

Government Review of H&S 2024



Purpose of the review

- **ACT and National Coalition agreement action to lift productivity and economic growth**
- **HASW Act now almost 10 years old and appropriate to see what is working and what is not**
- **NZ H&S results significantly worse than Australia and UK**
- **Businesses struggling to understand their H&S obligations and unsure how to comply**
- **Want a system that supports business to focus on preventing harm to workers whilst minimising compliance costs**

What the review will cover

What is in:

- **Legislation and regulations**
- **Effectiveness of regulators**
- **Enforcement and standard setting**
- **Organisations authorized to certify or license high-risk activities**

What is NOT in:

- **Govt agency funding**
- **Rates of H&S levies**
- **Effectiveness and efficiency measures and targets for the frontline activities of WorkSafe**

(These are all being addressed separately)

Focus Areas

- **Businesses are best placed to understand and manage their risks**
- **The law is designed to balance flexibility and certainty**
- **Worker engagement and participation**
- **An effective work health and safety system needs effective regulators**
- **The objective of the work health and safety regulatory system**

Discussion so far:

- **What is not working in our current H&S system ? (Results indicate no or little improvement since post Pike River changes)**

Everything is too complex – needs simplification

System is inflexible, not scalable

Regulations haven't moved with the times

**Interpretations unclear e.g. “Reasonably practicable”,
“ Acceptable risk”**

Discussion so far:

- **What should Worksafe be doing more or less of ? (Resourcing issues aside)**

Regulator needs to be consistent – Level playing field for all

Prosecutions haven't been effective

Need better sharing of learnings from incidents in a timely manner

Need better and more guidelines – Clearer guidance material that is kept up to date

Discussion so far:

- **What needs to be done to maximise reduction in risk to workers while minimizing compliance costs?**

Engagement with industry is critical

Sharing of tasks with industry. There may be some things that the regulator does now that industry could do.

We should learn from what works in Australia and elsewhere

Guidance for industry so that they know what is expected

Well resourced and funded Inspectorate with clear responsibilities

Been there, ~~Done that~~ Business Leaders' Health & Safety Forum

- **There is no credible national strategy to align, coordinate and focus NZ's finite resources to drive sustained reductions in harm**
- **There is a lack of regulatory clarity for too many businesses about what is expected of them**
- **The incentives and sanctions for health and safety performance are confused, variable and inconsistent making it difficult for businesses to meet their responsibilities to keep workers safe, healthy and productive**

Process from here

- Minister is meeting with organisations and individuals and is keen to get as many views as possible
- Submissions can be made by:
 - completing the submission form and emailing it to **HSWHaveYourSay@mbie.govt.nz**
 - completing an online submission form at **mbie.govt.nz/have-your-say/work-health-and-safety**
 - mailing your submission to MBIE:



- Submissions close **31 October 2024**
www.MinEx.org.nz



Thankyou

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