

## HEALTH AND SAFETY GUIDELINE S ON MINIMUM COMPLIANCE

Section	Health and Safety
Contact	University Health and Safety Manager
Last Review	April 2014
Next Review	December 2017
Approval	University Health and Safety Manager

### Purpose :

To detail minimum compliance Health and Safety in Employment Act requirements for managers.

Minimal health and safety compliance requirements are derived from strict liability duties in the Health and Safety in Employment Act. The different roles assigned by the Act are then considered along with safety requirements specific to each role.

### Guidelines:

Managers shall have:

1. A Hazard Register
2. Information for employees
3. Accidents recorded, reported, investigated
4. Ascertain use of plant before supplying plant
5. Train elected health and safety representatives and agree with them (or provide a written explanation why not)

Each is considered in turn, with the strict liability requirement underlined.

#### Hazard register

- x All foreseeable hazards identified and recorded in register or similar. The identification must be systematic and include inspections, staff consultation and response to accident investigation. (Register needs to be up to date, including new items and accident investigation recommendations.)
- x All identified hazards assessed for significance.
- x Significant hazards controlled through a three step hierarchy of; elimination, isolation, minimisation.
- x If minimisation used as strategy:
  - a. Provide personal protective equipment and ensure it is used and
  - b. Monitor exposure to significant hazards. (e.g. systems to report discomfort, concerns, incident accidents, staff satisfaction, performance review).

#### Information requirements

- x Employees and elected Health and Safety representatives
  - o Hazards and their controls
  - o Emergency procedures.
  - o The results of any monitoring.
  - o The location of protective equipment.
- x Elected Health and Safety representatives
  - o Systems information provided
  - o Safety issues information

Recording accidents is not an optional activity

Accidents recorded, reported, investigated

x

- x All students, visitors and contractors given minimum health and safety training – preferably as an induction. Keep a record of training.

ACCIDENTS AND INCIDENTS RECORDED, REPORTED AND INVESTIGATED:

- x All accidents recorded.
- x Serious harm notified to WorkSafe and accident scenes secured until clearance obtained.
- x Investigations carried out to determine causes – record non resolved to hazards in hazard register.

Definitions :

Auxiliary adverbs are used to assign duties in the Act:

- x Shall – implies strict liability, a rule specifying strict liability makes a person legally responsible for the damage and loss caused by his or her acts and omissions regardless of culpability. In other words intention doesn't have to be proved.
- x All practicable steps – implies a reasonable prudence given likelihood and severity of injury, state of knowledge about harm interventions and access to resources<sup>2</sup>. Equivalent term in English law best practical means. Interpretation can be contested.
- x Reasonable – lowest level of responsibility, only used for Inspectorate requirement to uphold the law and employers in setting up a staff participation system.

Audience:

All Massey University staff, students, contractors and visitors to the campuses.

Relevant Legislation:

Health and Safety in Employment Act 1992

Document Management Control :

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<sup>2</sup> means all steps to achieve the result that it is reasonably practicable to take in the circumstances, having regard to—