

## **HEALTH AND SAFETY AT WORK ACT**

### **Board/Committee Reporting Guideline**

#### **(1) Purpose**

This outline has been prepared to assist:

- Racing Clubs with reporting to their Board or Committee on health and safety matters; and
- Boards and Committees in understanding their health and safety obligations and duties.

While each Racing Club should tailor their reports to comply with their preferred reporting style and formats, each Racing Club should:

- report on and discuss any health and safety issues at each Board/Committee Meeting; and
- have a process for reporting an all near misses and notifiable events (situations or incidents in which people may have been put at risk, injuries, illnesses or deaths).

#### **(2) Background**

The Health and Safety at Work Act comes into force on 4 April 2016.

The Act places increased duties on all people in a work environment to take a more active role in health and safety matters. These duties are generally proportionate to the control the person has over the workplace. Each person can be individually liable for breaches of duties under the Act, reinforcing that health and safety is everyone's responsibility.

The Racing Club (PCBU) holds the primary duty under the Act. The Racing Club is governed by "Officers" (such as directors, board members or committee members) who, through their decision making, influence the specific activities that will in turn ensure the success or failure of health and safety initiatives and whether the Racing Club is complying with its obligations. These individuals strongly influence the culture of the Racing Club and accountabilities within it.

Officers of a Racing Club must exercise due diligence to ensure that the Racing Club complies with its duties. This places a positive duty on people at the governance level of the organisation to actively engage in health and safety matters. Officers may be liable for prosecution under the Act individually if they have not complied with their duties, irrespective of the Racing Club or other officers' liability.

Boards/Committees are responsible for determining high level health and safety strategy and policy which managers are required to implement. This strategy and policy must take into consideration all those affected by the organisation's activities, not just workers. Board/Committee responsibility however, does not stop with the issuing of strategy and policy as they should also ensure that it is implemented effectively. They do this by holding management to account for processes of policy and planning, delivery, reporting, monitoring and review.

**(3) In order to comply with their obligations under the Act, Officers of Racing Clubs must:**

- acquire, and keep up to date, knowledge of the Racing Club's health and safety matters;
- understand the Racing Club's operations and the associated risks and hazards;
- ensure the Racing Club has and uses appropriate resources and processes to eliminate or minimise risks and hazards;
- ensure the Racing Club has appropriate processes for receiving, considering and responding to information regarding incidents, hazards and risks;
- ensure the Racing Club implements and uses processes for complying with its duties; and
- verify the provision and use of the above.

**(4) Routine Reports to Board/Committee**

The following information should be routinely reported to the Board/Committee and discussed and reviewed at Board/Committee meetings on a regular basis:

- Reactive information:
  - Information about notifiable events (situations or incidents in which people may have been put at risk, injuries, illnesses or deaths).
  - Information about near misses.
  - Information about absences due to illnesses which can be indicators of issues such as stress and fatigue.
  - Information about trends including routine exposure to hazards and risks that are potentially harmful to health such as high noise levels, toxic chemicals and bullying.
  - All complaints relating to health and safety.
- Proactive information:
  - Actions in place to eliminate or minimise hazards and risks, such as inductions, training and maintenance programmes.
  - Progress with the implementation of formal improvement plans.
  - New and changing legal requirements and/or health and safety developments.
- Routine information:
  - Regular reports on the Racing Club's health and safety.
  - Summaries of RIU raceday and staff health and safety reports.
  - Reports on the health and safety performances of contractors.
- Audit information:
  - Reports on internal and external audits, and system reviews (Board/Committee members should be alert to the possibility that there is reluctance to report such information and must satisfy themselves that any such obstacles have been eliminated).

**(5) The Board/Committee should:**

- understand the Racing Club's health and safety duties and obligations under the Act;
- require regular reports from management on health and safety matters, and follow this up where not provided;
- ensure that the impact of changes to health and safety matters (such as the introduction of new procedures, work processes or products) is reported to the Board/Committee as soon as possible;

- ensure that any major health and safety failure is reported to the Board/Committee as soon as possible;
- properly and adequately consider the information provided to it;
- consider ways to improve health and safety;
- ensure that appropriate weight is given to the reporting and consideration of both reactive and proactive information (effective monitoring of reactive information, for example, sickness absence and workplace health, can alert the Board/Committee to underlying problems that could seriously damage performance or result in accidents and long-term illness);
- undertake periodic audits of the effectiveness of management structures and risk controls for health and safety
- ensure appraisals of senior managers include an assessment of their contribution to health and safety performance;
- compare the Racing Club's health and safety performance against others in the sector to find potential improvements; consider new and changing health and safety legal requirements and other external developments as they occur; and
- ensure there are procedures to implement new and changing legal requirements where applicable.

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