.2 - Risk Management Measures, page 19
Issue:	The note in this sub-section refers to ‘office work’ to give examples of support functions within the operator’s business, this has less relevance to the operation compared with other high-risk activities.
Current text:	The requirements of this section do not cover all requirements of the law in relation to support functions (such as office work, workshops etc) that are more likely to be subject to the Health and Safety at Work (General Risk and Workplace Management) Regulations 2016.
Proposed change:	<p>We propose to delete “(such as office work, workshops etc)” and replace with “(such as working at heights, lone working, workshops etc)” so that this paragraph of sub-section 5.2 reads as follows:</p> <p>“The requirements of this section do not cover all requirements of the law in relation to support functions (such as working at heights, lone working, workshops etc) that are more likely to be subject to the Health and Safety at Work (General Risk and Workplace Management) Regulations 2016.”</p>
Question:	Do you agree with this proposed change? If no, why?

Reference:	Proposed new sub-section 5.4 - Managing Natural Hazard Risks, page 19
Issue:	<p>Natural hazards (such as floods, water surges, avalanches, and eruptions) are associated with the majority of harm that occurs in the sector – both from isolated incidents and catastrophic events.</p> <p>The current regulatory system does not set any detailed requirements for operators to assess and manage natural hazard risks. There is an opportunity to set clearer, consistent standards for how this category of risks are managed and to reduce the variations in how operators approach these risks across the sector.</p>
Current text:	The risk and hazard management section of the Audit Standard does not currently establish clear minimum standards for the systems operators must have in place to manage risks associated with natural hazards.
Proposed change:	<p>We propose a new sub-section 5.4 'Managing Natural Hazard Risks' will be introduced in section 05 of the Audit Standard.</p> <p>This new sub-section will set out specific requirements for operators to assess, manage, and monitor risks associated with natural hazards. Introducing such minimum standards will ensure that all operators have basic systems in place to manage risks from natural hazards.</p> <p>The proposed wording for this new sub-section is as follows:</p> <p>"5.4 Managing Natural Hazard Risks</p> <p>Operators must have systems to identify and assess the reasonably foreseeable risks arising from natural hazards in the operating area/s where they will be conducting adventure activities. This should include taking into account current information available from experts and landowners or land managers.</p> <p>The operator must minimise the serious risks arising from natural hazards in their operating area/s in line with the hierarchy of controls described at sub-section 5.2.</p> <p>When making decisions about ways to minimise serious risks arising from natural hazards, operators should consider:</p> <ul style="list-style-type: none"> • arrangements for monitoring risks associated with natural hazards within their operating area/s • having clear decision criteria for postponing or cancelling activities based on any change that significantly increases risk from those natural hazards • avoiding or limiting time spent in hazard zones • ensuring emergency preparedness and response plans are workable and effective for dealing with emergencies arising from natural hazard risks in the operating area/s should they occur • ensuring that field equipment, first aid supplies, and clothing provided and/or required takes risks arising from natural hazards in the operating area/s into account."
Question:	Do you agree with this proposed change? If no why?

Proposed changes to Section 06 – Standard Operating Procedures

Reference:	Sub-section 6.3 – Dynamic Management of Risks, page 21
Issue:	<p>MBIE’s targeted review of the Adventure Activities Regulatory Regime found that operators’ understanding of natural hazard risks is patchy and greater attention to these in the regime would be beneficial. Increased communication of natural hazard risk to staff and customers and managerial responsibility for cancelling activities based on natural hazard risk were highlighted as areas for improvement.</p> <p>The Audit Standard does not explicitly refer to the need for SOP’s to provide for the postponing or cancelling of activities (or moving the activity to a safer location) based on changes in risk from natural hazards.</p>
Current text:	<p>In addition to outlining control measures for serious risks, SOPs must require staff to continually identify and manage risk levels during each activity.</p> <p>Staff must have the authority to halt an activity if they identify increased risks (or combination of risks) that threaten the safety of any person associated with the activity.</p>
Proposed change:	<p>After -</p> <p>“Staff must have the authority to halt an activity if they identify increased risks (or combination of risks) that threaten the safety of any person associated with the activity.”</p> <p>Insert the following proposed wording:</p> <p>“SOPs must also require the operator to monitor on an ongoing basis the risks associated with natural hazards within their operating area and have clear decision criteria for postponing or cancelling activities (or moving the activity to a safer location) based on any change that increases risk from those natural hazards.”</p>
Question:	Do you agree with this proposed change? If no why?

Reference:	Sub-section 6.4 – Supervision, page 21
Issue:	<p>Firstly, this sub-section does not address the positioning of assistant supervisors during the activity to ensure their safety is adequately managed.</p> <p>Secondly, this sub-section needs to address the maximum capacity of the operation (i.e. the maximum participant numbers for the activity at any given time) to ensure that scaling-up of the operation to accommodate unusually large bookings does not exceed the resourcing and capacity of the SMS.</p>
Current text:	<p>The operator must ensure participants are adequately supervised.</p> <p>SOPs must specify:</p> <ul style="list-style-type: none"> • the maximum ratio of participants to staff for each activity as determined by good practice • the positioning of staff in relation to participants during the activity

	<ul style="list-style-type: none"> • how and when supervision ratios and positioning should change for differing circumstances. <p>Note: Circumstances requiring changes to supervision structures could include differing participant abilities, weather conditions, staff competence and time constraints.</p>
Proposed change:	<p>We propose to delete the current text and replace with the following:</p> <p>“SOPs must specify:</p> <ul style="list-style-type: none"> • the maximum ratio of participants to staff for each activity as determined by good practice • the maximum participant numbers for the activity at any given time • the positioning of staff in relation to participants during the activity • the positioning of any assistants in relation to others during the activity • how and when supervision ratios and positioning should change for differing circumstances. <p>Note: Circumstances requiring changes to supervision structures could include differing participant abilities, weather conditions, staff competence and time constraints.”</p>
Question:	Do you agree with this proposed change? If no why?

Reference:	Sub-section 6.6 - Field Communications, page 22
Issue:	This sub-section is currently silent on the need for operators to ensure they can establish immediate contact with emergency services while they’re in the field.
Current text:	<p>The operator must develop, implement, and maintain procedures that enable staff to seek assistance during the activity.</p> <p>Note: When developing procedures for field communications, the operator should take into account:</p> <ul style="list-style-type: none"> • remote or isolated work • the nature of the activity • the age and abilities of participants • available technology • the operating environment.
Proposed change:	<p>We propose to insert “(including being able to establish immediate contact with emergency services when necessary)” after “during the activity” so that the first paragraph of this sub-section reads as follows:</p> <p>“The operator must develop, implement, and maintain procedures that enable staff to seek assistance during the activity (including being able to establish immediate contact with emergency services, so far as is reasonably practicable).”</p>
Question:	Do you agree with this proposed change? If no why?

Proposed changes to Section 07 – Emergency Preparedness and Response Plans

Reference:	Reference to "Adequate first aid supplies must be available at all times during the activity" on page 24
Issue:	The current wording does not clarify that the operator must have regard to all relevant matters, including: the nature of the activities being carried out; and the nature of the hazards associated with those activities and the location where those activities are carried out.
Current text:	Adequate first aid supplies must be available at all times during the activity
Proposed change:	We propose to delete the current text and replace with the following: "Adequate first aid supplies, appropriate to the nature of the hazards associated with the activity and the location where those activities are carried out, must be available at all times during the activity and must be maintained."
Question:	Do you agree with this proposed change? If no, why?

Reference:	Reference to "The emergency preparedness and response plans must be tested and reviewed periodically, reviewed after an incident or emergency, and revised as required" on page 24
Issue:	The current text is light on details with respect to testing, review, and revision of plans and associated recording of test results.
Current text:	The emergency preparedness and response plans must be tested and reviewed periodically, reviewed after an incident or emergency, and revised as required.
Proposed change:	We propose to delete the current text and replace with the following: "The emergency preparedness and response plans must be tested and reviewed periodically to ensure they are workable and effective for the activities and the operating environment. They must also be reviewed after an incident or emergency. The operator must revise the emergency response plan in response to the findings of any test or review to ensure that the plan is workable and effective. If a person, procedure, or action specified in an emergency response plan is changed, then the operator should ensure that the plan is tested to demonstrate whether: the new person can perform his or her functions under the plan; and the new procedure or action is workable and effective."
Question:	Do you agree with this proposed change? If no why?

Reference:	Reference to "The operator must ensure that staff and participants have ready access to someone with an appropriate and current first aid qualification" on page 24
Issue:	The current text could better qualify what is meant by an "appropriate" first aid qualification.
Current text:	The operator must ensure that staff and participants have ready access to someone with an appropriate and current first aid qualification.
Proposed change:	<p>We propose to delete the current text and replace with the following:</p> <p>"The operator must ensure that staff and participants have ready access to someone with a current first aid qualification – appropriate for the nature of the hazards associated with the activity and the location where those activities are carried out.</p> <p>For example, staff and participants should have access to someone who has completed a pre-hospital emergency care course (or equivalent) in situations where the activity presents higher levels of risk and where you are operating in remote/isolated locations where emergency services could be delayed.)"</p>
Question:	Do you agree with this proposed change? If no why?

Reference:	Reference to "The operator must ensure that staff and participants have ready access to someone with an appropriate and current first aid qualification" on First aid qualifications, page 24
Issue:	The current text could better clarify how sole guides have ready access to first aid.
Current text:	The operator must ensure that staff and participants have ready access to someone with an appropriate and current first aid qualification.
Proposed change:	<p>Add after the current text:</p> <p>"Note: if sole guide access to first aid is reliant on participant actions, then the client briefing must address how first aid will be administered in the event that the sole guide is incapacitated."</p>
Question:	Do you agree with this proposed change? If no why?

Proposed changes to Section 08 – Incident Management

Reference:	Sub-section 8.1 - Incident Response, page 25
Issue:	Despite 'near misses' being provided for in the definition of incidents on page 8 of the Audit Standard, we consider that the current text at sub-section 8.1 should explicitly refer to the need to record near miss incidents. Near miss incidents, if analysed and used correctly, can help inform changes to prevent future accidents from occurring.

Current text:	The operator must develop procedures for responding to incidents, including communicating and recording incidents internally, and reporting notifiable events to the relevant authority.
Proposed change:	We propose to insert "(including near miss incidents)" after "responding to incidents" so the first paragraph of this sub-section reads as follows: "The operator must develop procedures for responding to incidents (including near miss incidents), including communicating and recording incidents internally, and reporting notifiable events to the relevant authority."
Question:	Do you agree with this proposed change? If no why?

Proposed changes to Section 10 – Continual Improvement

Reference:	Sub-section 10.2 - Internal review of the SMS, page 30
Issue:	The current text should add "complaints" into the list of relevant information that should be considered as part of the SMS review.
Current text:	The operator must review at least annually the performance of the SMS against the SMS's stated safety goals and objectives. The review should take into account any audit findings, reports from technical advisers and/or technical experts, and analyses and recommendations from specific reviews, including reviews of incidents.
Proposed change:	We propose to insert "complaints" before "audit findings" so the second paragraph of this sub-section reads as follows: "The review should take into account any complaints, audit findings, reports from technical advisers and/or technical experts, and analyses and recommendations from specific reviews, including reviews of incidents."
Question:	Do you agree with this proposed change? If no why?

Reference:	Sub-section 10.3 - Internal Review of Adventure Activities, page 30
Issue:	Firstly, the Audit Standard doesn't currently require operators to consider learnings from relevant incidents that have occurred in the adventure activities sector (both here in New Zealand and internationally). Secondly, we consider that the current reference that an operator 'should' involve technical advisers in the review process should be changed to 'must'. This is because without technical adviser input during the review changes could be made to the adventure activity which potentially vary from good practice.
Current text:	The operator must conduct scheduled internal reviews of their adventure activities to ensure compliance with this standard. In addition, the operator must review their adventure activities when prompted by: <ul style="list-style-type: none"> • audit findings

	<ul style="list-style-type: none"> • proposed changes to the adventure activities provided, including the sites used, that may change the hazards or the seriousness of the risks or hazards • changes to the environment in which the activity is conducted • changes to key staff • incidents and emergencies • changes in legislation, standards, activity safety guidelines, codes of practice or similar information. • identification of a new relevant hazard or risk. <p>The operator should involve technical advisers to assist in the review process. The operator must ensure that:</p> <ul style="list-style-type: none"> • the reviews are conducted by people with current competence in the activity • any opportunities for improvement are identified • outcomes are communicated to staff and other relevant parties • any actions resulting from the reviews are implemented.
Proposed change:	<p>We propose to insert, “- including learnings from relevant incidents that are known (or ought reasonably to be known) to have been experienced by other adventure activity operators in New Zealand or overseas” after “incidents and emergencies” so the first paragraph of this sub-section reads as follows:</p> <p>“The operator must conduct scheduled internal reviews of their adventure activities to ensure compliance with this standard. In addition, the operator must review their adventure activities when prompted by:</p> <ul style="list-style-type: none"> • audit findings • proposed changes to the adventure activities provided, including the sites used, that may change the hazards or the seriousness of the risks or hazards • changes to the environment in which the activity is conducted • changes to key staff • incidents and emergencies - including learnings from relevant incidents that are known (or ought reasonably to be known) to have been experienced by other adventure activity operators in New Zealand or overseas • changes in legislation, standards, activity safety guidelines, codes of practice or similar information. • identification of a new relevant hazard or risk” <p>We also propose to replace “should” with “must” in the second paragraph to read as follows:</p> <p>“The operator must involve technical advisers to assist in the review process.”</p>
Question:	Do you agree with this proposed change? If no why?

Next Steps and Timing

The feedback we receive in this consultation will help us develop and refine the changes to be made to the Safety Audit Standard.

We are working to complete this review and issue a revised Safety Audit Standard by April 2023. The proposed commencement date for the revised Standard would be four months from the date of issue.

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