

Changing legislation: An organisation's journey (Auckland Council)

Blair McMichael

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Purpose

- Proposed H & S Legislation, PCBU and the Primary Duty of Care
- Risk Assessment and the Hierarchy of Controls
- PCBU in relation to AC Contracts
 - Capital Works and Renewals Gateways
 - Operations and Maintenance
- Auckland Council and Volunteers (and Trusts)
- Asset Management
- Draft Strategy / Continual Improvement

THE PCBU

It allocates duties to the person or entity in the best position to control risks to health and safety, as appropriate to their role in the workplace – the Person Conducting a Business or Undertaking (PCBU).

OVERLAPPING DUTIES

Where there are overlapping health and safety duties (such as multiple contractors on a building site), each PCBU has a duty to consult and co-operate with the other PCBUs to ensure health and safety matters are managed.

WORKERS & OTHERS

It defines a worker and the duties they owe and are owed, and the duty of others at a workplace.

VOLUNTEERS

It applies to volunteers in certain circumstances.

01

DUTY OF CARE

It talks about the PCBU's primary duty of care with regards to health and safety at work.

02

03

UPSTREAM DUTIES

It provides for health and safety duties for upstream PCBUs in the supply chain such as suppliers of workplace plant, substances and structures.

04

05

DUE DILIGENCE DUTY

It places a due diligence duty on officers of a PCBU (such as company directors or partners) to actively engage in health and safety matters to ensure that the PCBU complies with its duties.

06

07

WORKER ENGAGEMENT

It strengthens worker engagement and participation in health and safety matters.

08

PCBU: Primary Duty Of Care

- Workers influenced or directed by the PCBU
- Health and safety of other people
 1. provide / maintain a work environment, without risks
 2. ensure safe use, handling / storage of plant, structures / substances
 3. provide adequate facilities
 4. provide information, training, instruction or supervision
 5. monitor the health of workers and the conditions

Overlapping Duties: Monitor each other

Risk Assessment and the Hierarchy of Controls

1. Elimination



2. Substitution



3. Isolation



4. Engineering



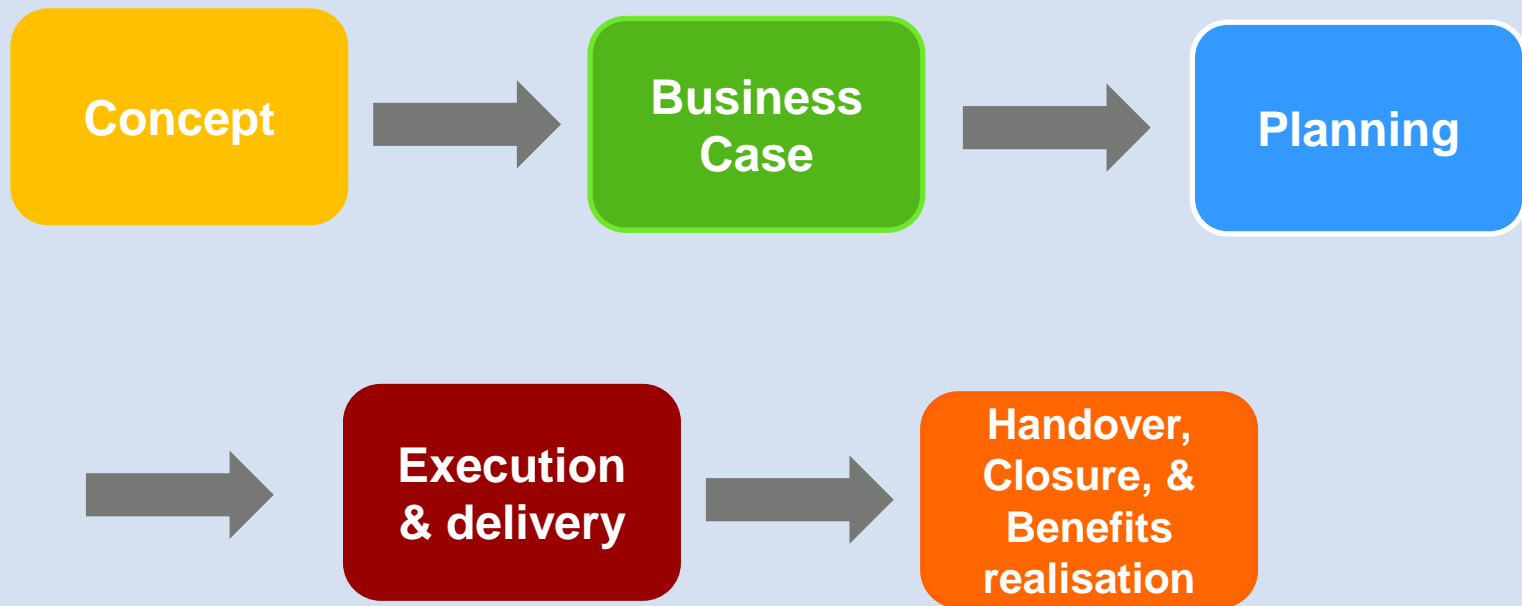
5. Administration



6. Personal Protective Equipment (PPE)

Consequences	5 Extreme	Moderate	Moderate	High	High	High
	4 Major	Moderate	Moderate	Moderate	High	High
	3 Moderate	Low	Moderate	Moderate	Moderate	High
	2 Minor	Low	Low	Moderate	Moderate	Moderate
	1 Insignificant	Low	Low	Low	Moderate	Moderate
		1 Rare	2 Unlikely	3 Possible	4 Likely	5 Almost Certain
		Likelihood				

Capital Works / Renewal Gateways



Operations and Maintenance



- Contract Clauses
- Risks assessment and mitigation
- Key personnel
- Monitoring/auditing

Contract Specific Safety Plan

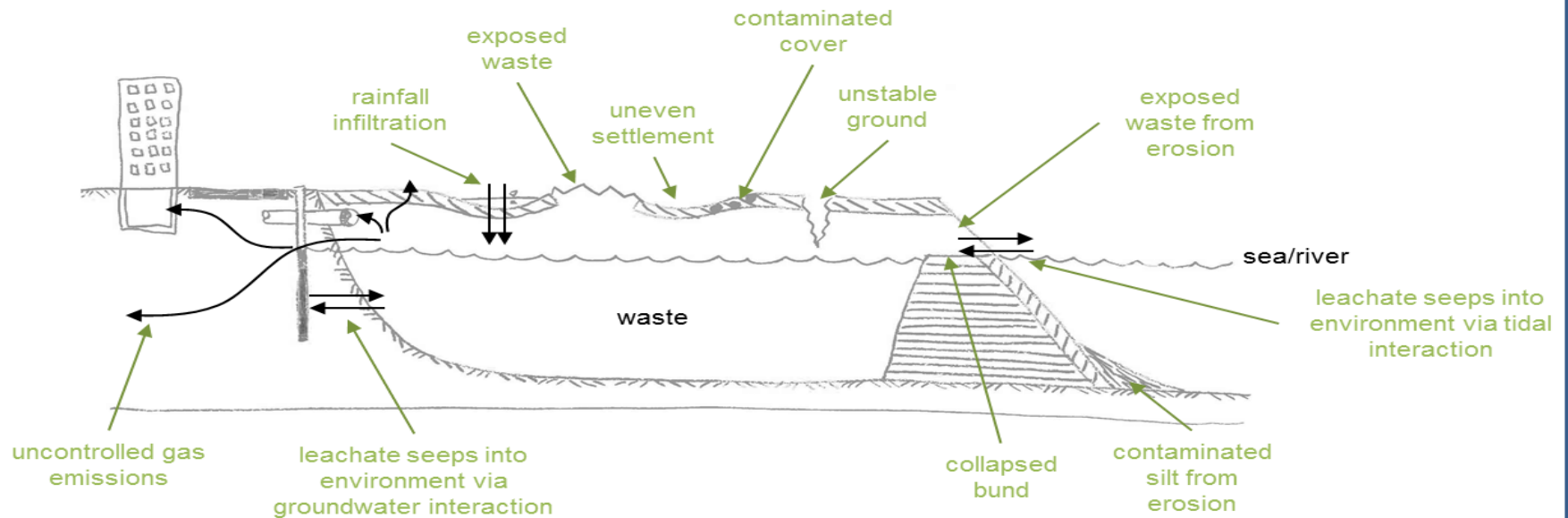
- Safe Work Methodologies
- Plant and Equipment
- Emergency response/management
- Training

Volunteers and Community Trusts

- Volunteers Policy
- Risk Assessment and Mitigation
- Administrative controls
- Training / Supervision
- PPE
- Trusts used where appropriate
- Potential risks associated with contracting Trusts (infrastructure and resourcing)
- Council use size and scope to support safety
- Still required to meet contract and legislative criteria

Asset Management

Closed Landfill Hazards



Asset Management

AOA (Asset Owner Approval) Closed Landfills

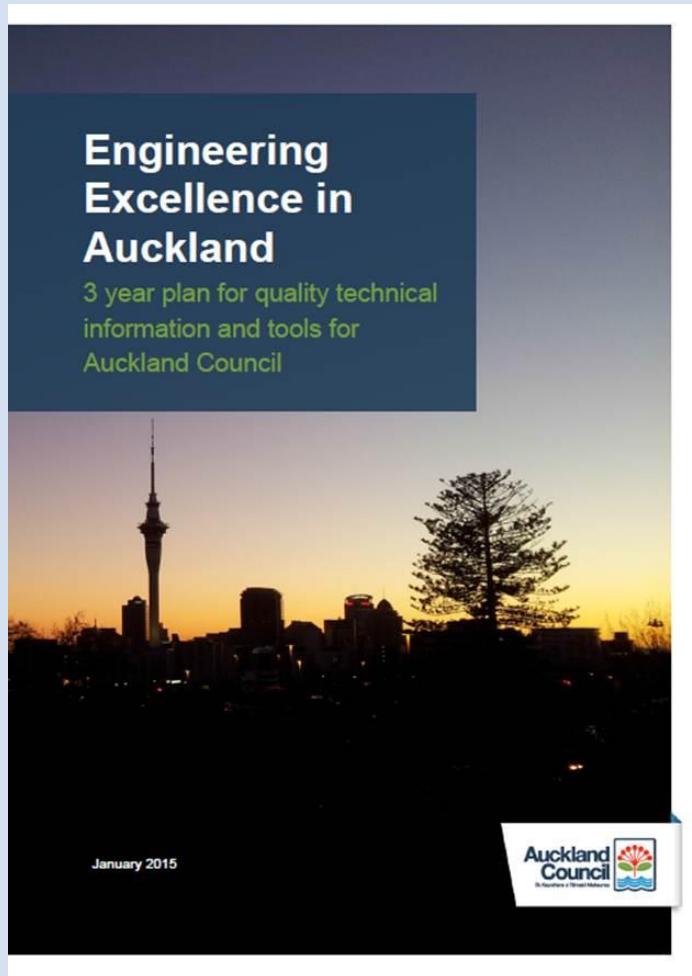
- Risk Assessments and mitigation
- Developing work procedures
- Providing tailored training as necessary
- Communicating risk (LIMs/contaminated land)

Asset Management

- Site Specific Safety Plan – approval
- Specialist advice and support



3 Year Plan & Continuous Improvement



- Improve H & S prequalification
- Target contract competencies
- Ensure consistent reporting
- KPIs from Lag to Lead
- Improve H & S Monitoring and Tracking

3 Year Plan & Continuous Improvement

- Map Key Risks and Mitigation
 - Communicate lessons learnt
- Provide Closed landfill 'layer' on GIS/B4UDig
- Communicate AoA process
- Improve contractor minimum standards



Questions?