



WORKSAFE

Mahi Haumarū Aotearoa

WorkSafe Strategy



Te Kāwanatanga o Aotearoa
New Zealand Government

Foreword



Jennifer Kerr
Chair

Workplaces in Aotearoa New Zealand should be healthy and safe. No one should be harmed or killed because of work.

This is far from our reality. Every year 50–60 people are killed at work and 400–500 hospitalised with a serious work-related injury (acute harm), and an estimated 750–900 people die because of work-related ill health (chronic harm). While these awful figures have steadily reduced over time, there is a long way to go and much work to do by everyone who can influence health and safety in our workplaces.

The law that underpins our work health and safety system places the responsibility for managing risks, and ensuring work is healthy and safe, on businesses with the support and involvement from their workers. This responsibility is based on the fact businesses and workers best know their workplace, they best know their risks, and they best know how to manage them.

As the primary health and safety at work regulator, WorkSafe's role is to influence businesses to carry out their responsibilities - and to hold them to account if they don't.

While WorkSafe has a significant role in influencing better outcomes, it cannot do this alone. Other government agencies, industry bodies, iwi, and unions all have a vital role to play.

The refreshed WorkSafe strategy defines the wider health and safety at work system (Te Aronga Matua) and reflects our role in the system (Kawa), how we will undertake that role (Tikanga), where we will focus our effort (Kaupapa), and how we will measure our impact (Mātauranga).

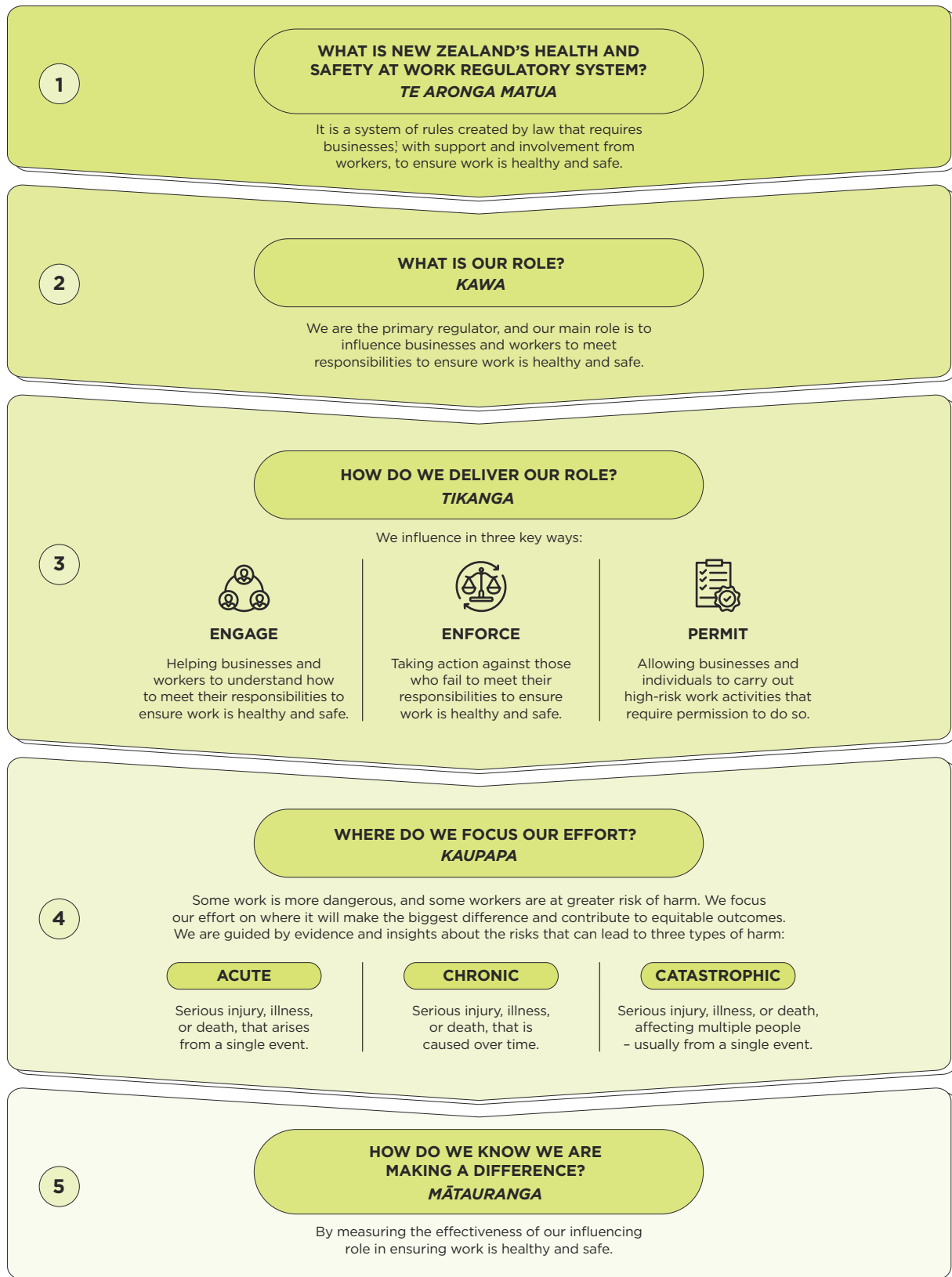
Understanding and incorporating cultural settings into our new direction will enable us to develop holistic initiatives that benefit all. It is imperative that we do not lose focus on reducing unacceptable harm inequities. For example, we know that Māori and Pasifika workers experience higher rates of acute harm than others.

As we deliver on our strategy, we look forward to working with everyone who can help influence better health and safety at work in Aotearoa New Zealand.

Mā iti, mā rahi, ka rapa te whai.

By working together we accomplish our tasks.

WorkSafe New Zealand strategy



¹ In this context, we use the word 'businesses' as shorthand to refer to persons conducting a business or undertaking (PCBUs) as well as the officers of a PCBU, such as company directors.





What is New Zealand's health and safety at work regulatory system?

Te aronga matua

At its heart, it is a system of rules created by law that requires businesses, with support and involvement from workers, to ensure work is healthy and safe.

This includes the Health and Safety at Work Act 2015 and the various rules and regulations made under it. The Act places the primary responsibility for ensuring work is healthy and safe on businesses. It also recognises that workers play a very important supporting role, particularly through worker engagement, participation, and representation. The concept is that businesses and workers best know their work, the risks involved, and how those risks should be properly managed.

Our system also includes the WorkSafe New Zealand Act 2013, which is the legislation that created WorkSafe as an independent regulator.

WorkSafe and the Health and Safety at Work Act 2015 were put in place after an Independent Taskforce led a national conversation about the fundamental shifts needed to improve New Zealand's work health and safety performance.

But the system isn't just about the law. It is also about:

- the information and guidance that helps people understand what they need to do and why
- the regulators and other organisations that support that understanding, and make sure people follow the rules, and
- all the different groups of people that are affected by and operate within the system of rules and create our work health and safety culture. This includes businesses, workers and their whānau, community and iwi groups, customers, health and safety professionals, and many others.

What is our role?

Kawa

We are the primary regulator, and our main role is to influence businesses and workers to meet responsibilities to ensure work is healthy and safe.

The WorkSafe New Zealand Act 2013 sets out our main purpose, which is to 'promote and contribute to a balanced framework for securing the health and safety of workers and workplaces'.

The words 'promote and contribute' make it clear it is not our role to secure the health and safety of work - that is the responsibility of businesses, with support and involvement from workers.

Rather, we promote and contribute by influencing businesses and workers to comply with their responsibilities to ensure work is healthy and safe.

The idea of 'a balanced framework' plays out in two ways. First, it sets out the balance of responsibilities between businesses, workers and the government. Second, it recognises that all work will involve some risk and there is a balance to be struck on how those risks are best managed.

The Act also sets out our additional role, which is to 'promote and contribute to the safe supply and use of electricity and gas'.







How do we deliver our role?

Tikanga

The WorkSafe New Zealand Act 2013 sets out 16 functions for us to undertake as the regulator. Those functions describe the various ways in which we are expected to ‘promote and contribute to’ – or influence – health and safety at work. Broadly, these functions can be grouped under three general headings – engage, enforce, and permit.

We influence in three key ways:



ENGAGE

Helping businesses and workers to understand how to meet their responsibilities to ensure work is healthy and safe.



ENFORCE

Taking action against those who fail to meet their responsibilities to ensure work is healthy and safe.



PERMIT

Allowing businesses and individuals to carry out high-risk work activities that require permission to do so.

Engage

The vast majority of New Zealand businesses and workers take their responsibilities for health and safety at work very seriously and want to do the right thing. Most don't need assistance to do this, but some do, and we carry out a variety of engagement activities to help them understand and meet their responsibilities.

Engagement activities include:



Education and training

We promote work health and safety being integrated into accessible education and industry-based training for those at highest risk of harm.



Publishing information and resources

We develop and share data, insights, guidance and resources designed to empower businesses and workers to improve health and safety practice.



Workplace assessments

We undertake planned inspections of workplaces or work activity to assess health and safety practice. These visits often focus on engagement and can also result in enforcement activities.



Marketing and communications

We use a range of channels and tactics to reach businesses and workers, to influence action to improve health and safety practice in high harm areas.



Advisory services

We contribute our subject matter expertise and foster collaborative action to improve health and safety practice in high harm areas.

Case studies

Support for worker representatives

Health and Safety Representatives (HSRs) play a key role in providing a voice for workers to raise issues and improve work practices.

Our inspectors regularly engage with HSRs as part of their workplace visits. To help strengthen the voice of workers we have established a new online platform. This platform enables HSRs to connect with subject matter experts, training and best practice guidance. We now have around 1,400 HSRs participating.

In addition, we have shared over 2,100 health and safety resources, 5 newsletters, responded to 180 HSR enquiries and delivered 145 follow up engagements to provide advice about effective HSR practices, to ensure workers can have their say.

Partnering with forestry industry and iwi

We formed a leadership alliance with iwi, industry leaders, forestry businesses and workers in Te Tairāwhiti to generate collective action to address causes of harm.






The initiative, Te Kawa a Tāne, aims to develop a locally led and owned plan for better health and safety outcomes. It includes business health and safety governance training, culturally appropriate worker health and safety training, and initiatives to resolve technology barriers and reduce risk for workers. Our work continues with industry to update their approved code of practice and the development of other guidance resources.



Enforce

Where businesses and workers don't carry out their responsibilities as they should, some form of action will likely need to be taken to enforce compliance with the law. The type of action taken is intended to obtain compliance (specific deterrence), and/or to discourage others from finding themselves in the same position (general deterrence). There are a variety of enforcement tools available to us to hold people to account and achieve the maximum influence.

Enforcement tools include:

 <p>Improvement Notice</p>	 <p>Prohibition Notice</p>	 <p>Infringement Notice</p>	 <p>Prosecution</p>	 <p>Enforceable undertaking</p>
<p>A written notice issued by a WorkSafe inspector directing that a work health and safety risk be addressed.</p>	<p>A Prohibition Notice may be issued requiring activity to cease immediately if a WorkSafe inspector determines that a serious health or safety risk is occurring or could occur.</p>	<p>An 'on the spot fine' may be issued for certain types of straightforward breaches.</p>	<p>We file charges for breaches of the law which may result in the Court imposing financial penalties or other sanctions.</p>	<p>Voluntary agreements between WorkSafe and a duty holder. They are legally binding and are generally used as an alternative to prosecution.</p>

Case studies

Prohibition Notice to prevent chronic harm

We were notified of a potential disturbance of asbestos-containing materials for construction work near a daycare centre. Stopping further exposure and harm was our first priority. We acted swiftly by issuing a Prohibition Notice to stop further construction work until the asbestos could be safely contained and removed. Immediate action was taken by the construction firm to clean up the site and make things right. Within 24 hours, work was able to safely resume.

Prosecution in response to acute harm

The worker of a manufacturing company was operating an unguarded machine. The worker was caught and pulled onto the machine's roller table. They suffered multiple crush injuries, which resulted in an amputation. The failure of the business to ensure there was adequate guarding on machinery exposed workers to harm. To hold the business to account, we prosecuted the company, which was convicted and fined \$220,000. The company also paid \$172,000 in reparations to the worker.



Permit

Businesses are generally free to carry out their work without needing permission. Health and safety rules set out how businesses should work together with their workers to determine what their workplace risks are and how to best manage them. This approach applies to most work that occurs within New Zealand.

But for some work activities and equipment, the government has decided a different approach is needed. These generally involve areas where significant or catastrophic harm could occur if the work is not managed well, such as major explosions or chemical spills. In these areas, the law creates a different role for us.

Permitting activities include:



Detailed technical requirements

We develop or set requirements that detail how particular work is carried out (for example, approved methods for asbestos, compliance certifier performance standards, electrical codes of practice, safe work instruments, and approved codes of practice).



Authorisations

We permit businesses or individuals to perform certain high-risk work (for example, adventure activities or asbestos removal).



Exemptions

We can exempt businesses from meeting certain legal requirements if we are satisfied that safety standards are not reduced.



Monitoring

We monitor those businesses and individuals authorised to work in high-risk areas and take action where it is required.

Case studies

Authorising urgent repairs using an approved method

Storm damage in May 2023 caused a road to collapse, bursting a water pipe. The area under the road was likely to have asbestos fragments mixed into the soil, and use of high-pressure spray on asbestos or asbestos containing materials is prohibited. WorkSafe quickly developed and authorised an approved method to allow the contaminated soil to be removed under strict conditions, allowing the pipe to be repaired and the road to be reinstated quickly.

Working with regime participants to improve safety

Following a number of enforcement activities in 2019, a New Zealand multinational embarked on safety improvements across its sizable manufacturing division. WorkSafe maintained a close relationship with the business throughout this process to educate and guide it as it transferred health and safety practices from the major hazard facilities within its New Zealand operations to its wider operations, resulting in safety improvements to its 39 manufacturing facilities in four countries.





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Where do we focus our effort?

Kaupapa

We can't be everywhere all the time, so we must focus our effort and resources to make the biggest difference and address inequity.

Within the three types of harm – acute, chronic, and catastrophic – we collect evidence and insights to understand where the greatest risk of worker harm exists. This means there will be areas where workplace harm is occurring or might occur that will not be a focus for us. Generally, this will be where the harm or risk is less serious, where there is no clear pattern or trend of risk or harm, or where others (like other agencies or industry organisations) already influence improvements to health and safety.

Key facts and figures:



600,000
businesses



2.9m
workers



600
WorkSafe staff

Acute harm

Acute harm is serious injury, illness, or death, that arises from a single event.

Every year 50–60 people are killed at work and 400–500 are hospitalised with a serious injury, some of which result in long-term disability. Some workers, such as Māori, Pasifika and older workers, have higher rates of acute harm than others.

Acute harm tends to be concentrated in a few industries, including:

- construction
- manufacturing
- agriculture
- forestry.

The key risks faced by workers that lead to serious and fatal acute harm are:

- vehicles and machinery
- falls from height
- falling and moving objects
- electrical and chemical hazards.

56%

The rate of fatal injuries has reduced by more than 56% over the last 20 years, but improvement has slowed over the past decade.



A vehicle is the primary cause of injury in at least 50% of acute fatalities.

55%

Approximately 55% of work-related fatalities and serious non-fatal injuries occur in four industries: agriculture, forestry, construction, and manufacturing.

30%

The rate of serious non-fatal injuries for Māori workers is estimated to be 30% higher on average than non-Māori workers.



The fatality rate in forestry and logging is nearly 20 times higher than the average for all industries.

40 YEARS

The age profile of the forestry workforce is similar to that of the overall workforce. Yet the average age of a fatal accident victim in forestry is 40 years, nearly 10 years younger than the average age for all fatalities.



Chronic harm

Chronic harm is serious injury, illness, or death, that is caused over time.

It is estimated that each year between 750 and 900 people in New Zealand die as a result of work-related ill health. Of these, cancer and respiratory disease cause the largest proportion of deaths, as a result of repeated exposure to:

- asbestos
- silica dust
- welding fumes and toxic metals
- engine exhaust fumes
- wood dust.

Workers are most affected by exposures in the following industries:

- construction
- manufacturing
- agriculture.

57%

More than half the New Zealand workforce (57%) is probably exposed to at least one carcinogen (a cancer-causing substance or agent), and 28% are probably exposed at a high level.



Workers in construction and vehicle-related work may be exposed to more than six carcinogens.

Our data suggests appropriate controls are not consistently used:

49%

of those likely to have high exposure to silica dust do not use either water suppression or local exhaust ventilation to control dust.

77%

of those welding metals containing chromium do not use an air-supplied helmet.



Māori have higher underlying rates of cancer and lung disease and may face higher risks from the same exposures.



Pasifika workers are around twice as likely to report constantly working in loud noise.

Catastrophic harm

Catastrophic harm is serious injury, illness, or death, affecting multiple people – usually from a single event. Events like this are rare. However, while they make up a small proportion of overall work-related harm in New Zealand, their impacts can be severe and significant.

In some instances, the catastrophic risks of an activity are significant enough for the law to require that they be managed differently. Regulations can include specific processes to reduce the risks that could lead to events such as explosion, fire, collapse, and chemical spills. Some of these are focused at industry level such as mining, petroleum exploration, or businesses with very large quantities of hazardous substances such as chemical plants (known as major hazard facilities). Others relate to specific activities, such as managing the risk of explosive atmospheres.

2%

Catastrophic events account for less than 2% of the average burden of harm in New Zealand. But without effective regulation, there is a large 'latent' potential for harm.



115

Major hazard facilities.



How do we know we are making a difference?

Mātauranga

To know we are making a difference, we need to measure how well we are influencing businesses and workers to meet their responsibilities.

Over time, the collective contribution by everyone who has a part to play (including businesses and workers, WorkSafe as the primary regulator, and government as the system owner) will result in fewer people being harmed by work.

Our role is to influence businesses and workers to meet their responsibilities to ensure work is healthy and safe. We do this by focusing our engagement, enforcement, and permitting activities across the three different types of harm - acute, chronic and catastrophic - to make the biggest difference and address inequity.

We will measure and evaluate how effective we are, and adjust our approach to where evidence and insights indicate there are better ways to make an impact. We will also monitor long-term trends and patterns across all types of work to ensure we continue to focus on the areas of greatest risk and harm.

If we are effective in influencing businesses and workers, we will see a change in work health and safety behaviour and practices. Over time, this will result in reduced harm to workers and others affected by work activities.

**Haere hauora atu
hoki haumarū mai**

Everyone who goes
to work comes home
healthy and safe