

Report urges re-write of health and safety strategy

Heidi Bendikson - Tue, 11 Jun 2024

There needs to be better co-operation between industry and government around health and safety, MinEx chief executive Wayne Scott says.

"That might mean co-funding. It will certainly mean more industry direct involvement in guidelines, standard-setting and those kinds of things."

He says much of MinEx's success is down to the industry having "some skin in the game".

Scott was responding to a scathing review – published by the Business Leaders' Forum – of the government's 2018-2028 health and safety strategy, which says health and safety regulation is languishing.

While NZ has appropriate regulations for low-probability, high-cost hazards such as underground mining, others – such as plant and structure and hazardous material regulations – still need to be finalised, the report says.

"This stalled progress, combined with an absence of regulatory clarity and a lack of accountability through inadequate coordination and action across government agencies and industry, is unacceptable," the report says.

The *Been There. Done That* report – with "Done That" crossed out – was prepared by a taskforce created by the forum – an independent coalition of business and government leaders.

The report follows the forum's *State of a Thriving Nation* report from last year, which found workplace harm in 2022 had cost the country \$4.4 billion.

Pike River

The latest report says New Zealand has a history of poorly implemented health and safety reform.

While the Pike River tragedy resulted in a 2013 task force to inform health and safety reforms, many of that taskforce's recommendations were not fully implemented.

Scott says Pike River was a wake-up call for the extractives sector, but it should have been a wake-up call for all of NZ.

He notes that – even so – it still took seven years after that event for the Ministry of Business, Innovation and Employment to correct mining and quarrying regulations.

"You can't just wait on government to fix your problems. You've got to do some other stuff to sort out improving health and safety that isn't just waiting on government."

Industry buy-in

He says New Zealand has lots of regulations but not enough people to enforce them.

Scott doesn't lay the blame on WorkSafe for that, saying the Department of Labour had the same problem when it was responsible for workplace safety.

He says that could change if there was some form of co-funding to provide money for health and safety that is ring-fenced away from the rest of government.

Scott notes WorkSafe has had some difficulties enforcing regulations, although last year it adopted a tougher approach with convictions.

He says the whole regulatory approach would be improved by having a consultative model where industry is involved in the process.

Flatlining health and safety

The *Been There, Done That* [report](#) identifies three reasons for NZ's flatlining health and safety performance: a lack of credible national strategy; a lack of regulatory clarity for many businesses about what's expected of them; and inconsistent incentives and sanctions.

It makes five recommendations including re-writing and relaunching the 2018-2028 health and safety strategy.

It also recommends reviewing and implementing priority regulatory changes, and that rules be applied "fairly and clearly" and overseen by experts to ensure negligent businesses are held to account.

"Lawyers we interviewed who act for employers confessed puzzlement at serious harm events that WorkSafe NZ has chosen to allow the employer to remedy internally, despite obvious failings and regulatory breaches."

The report calls for an independent oversight function for safety strategy to be established, incorporating a small group of industry leaders to ensure progress and momentum for improving New Zealand's health and safety performance.

WorkSafe strategy

WorkSafe recently released a renewed strategy for the organisation following a 2022 review which found that the organisation needed greater clarity around its role.

The workplace health and safety regulator is hosting an online Q&A session on the strategy with chief executive Steve Haszard via a [webinar](#) tomorrow.

