



Accident Insurance (Employer Premiums) Amendment Regulations 2000

Michael Hardie Boys, Governor-General

Order in Council

At Wellington this 29th day of May 2000

Present:

The Right Hon Helen Clark presiding in Council

Pursuant to sections 281E, 281F, and 407 of the Accident Insurance Act 1998, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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Schedule

Audit requirements

Regulations

1 Title

- (1) These regulations are the Accident Insurance (Employer Premiums) Amendment Regulations 2000.
- (2) In these regulations, the Accident Insurance (Employer Premiums) Regulations 2000¹ are called “the principal regulations”.

¹ SR 2000/54

2 Commencement

These regulations come into force on 1 July 2000.

3 New regulations 11A to 11H inserted

The principal regulations are amended by inserting, after regulation 11, the following regulations:

“11A Downward adjustment of employer premium

- “(1) An employer premium payable by an employer may be adjusted downward if—
 - “(a) the employer satisfies an audit by an auditor, approved by the Corporation and conducted on the basis described in regulation 11B, to 1 of the 3 levels described in that regulation; and
 - “(b) the Corporation approves the downward adjustment.
- “(2) An employer premium payable by an employer may be adjusted downward—
 - “(a) by 10%, if the employer satisfies an audit to a primary level; or
 - “(b) by 15%, if the employer satisfies an audit to a secondary level; or
 - “(c) by 20%, if the employer satisfies an audit to a tertiary level.
- “(3) Decisions under this regulation about whether a downward adjustment to an employer premium is to be made and about the level of adjustment are decisions of the Corporation.

“11B Basis and levels of adjustment

- “(1) A downward adjustment of an employer premium is based on an audit of an employer’s safety management practices which measures those practices against standards aligned to interim

New Zealand Standard NZS4801 (INT): 1999, called Occupational Health and Safety Management Systems.

- “(2) The requirements for verification to satisfy an audit to a primary level are specified in Part A of the Schedule.
- “(3) The requirements for verification to satisfy an audit to a secondary level are specified in Parts A and B of the Schedule.
- “(4) The requirements for verification to satisfy an audit to a tertiary level are specified in Parts A, B, and C of the Schedule.
- “(5) An auditor approved by the Corporation may, but is not obliged to, allow an employer up to 30 days to improve its safety management practices or aspects of them before finalising its audit report for the Corporation; the 30-day period commences when the auditor notifies the employer of the practices or aspects that could be improved.

“11C **Auditors**

- “(1) An audit for the purpose of regulations 11A to 11F must be conducted by an auditor approved by the Corporation.
- “(2) The chief executive of the Corporation may approve a person to conduct audits of employers’ safety management practices if the chief executive is satisfied that the person has the qualifications to undertake such audits.

“11D **Applications for audit**

- “(1) An employer may apply to the Corporation to have its safety management practices audited to see—
 - “(a) whether the employer premium payable by the employer qualifies for downward adjustment; and
 - “(b) if so, which of the percentage adjustments in regulation 11A(2) is to apply.
- “(2) Before applying under subclause (1), an employer must—
 - “(a) itself conduct an audit of its own safety management practices based on the requirements described in regulation 11B; and
 - “(b) be able, based on that self-audit, to declare the belief that the employer would satisfy an audit, by an auditor approved by the Corporation, to at least a primary level.
- “(3) The Corporation must seek to approve or disapprove an application by an employer under subclause (1), and advise the

employer of the decision, within 10 working days of receipt of the application.

“11E Determination of applications

- “(1) The chief executive of the Corporation must decide which applicant employers under regulation 11D will be audited.
- “(2) In making those decisions, the chief executive may consider—
- “(a) the date of receipt of an employer’s application under regulation 11D(1); and
 - “(b) the declaration by an employer of the belief referred to in regulation 11D(2)(b).

“11F Subsequent audits

- “(1) An employer who fails an audit, and is refused a downward adjustment, may not apply for another audit for at least 12 months after that refusal.
- “(2) An employer who satisfies an audit to 1 of the levels described in regulation 11A(2), and receives a downward adjustment to its employer premium, may not apply to the Corporation for a further audit of its safety management practices until after the expiration of 12 months from the completion of the audit on which that downward adjustment is based.
- “(3) The Corporation may require an employer who has qualified for a downward adjustment to its employer premium to undergo a further audit, at a time specified by the Corporation, if—
- “(a) there is a fatal or serious injury at the employer’s workplace; or
 - “(b) there is a cluster of injuries at the employer’s workplace; or
 - “(c) the Corporation receives complaints from an employee or employees of the employer about safety standards at the employer’s workplace; or
 - “(d) ownership or control of the employer’s business changes.

“11G Application of premium adjustments

- “(1) An employer who is entitled, before 31 March 2001, to a downward adjustment to its employer premium is entitled to

have that adjustment applied to the employer premium payable—

“(a) for the prescribed period (1 July 2000 to 31 March 2001); and

“(b) for the period beginning on 1 April 2001 and ending on 31 March 2002.

“(2) However, the Corporation may decide, after an audit under regulation 11F(3) to discontinue or alter a downward adjustment to an employer premium for a premium year immediately following that audit.

“(3) A downward adjustment to an employer premium payable by an employer ceases to apply to an employer premium payable for periods after 31 March 2002.

“(4) The Corporation must notify an employer affected by sub-clause (3) about that effect at least 2 months before the second anniversary of the most recent audit of the employer’s safety management practices.

“11H Administration of adjustments

“(1) If possible, a downward adjustment to an employer premium is to be credited to the employer before the employer pays that employer premium.

“(2) If an employer qualifies for a downward adjustment to an employer premium after the employer has paid that employer premium,—

“(a) the Corporation may credit the amount of the adjustment to the employer’s account to be offset against payment of the employer premium for the next period; or

“(b) the Corporation must pay the amount of the downward adjustment to the employer if—

“(i) the employer so requests; and

“(ii) the employer’s account with the Corporation is in credit, after the downward adjustment, in favour of the employer, of more than \$100.

“(3) The Corporation is entitled to adjust the amount of monthly instalments of employer premium payable by an employer if the Corporation decides, after an audit under regulation 11F(3), to discontinue or alter a downward adjustment to an

employer premium for a premium year immediately following that audit.”

4 New regulation 14A inserted

The principal regulations are amended by inserting, after regulation 14, the following regulation:

“14A Interest rate on employer premium overpaid

The interest rate payable on amounts that are refundable under section 281F(2)(a) of the Act is 6.81% per annum, being the average 90-day bank bill yield rate published by the Reserve Bank of New Zealand for the week ended 19 May 2000.”

5 New regulation 15 substituted

The principal regulations are amended by revoking regulation 15, and substituting the following regulation:

“15 Premiums exclusive of goods and services tax

The amounts of the premiums derived by applying the premium rates set out in the Schedule or determined under regulation 8, after adjustment under regulations 11A to 11H, are exclusive of goods and services tax payable on the premiums.”

Schedule Audit requirements

r 11B(2), (3), (4)

Part A Primary level

Employer commitment to safety management practices

Objective

The employer demonstrates an active, consultative commitment to all areas of health and safety management in the workplace.

Details of requirements	Verified by
1 There is a documented health and safety policy.	Policy document.
2 The policy is authorised by current chief executive officer or other senior management representative.	Appropriate signature, position, and date.
3 The policy incorporates management commitment including commitment to comply with relevant legislation, regulations, codes of practice, and safe operating procedures.	Policy document includes statement of commitment to comply with relevant standards.
4 The policy includes specific understanding of management responsibilities for health and safety.	Policy statement includes management commitment to health and safety. Specific health and safety co-ordination roles are designated at senior management level.
5 The policy includes an outline of individual employee responsibilities for health and safety.	Policy document states individual responsibilities for health and safety in the workplace.
6 There is commitment to consultation with employee representatives regarding health and safety management.	Statement that supports employee participation included in the policy document.
7 Safety information is clearly displayed in all main work areas.	Sighting of current safety information displayed in work areas visited.
8 There is specific management commitment to accurate reporting and recording.	Health and safety management system documents include a specific statement requiring accurate reporting and recording.

Part A—*continued**Planning, review, and evaluation***Objective**

The employer is able to demonstrate a focus on continuous improvement through a systematic approach to occupational health and safety that includes setting specific objectives, systems/programmes to achieve objectives, regular review of progress, and evaluation of outcomes.

Details of requirements	Verified by
1 Health and safety objectives are set that are appropriate to the size and type of business and relevant to each level within the business.	Health and safety business or management plan established to achieve objectives. Documented objectives related to each level within the business and the identified hazards.
2 A process is developed to undertake an annual self-assessment audit (in consultation with employee representatives) required to maintain programme status.	Documented employer commitment to developing a process in consultation with employee representatives.

*Hazard identification, assessment, and management***Objective**

The employer has an active method that systematically identifies, assesses, and manages the actual and potential hazards in the workplace, over which the employer has authority or influence.

Details of requirements	Verified by
1 There is a systematic process to identify and record actual and potential hazards in the workplace.	Process document that covers an understanding of the range of hazards including (for example) work organisation, job design, and hazards facing off-site employees. Hazard registers to support process in action.
2 There is a process to assess identified hazards to determine which hazards are significant hazards.	Register of hazards identifies which hazards are significant.

Part A—continued

Details of requirements	Verified by
<p>3 There are appropriate controls in place for each significant hazard based on the hierarchy in the Health and Safety in Employment Act 1992 to either—</p> <p>(a) eliminate the hazard completely; or</p> <p>(b) isolate the hazard to reduce the exposure to that particular risk; or</p> <p>(c) minimise the impact of the hazard.</p>	<p>Documented process for developing appropriate controls.</p> <p>Details of controls developed for significant hazards.</p> <p>System for the issue, renewal, and maintenance of personal protective equipment.</p>
<p>4 Appropriately trained and/or experienced (competent) people are involved in identifying and managing hazards.</p>	<p>Records of training, skills, and experience for managers leading hazard management.</p>
<p>5 There is a procedure for obtaining specialist advice for managing specific hazards, where this competency is not available through internal staff.</p>	<p>Documentation to support the appropriate use of specialist advice, for example for hazardous substances:</p> <ul style="list-style-type: none"> • transport • storage • use • identification • disposal.
<p>6 There is active management of hazards associated with any new or modified equipment, material, services, or work processes introduced into the workplace.</p>	<p>Hazard identification and management documents.</p>
<p>7 There is opportunity for the active involvement of employee representatives in identifying and managing hazards in the workplace.</p>	<p>Hazard registers and/or health and safety meeting minutes verifying employee consultation or direct participation in hazard management.</p>
<p>8 There is a process to identify and manage any areas of the workplace requiring health monitoring.</p>	<p>System for undertaking baseline monitoring of health in identified areas and notifying results to employees.</p>
<p>9 Work areas, over which the employer has control or influence, are planned so that the exposure of visitors and the general public to workplace hazards is minimised.</p>	<p>Clear marking of designated areas as appropriate.</p> <p>Signage, and security log books or visitors registers as appropriate to specific areas of the workplace, or escorting restrictions and induction for site visitors.</p>

Part A—*continued**Information, training, and supervision***Objective**

The employer will ensure that all employees are informed of their own responsibilities and the employer's responsibilities for health and safety in the workplace. The employer will ensure that employees have specific knowledge concerning management of the hazards to which they are exposed through workplace procedures, environment, equipment, and materials.

Details of requirements	Verified by
<p>1 There is appropriate health and safety induction training for all new employees and employees transferring to a new environment, role, or task.</p>	<p>Documented staff health and safety induction checklist including:</p> <ul style="list-style-type: none"> • emergency procedures • accident reporting • hazard identification • work injury claims process • rehabilitation process • employer responsibilities and designated roles • employee responsibilities • the process for employee health and safety representation and the role required • employee/management consultation process • personal protective equipment use and maintenance. <p>Signed employee training records.</p>
<p>2 There is identification and analysis of health and safety training needs in relation to specific roles, tasks, or areas of work.</p>	<p>Hazard register document or software that relates hazards to tasks and areas.</p> <p>Example plan to deliver training identified.</p> <p>Licensing and certification issue and renewal.</p>
<p>3 All health and safety information and training is delivered so that the key messages are clearly understood, taking into account language, literacy, vision, hearing, or other variables.</p>	<p>A system is in place that is able to demonstrate the health and safety information and training has been understood.</p> <p>Signed employee training records.</p>

Part A—*continued*

Details of requirements	Verified by
4 There is access to internal staff members who are competent (with the appropriate skills, and experience or qualifications) to undertake training.	Records to show appropriate trainers used for training needs. Guideline document or similar for health and safety training.
5 Relevant health and safety information is available to all employees.	Access to further information is included in health and safety information on display in the workplace. Records of information provided to employees (posters, signs, documents, training material). Evidence through interviews that employees have relevant information.
6 Competent supervision for employees undergoing on-the-job training to ensure their newness to the task or role does not endanger themselves or others (or equipment).	Evidence of system (eg, documented procedure, records) for on-the-job training, including experience required and details of responsibilities.

*Incident and accident reporting, recording, and investigation***Objective**

The employer has an active reporting, recording, and investigation system that ensures all incidents and accidents are reported, recorded, and investigated, and the appropriate corrective action is taken. The terms **incidents** and **accidents** in this context include all “near miss” or “near hit” events, work-related illnesses, and injury events that harmed or might have harmed any employee during the course of their work.

Details of requirements	Verified by
1 There is a system for reporting and recording the particulars of all incidents, accidents, and work-related illnesses.	Documented procedure. Accident reporting forms. On-site accident registers. Procedures requiring early and prompt attention to all reported incidents and accidents.

Part A—*continued*

Details of requirements	Verified by	
2	<p>All employees understand their specific responsibilities to report incidents, accidents, and workplace illnesses that have or might have harmed anyone in the workplace.</p>	<p>Reporting forms available in all work areas.</p> <p>Staff communications, team briefings, health and safety meeting minutes.</p> <p>Manner in which the accident register is maintained on site.</p>
3	<p>When serious harm occurs the Occupational Health and Safety Service (OSH) of the Department of Labour is notified as soon as possible and a written report is sent within seven days. (NB, there are other agencies that the employer may also need to notify to meet regulatory obligations in the event of serious harm).</p>	<p>Accident register for identification of serious harm.</p> <p>OSH notifications or procedures.</p> <p>Documented responsibility for notification to OSH.</p>
4	<p>The employer has a process to investigate incidents and accidents that harmed or might have harmed an employee.</p>	<p>Accident investigation process.</p> <p>List of designated accident investigators.</p> <p>Accident investigation form.</p> <p>Accident investigation example reports.</p>
5	<p>There is a process to ensure corrective action is undertaken in relation to any deficiencies identified during an investigation.</p>	<p>Process and records to show that corrective action is identified and undertaken.</p> <p>Feedback into hazard management included in the process.</p>
6	<p>A system exists to record and analyse accident and incident data.</p>	<p>The system and the extent of the records.</p>

Part A—*continued**Employee participation in health and safety management***Objective**

The employer will ensure that employees have the opportunity to be fully involved in the development of safe workplace practices.

Details of requirements	Verified by
1 There is a forum to enable employees to communicate to management issues of interest and concern related to health and safety.	The existence of health and safety committees or similar that include both employee and management representatives. Health and safety meeting communications and minutes.
2 There is a process agreed to by employees to support employee consultation and representation in health and safety development, monitoring, and review.	Documented process and procedures for health and safety management that specifically provide for employee consultation. Information on this process is available to all staff. There is an agreed process to select employee representatives for health and safety.

*Emergency planning and readiness***Objective**

The employer has an effective general emergency plan to manage all types of emergencies likely to occur within any part of an organisation's operation and to comply with legislative requirements.

Details of requirements	Verified by
1 There is a documented emergency plan that identifies all potential emergency situations relevant to the type and location of the employer, has associated emergency management procedures, and meets emergency service requirements.	Documented emergency plan. Associated emergency management procedures.

Part A—*continued*

Details of requirements	Verified by
2 This plan is known and understood by all permanent staff, contract staff, and site visitors.	Emergency awareness is covered with site visitors. There are prominent signs in all work areas including emergency contacts and the evacuation plan. Evidence from interviews with employees to show understanding of current emergency requirements.
3 An emergency warden or co-ordinator is designated for each work area and is trained to take control in an emergency.	List of emergency wardens or co-ordinators known to all staff. Training schedules and records.
4 There is periodic testing of emergency evacuation procedure at regular intervals — recommended at no greater than 6 months.	Record of emergency evacuation drills.

Protection of employees from on-site work undertaken by contractors and sub-contractors

Objective

The employer has a systematic approach as the principal contractor of services to ensure that all contractors, subcontractors, and their employees do not cause harm to the employees of the principal while undertaking the work required by the contract. (This is the main objective under this heading in the context of this audit. The specific duties of the employer as a principal under the terms of the Health and Safety in Employment Act 1992 are not part of the programme's requirements.)

Details of requirements	Verified by
1 Induction to on-site health and safety procedures is undertaken by a designated person managing the contract for the employer, for all contracted staff who may be exposed to workplace hazards on-site.	Documents showing induction training for all contract staff, as appropriate, including sign-off by employer.

Part A—*continued**Focus group interview
(Confirmation of safe systems in action)***Objective**

The employer is able to validate injury prevention systems in action through 2 group interviews with employee and management representatives.

Details of requirements	Verified by
1 There is an understanding of what constitutes a hazard in the workplace.	Interview that includes reference to work organisation and job design in the understanding of hazards.
2 There is an understanding of the process for hazard identification.	Process documents. Interview with employee and management representatives.
3 There is an awareness of respective responsibilities in the identification of hazards.	Process documents to identify responsibilities. Interview with employee and management representatives.
4 There is an understanding of the term significant hazard and how that relates to this particular workplace.	Examples of identified significant hazards documented. Interview with employee and management representatives.
5 There is an understanding of the hierarchy of controls in the management of hazards.	Example documentation of controls developed. Interview with employee and management representatives.
6 There is an understanding of accident reporting and recording requirements.	Examples from accident register. Interview with employee and management representatives.
7 There is an understanding of accident investigation, including designated responsibilities and the role of the injured employee and the manager concerned.	Example accident investigation forms. Interview with employee and management representatives.
8 There is an understanding of the responsibilities for corrective action resulting from an investigation.	Example accident investigation forms or similar documentation. Interview with employee and management representatives.
9 There is an understanding of the feedback required from an accident investigation into injury prevention, training issues and staff communication as appropriate.	Accident investigation form. Interview with employee and management representatives.

Part A—*continued*

Details of requirements	Verified by
10 There is an understanding of how to initiate rehabilitation support and assistance for any injured employees.	Interview with employee and management representatives.

Part B

Secondary level (additional to primary level requirements)

Employer commitment to safety management practices

Objective

The employer demonstrates an active, consultative commitment to all areas of health and safety management in the workplace.

Details of requirements	Verified by
1 The policy includes specific understanding of management responsibilities for health and safety.	Position description of management roles includes performance review of designated health and safety responsibilities. Managers are accountable for health and safety performance criteria for work areas over which they have control.
2 There is commitment to consultation with employee representatives regarding health and safety management.	A system that supports the selection of employee representatives for health and safety.
3 There is specific management commitment to accurate reporting and recording.	Records of this requirement included in performance review of management roles. Indicative statement in policy document.
4 There is commitment to continuous improvement in health and safety.	Measurable health and safety business objectives documented. Evidence that a system exists for the appropriate review of health and safety related policies by senior management to ensure their ongoing effectiveness (for example records of reviews or a documented review procedure or checklist).

Part B—*continued**Planning, review, and evaluation***Objective**

The employer is able to demonstrate a focus on continuous improvement through a systematic approach to occupational health and safety that includes setting specific objectives, systems/programmes to achieve objectives, regular review of progress, and evaluation of outcomes.

Details of requirements	Verified by
1 Health and safety objectives are set that are appropriate to the size and type of business and relevant to each level within the business.	Procedure to review objectives annually. Senior management and employee representatives included in annual review and setting of objectives.
2 Health and safety performance is reviewed against objectives.	Annual health and safety performance review specific to documented management positions. Management and employee representatives included in review or performance against objectives.
3 There is a process to monitor the employer's conformance to relevant health and safety related legislation.	Documented procedures. Minutes, timetable, or similar to show there is regular consultative review of the conformance with obligations and performance against requirements.
4 A process is developed to undertake an annual self-assessment audit (in consultation with employee representatives) required to maintain programme status.	Process documented and implemented by end of first year of employer accreditation. Includes employee participation. Example declaration from the employer to confirm the involvement of employee representatives.

Part B—*continued**Hazard identification, assessment, and management***Objective**

The employer has an active method that systematically identifies, assesses, and manages the actual and potential hazards in the workplace, over which the employer has authority or influence.

Details of requirements	Verified by
1 There is a systematic process to identify and record actual and potential hazards in the workplace.	Records of regular review of the hazard identification and recording process.
2 There are appropriate controls in place for each significant hazard based on the hierarchy in the Health and Safety in Employment Act 1992 to either— (a) eliminate the hazard completely; or (b) isolate the hazard to reduce the exposure to that particular risk; or (c) minimise the impact of the hazard.	Evidence of appropriateness of controls developed for high risk hazards through specialist documentation or advice.
3 There is a procedure for obtaining specialist advice for managing specific hazards, where this competency is not available through internal staff.	Availability of reference library (either hard copy or electronic) that includes all relevant legislation, regulations, codes of practice, safe operating procedures, MSDS, etc. Register or list of health and safety specialist advice available internally or externally.
4 There is a schedule documenting the minimum review timetable to monitor the isolation and minimisation level controls for significant hazards.	Hazard monitoring timetable appropriate for particular identified hazards. Responsibilities assigned for ensuring timetable is met and signed off at each period.
5 There is active management of hazards associated with any new or modified equipment, material, services, or work processes introduced into the workplace.	Procedure requiring liaison with the designated health and safety personnel in the purchase or implementation of new or modified equipment, material, services, or processes.

Part B—*continued*

Details of requirements	Verified by
6 There is a process to identify and manage any areas of the workplace requiring health monitoring.	Procedure to manage sub-optimal test results. Records of work to identify tasks requiring monitoring and ongoing regular testing, post-critical event testing, and exit testing.
7 There is a process to identify those tasks where pre-employment screening may be appropriate, to ensure that risk of work injury or work-related illness through exposure to those particular tasks is minimised.	Record of job-task analysis process.

*Information, training, and supervision***Objective**

The employer will ensure that all employees are informed of their own responsibilities and the employer's responsibilities for health and safety in the workplace. The employer will ensure that employees have specific knowledge concerning management of the hazards to which they are exposed through workplace procedures, environment, equipment, and materials.

Details of requirements	Verified by
1 There is identification and analysis of health and safety training needs in relation to specific roles, tasks, or areas of work.	Records of process to evaluate an individual's competency to manage specific hazards associated with their job tasks and work areas. Records of process to consider specific knowledge of regulatory and organisational standards in evaluating training needs. System for 'bring-up' reminder facility and assignment of responsibilities.

Part B—*continued*

Details of requirements	Verified by
2 There is a system for controlling health and safety related documents and information including the dissemination of applicable information to all staff and notification of outdated documents.	Document control system (paper based or electronic). Dates on health and safety documents at operational sites. Schedule and role-specific responsibilities to review health and safety documentation control.
3 Relevant health and safety information is available to all employees.	Accessibility of hard copy and/or electronic copy of generic and business specific health and safety information.

*Incident and accident reporting, recording, and investigation***Objective**

The employer has an active reporting, recording, and investigation system that ensures all incidents and accidents are reported, recorded, and investigated, and the appropriate corrective action is taken. The terms **incidents** and **accidents** in this context include all “near miss” or “near hit” events, work-related illnesses, and injury events that harmed or might have harmed any employee during the course of their work.

Details of requirements	Verified by
1 There is a process to ensure corrective action is undertaken in relation to any deficiencies identified during an investigation.	Responsibility for corrective action is assigned, time bound, signed, and dated as part of the accident investigation process, including training and injury prevention.

*Employee participation in health and safety management***Objective**

The employer will ensure that employees have the opportunity to be fully involved in the development of safe workplace practices.

Part B—*continued*

Details of requirements	Verified by
1 There is a forum to enable employees to communicate to management issues of interest and concern related to health and safety.	Records of frequency of health and safety meetings at least quarterly. Records of communications from health and safety meetings to senior management.
2 There is joint employer and employee responsibility for implementing, monitoring, and reviewing of injury management and injury prevention initiatives.	Injury management documents or records of injury prevention initiatives that indicate joint involvement.

Emergency planning and readiness

Objective

The employer has an effective general emergency plan to manage all types of emergencies likely to occur within any part of an organisation's operation and to comply with legislative requirements.

Details of requirements	Verified by
1 There is a consultative review of emergency response procedures at regular intervals, after any practice drills and particularly after any actual emergency event.	Minutes of review meetings, particularly post-critical event. Evidence of update to procedures and plans.

Protection of employees from on-site work undertaken by contractors and sub-contractors

Objective

The employer has a systematic approach as the principal contractor of services to ensure that all contractors, subcontractors, and their employees do not cause harm to the employees of the principal while undertaking the work required by the contract. (This is the main objective under this heading in the context of this audit. The specific duties of the employer as a principal under the terms of the Health and Safety in Employment Act 1992 are not part of the programme's requirements.)

Part B—*continued*

Details of requirements	Verified by
1 There is a process to actively monitor the health and safety performance of the contractor at agreed regular intervals for the duration of the contract where appropriate. (NB, this only applies to contract work undertaken on a site where there are employees of the principal present.)	Documents showing timetable for review of work site health and safety performance, including dates and responsibilities. Records of reviews.
2 Health and safety expectations and responsibilities are written into all contracts.	Procedural requirements. Contract examples.
3 Criteria to select contractors include health and safety performance where appropriate.	Documented procedures. Occupational health and safety information about contractors, especially training undertaken, is included in records for contracts viewed.
4 The contract proposal or plan includes health and safety management procedures and responsibilities while on site.	Contractors plan includes— <ul style="list-style-type: none"> • staff training and competencies • relevant certification and permits • declaration of the above signed by contractor.

Part C

Tertiary level audit requirements (additional to primary and secondary level requirements)

Employer commitment to safety management practices

Objective

The employer demonstrates an active, consultative commitment to all areas of health and safety management in the workplace.

Part C—*continued*

Details of requirements	Verified by
1 There is commitment to continuous improvement in health and safety.	Records to show that excellence in health and safety management and innovation by staff is formally recognised.
2 All management staff members (including senior managers) are competent in health and safety management.	Statement of commitment to ensure management competence in health and safety management included in policy.

*Planning, review, and evaluation***Objective**

The employer is able to demonstrate a focus on continuous improvement through a systematic approach to occupational health and safety that includes setting specific objectives, systems/programmes to achieve objectives, regular review of progress, and evaluation of outcomes.

Details of requirements	Verified by
1 There is an established methodology to review and evaluate hazard management effectiveness.	<p>Methodology and planning documents.</p> <p>Minutes, timetable, or similar to show there is regular consultative review of the effectiveness of the methodology.</p> <p>Meeting minutes or schedules of the specific review of effectiveness of controls used for hazard management.</p>

Part C—*continued*

Details of requirements	Verified by
2 There is a process to ensure that the health and safety management plan for the workplace is evaluated.	Documented process that occurs— <ul style="list-style-type: none"> • regularly • after a critical event • if there is a change in work procedures or health and safety policy.

*Hazard identification, assessment, and management***Objective**

The employer has an active method that systematically identifies, assesses, and manages the actual and potential hazards in the workplace, over which the employer has authority or influence.

Details of requirements	Verified by
1 There is a process to assess identified hazards to determine which hazards are significant hazards.	Discussion with line managers to determine whether they understand and apply the definition of significance.
2 There is active management of hazards associated with any new or modified equipment, material, services, or work processes introduced into the workplace.	Documents showing health and safety issues incorporated in purchasing and design decisions.

*Information, training, and supervision***Objective**

The employer must ensure that all employees are informed of their own responsibilities and the employer's responsibilities for health and safety in the workplace. The employer will ensure that employees have specific knowledge concerning management of the hazards to which they are exposed through workplace procedures, environment, equipment, and materials.

Part C—continued

Details of requirements	Verified by
1 All health and safety information and training is delivered so that the key messages are clearly understood, taking into account language, literacy, vision, hearing, or other variables.	A system is in place that is able to demonstrate that appropriate competency has been achieved following specific health and safety training.
2 There is a process to determine the competence of external trainers used for specific training requirements.	List of trainers available and their areas of expertise. Process documents.
3 Competent supervision for employees undergoing on-the-job training to ensure their newness to the task or role does not endanger themselves or others (or equipment).	System for the clear identification of both trainer and trainee.

*Incident and accident reporting, recording,
and investigation*

Objective

The employer has an active reporting, recording, and investigation system that ensures all incidents and accidents are reported, recorded, and investigated, and the appropriate corrective action is taken. The terms **incidents** and **accidents** in this context include all “near miss” or “near hit” events, work-related illnesses, and injury events that harmed or might have harmed any employee during the course of their work.

Details of requirements	Verified by
1 There is a process to ensure corrective action is undertaken in relation to any deficiencies identified during an investigation.	Evidence of senior management interest and follow up (eg, management minutes or communications).
2 There is periodic reporting and review of accident and incident data undertaken to identify trends and provide information to managers and employees that can be used in injury prevention initiatives.	System reports and analysis. Records of distribution, frequency, and use of the reports showing managers and employees included. Health and safety management and senior management minutes where trends and initiatives are discussed.

Part C—*continued**Employee participation in health and safety management***Objective**

The employer will ensure that employees have the opportunity to be fully involved in the development of safe workplace practices.

Details of requirements	Verified by
1 There is joint employer and employee responsibility for implementing, monitoring, and reviewing of injury management and injury prevention initiatives.	A structure that includes employee and management representation and from other workplace interests, to develop, monitor, and evaluate all significant health and safety initiatives and practices in the workplace.
2 Agreed health and safety training is provided to selected employee representatives to assist in the development and establishment of safe workplace practices.	Health and safety training records of employee representatives.

*Protection of employees from on-site work undertaken by contractors and sub-contractors***Objective**

The employer has a systematic approach as the principal contractor of services, to ensure that all contractors, subcontractors, and their employees do not cause harm to the employees of the principal while undertaking the work required by the contract. (This is the main objective under this heading in the context of this audit. The specific duties of the employer as a principal under the terms of the Health and Safety in Employment Act 1992 are not part of the programme's requirements.)

Details of requirements	Verified by
1 The contract proposal or plan includes health and safety management procedures and responsibilities while on site.	Feedback to principal on hazard identification and accident reporting.
2 A health and safety component is part of any post-contract evaluation.	Post-contract evaluation documents.

Marie Shroff,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations come into force on 1 July 2000. The regulations specify—

- the basis of, and procedure for making, downward adjustment to an employer premium based on an audit of the employer's safety management practices; and
- the interest rate that applies to amounts of premium overpaid by an employer and refunded by the manager.

Employer premiums may be adjusted by 10%, 15%, or 20%, depending on how well, if at all, the employer satisfies an audit of its safety management practices.

Employers may, but are not obliged to, apply to the Corporation to have their safety management practices audited by an auditor approved by the Corporation. Before applying, the employer must conduct a self-audit and provide a declaration that it would satisfy an audit by the Corporation's approved auditor to at least to a primary level.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 1 June 2000.

These regulations are administered in the Department of Labour.
