

Te Puna Hanganga, Matihiko | Infrastructure and Digital: Health & Safety At Work - Consulting with Persons Conducting a Business or Undertaking

Why do PCBUs need to consult on health and safety matters?

The Health and Safety at Work Act 2015 (HSWA) introduced a new approach to workplace health and safety by adopting broad coverage and involving all types of modern business and working relationships.

One of these new duties is for Persons Conducting a Business or Undertaking (PCBUs) such as the Ministry of Education's Te Puna Hanganga, Matihiko | Infrastructure and Digital (TPHM) to consult, cooperate and coordinate activities with other PCBUs who share health and safety (H&S) duties on the same matter.

The reason for this is to ensure that PCBUs, when working together, are organised and take action to prevent any gaps in managing health and safety risks. Effective coordination and communication avoids unnecessary duplication of effort.

TPHM's role in health and safety

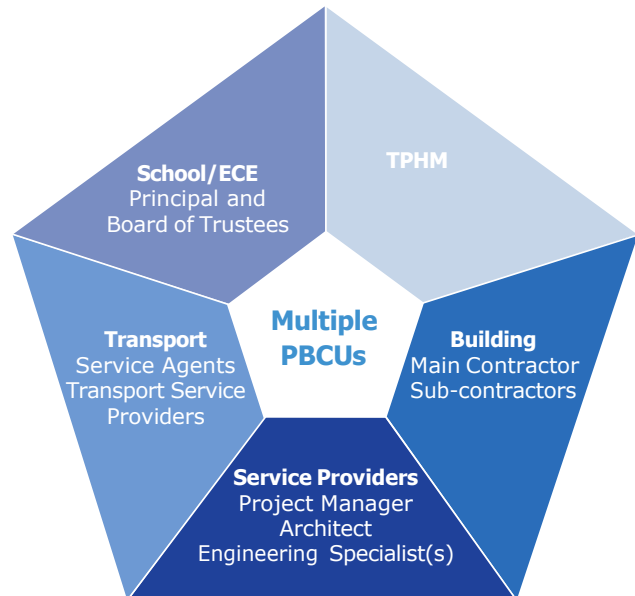
TPHM, acting on behalf of the Ministry of Education, has a key role to ensure the health and safety of its own workers but also acts to ensure the health and safety of other workers and persons affected by its work. The aim is to proactively work with our stakeholders such as school boards of trustees, our service providers, works contractors and suppliers, and the public to achieve healthy and safe work activities and environments across the education sector.

What HSWA requires

More than one PCBU can have a duty in relation to the same matter – in other words overlapping duties – to ensure the health and safety of workers.

This can occur in situations where there are:

- > Multiple PCBUs operating on the same site or location (e.g. building refurbishment work undertaken within the grounds of a school), or
- > Where there is a contracting chain.

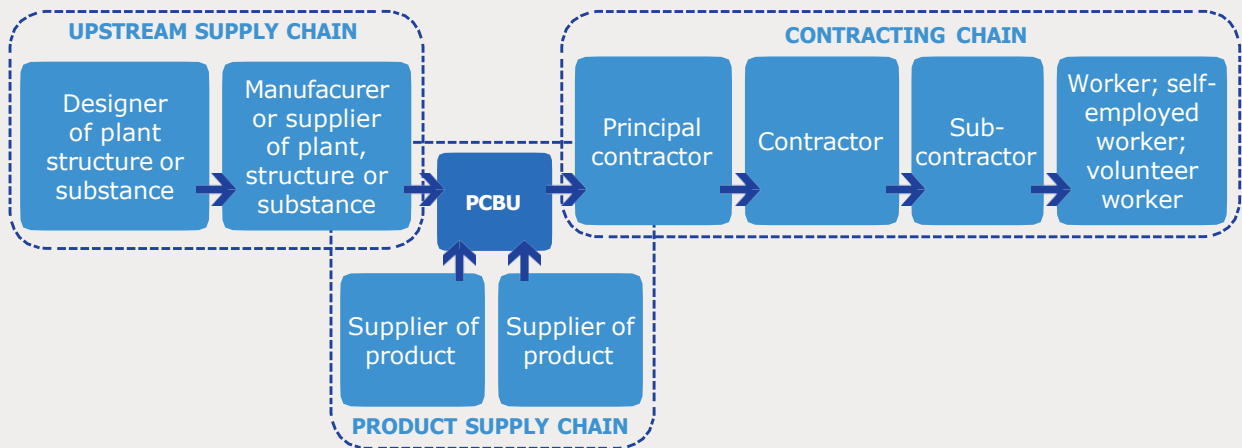


TPHM as a client buying services has an overall duty to ensure the health and safety of all the workers involved in the contracting chain. However, the other businesses in the chain such as the school board of trustees, transport service providers, works contractors, or architects/designers also have duties for the health and safety of their own workers and others affected by their work.

The extent of the duty to manage risk depends on the ability of each PCBU involved in the work to influence and control matters. The Ministry consults and influences health and safety matters across its contracting chain through:

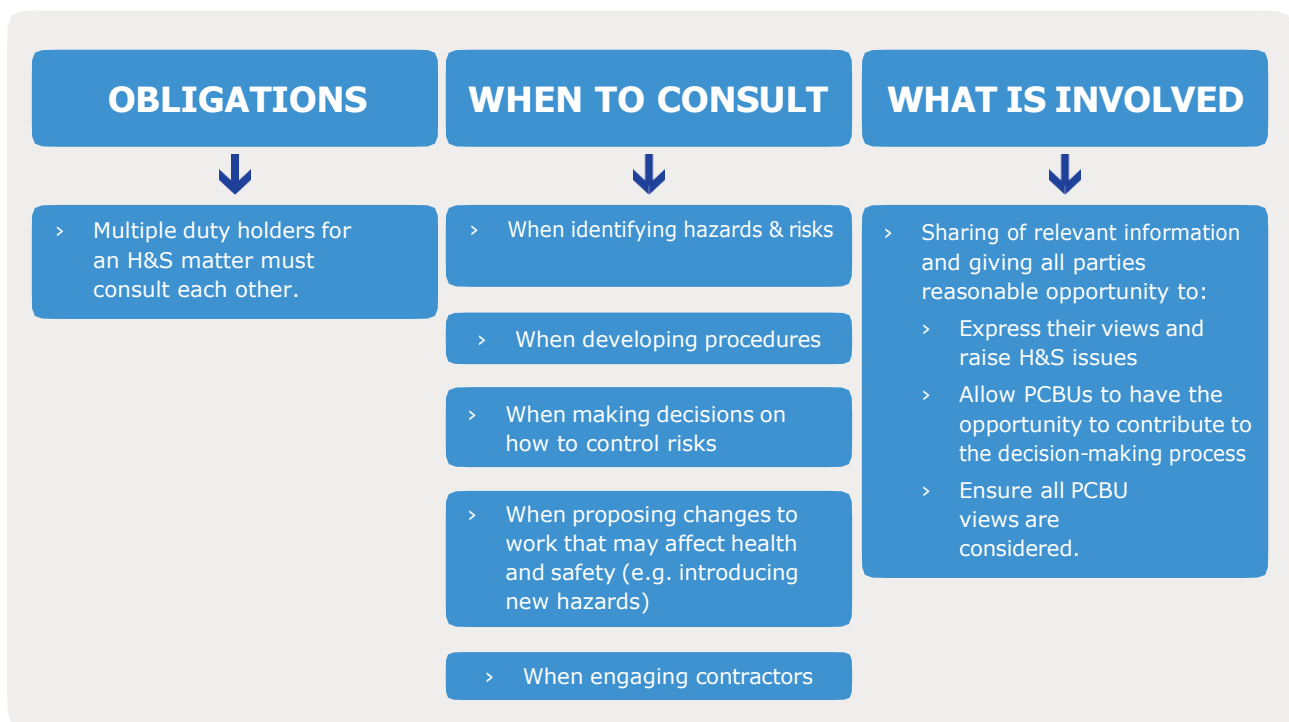
- > Procurement processes that assess service provider's health and safety capability (systems and processes) to undertake the work safely and development of site specific safety plans;
- > Informs other PCBUs of known risks and co-ordinates with parties impacted by the risks;
- > Undertakes regular consultation during the activity;
- > Conducts independent health and safety audits of the work to verify effective implementation of H&S systems;
- > Reviews reported incidents and remedial activity to assess trends and to learn and to take improvement actions.

Multiple PCBU Flowchart



How we will consult with our stakeholders

TPHM works with stakeholders who are also PCBUs under HSWA and the following diagram illustrates the consulting process.



The purpose of the consultation, cooperating and coordinating activities is that each PCBU is able to understand how the various activities may impact on the health and safety of all workers involved (e.g. the school staff, the builders, transport providers and service agents, and the public).

Communicating about and coordinating work activities and the supporting health and safety arrangements will make the control of workplace risks more effective and at the same time avoid duplication of effort.

Examples of actions

What	Who	How
Project Specific Tasks		
	<ul style="list-style-type: none"> › All project stakeholders 	<p>PCBUs Obligations:</p> <ul style="list-style-type: none"> › Consult, Cooperate, Coordinate › Risks - identified and managed › Share all relevant information › Allow all parties to contribute › Contribute to decision-making process › Express H&S views
<p>All projects, works and services meetings include health and safety arrangements and procedures</p> <p>Includes:</p> <ul style="list-style-type: none"> › Pre-start meetings; › Site meetings; › Scheduled service reviews; and › Project Control Group (PCG) meetings. 	<ul style="list-style-type: none"> › TPHM staff › School Boards › Architect › Project Manager › Works Contractor › Sub-contractors › Suppliers › Transport Service Agents › Transport Service Providers 	<ul style="list-style-type: none"> › All meeting agendas include health and safety as the first item of business › School and project/activity risks are identified and managed › Alignment of health & safety, and emergency plans › Establish procedures and communication and involvement for the duration of the project/contract › Property reports particularly where they may impact H&S should be discussed and explained to schools
<p>Incident reporting, investigation and reporting</p>	<ul style="list-style-type: none"> › TPHM staff › Contractor › Subcontractors › Project Managers › Transport Service Agents 	<p>All incidents are:</p> <ul style="list-style-type: none"> › Reported to Transport Service Providers and Service Agents who provide internal investigation to TPHM H&S team. › Works contractors report to SPAs or School delivery managers who assess remedial action and forward incident and investigation reports to TPHM H&S team. › TPHM H&S team assess all investigation reports to ensure effective corrective actions and lessons learnt. › High Level Investigations are carried out by TPHM H&S team.
<p>Asbestos management – all TPHM projects and works</p>	<ul style="list-style-type: none"> › TPHM staff › School › Architect › Project Manager › Contractor › Registered asbestos assessor › Registered asbestos removalist 	<ul style="list-style-type: none"> › TPHM guidelines for asbestos management made available to school boards, project managers and works contractors › Project managers, SPAs and Delivery Managers coordinate to ensure pre start surveys are conducted – any asbestos is identified as far as possible prior to commencing work › TPHM/School contract registered asbestos assessor to undertake asbestos survey › Where there is identified asbestos containing materials (ACMs), TPHM/School and project managers discuss and ensure asbestos management plans are in place › Where ACM is being removed, asbestos removal plans are provided to TPHM H&S team for review and coordination › Registered asbestos removalist removes asbestos › TPHM and project managers coordinate with school on asbestos management and procedures if asbestos has not been disturbed or has been encapsulated.

What	Who	How
Additional Ministry-led PCBU Activity		
Annual H&S forums	<ul style="list-style-type: none"> > TPHM staff > Architects > Project Managers > Contractors > School boards 	Annual forums scheduled to facilitate discussions on programme work that impacts on health and safety
Advice and Guidance	<ul style="list-style-type: none"> > TPHM staff > School boards > Transport Service Providers > Transport Service Agents 	<ul style="list-style-type: none"> > Continuing update of Property Pages / Toolbox > Advisory and Ad-hoc guidance

Further information:

www.education.govt.nz/property/
www.education.govt.nz/healthandsafety
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