

Musical Theatre New Zealand Inc. Health & Safety



Health & Safety Today

Health check of where you are at today:

- **NO** Paid Staff means you have a **Duty of Care** (general duty) to ensure volunteers are safe in a workplace
- Consider, and put in place, plans for safety arrangements that align to activities you are involved in. Guides available to assist
- No Penalties apply to this general duty – non enforceable



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Health check of where you are at today:

- **Paid Staff** (employees) means you have **Enforceable Duties** towards your paid employees:
 - Take all practicable steps to provide a safe working environment
 - Obligation to train and supervise employees on Health and Safety matters
 - Obligation to ensure employee participation in H&S safety decisions and planning



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Health check of where you are at today:

- In practice you have the same responsibilities for the health and safety of volunteers covered by the enforceable duties as you do to your employees
- Exclusions to apply to the above statement if you are considered to be:
 - Fundraising
 - Assisting with sports and recreation for a sports club, recreation club or educational institution



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Have You Started Yet?

- Safe Work environment through:
 - Reviewing your workplace
 - Identifying Hazards
 - Managing Hazards effectively
- Providing and maintaining your facilities
- Ensuring Machinery and Equipment are:
 - Designed
 - Made
 - Setup
 - Maintained



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Health check of where you are at today:

- Ensuring Systems of work do not lead to people being exposed to hazards in or around the workplace
- Providing people in your workplace with good information about the hazards that they may come across in their workplace
- Providing your employees and volunteers with good training and supervision
- Involving your employees and volunteers in health and safety planning and decisions
- Developing procedures for dealing with emergencies that might arise



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Health check of where you are at today:

- Managing Hazards
 - Hazard defined as any potential or actual source of harm
- You are required to do everything that is reasonable to eliminate, any hazards in the workplace
 - Eliminate – ie Noisy machine by replacing it
 - Isolate – Enclose noisy machine
 - Minimise – Training, Safety Manuals, PPE



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Health check of where you are at today:

- Hazard Examples
 - A work process – way machinery, equip is used
 - Physical Environment – WAH; fundraising on a footpath; high / low temps
 - Equipment used – electrical, brakes, secure loads, maintenance and condition
 - External factor – personal safety
 - Input in work process – paint / cleaning materials
 - Way work is organised – shifts / breaks min fatigue



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Health check of where you are at today:

- Access to Critical Info – Instructions at right literacy level, warning signs
- Construction of premises – safety of makeshift structures
- Impairment of Individual – diabetics / blind



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Health check of where you are at today:

- Systematic Approach to dealing with Hazards
 - **1. Identify All Hazards in the workplace**
 - **2. Identify the Significant Hazards**
 - **3. Take action to deal with the Hazards**
- Then you need to:
 - Review the situation regularly
 - Adapt processes (New equipment / people etc)



Develop a Hazard Management Plan

1. Identify Hazards

- Make a list = Hazard Record
 - Think beyond the obvious
 - Involve the Volunteers and Workers
 - Consider hazards that result from work practices – Repetitive strain / fatigue

2. Rate the Significance of Hazards

- Deal with most significant first
 - Define through analysis:
 - Injuries people already have
 - Near misses
 - How likely
 - How serious



Develop a Hazard Management Plan

- Deal with Hazards
 - Eliminate
 - Isolate
 - Minimise (Reduce)
- In a theatre situation you would review this on a daily (Toolbox style) of review
- Update the Hazard Record and Communicate
- Hazard Record = The Hazard / Where / Significance / Action / Monitoring / Reviewing / Record keeping



Develop a Hazard Management Plan

- Training and Supervision
 - Explain good practice
 - Object / substance / equipment / machinery
 - To do no harm to themselves or others
- Reporting Injuries and Illnesses
 - Record all work related injuries, illnesses and near misses that occur, including volunteers
 - History of Near misses normally shows path to injury
 - You must report accidents and Serious harm injuries to Worksafe NZ (used to be OSH & Dept of Labour) 0800 030 040



Develop a Hazard Management Plan

- Serious Harm is defined as follows:
 - Permanent / temporary severe loss of bodily function: sickness, poisoning, vision impairment, chemical or hot metal burn of eye
 - Amputation of body part
 - Burns requiring referral to a specialist
 - Loss of consciousness from lack of oxygen
 - Loss of consciousness, or acute illness requiring treatment by registered med prac, from absorption, inhalation or ingestion of any substance
 - Any harm that causes hospitalisation for a period of 48hrs



Develop a Hazard Management Plan

- Provide Information to Everyone
 - Keep people informed and engaged
 - Emergency Procedures / Location of Equipment
 - All Hazards in the Workplace (Continuous Review)
 - Results of Monitoring Hazards
 - Trends Occurring
 - External Inputs
- Good Comms is Essential
 - Account for language / age / culture / literacy
 - Method: Email / Newsletter / Social Media / handouts / meetings / training /



Develop a Hazard Management Plan

- Start with yourself.
- Do not put you or others at risk
- Be prepared for Emergencies



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Health and Safety Changes Coming 2015

- New Bill before Parliament
- Intention to Pass in 2014
- New Act in force 1st April 2015

What's it all mean!



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Health and Safety Changes Coming 2015



**KEEP
CALM
AND
DONT
PANIC**



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Health and Safety Changes Coming 2015



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Health and Safety Changes Coming 2015

- New ACT is based on Aussie Work “model” Health and Safety Act 2011
- 6 Fundamental Changes



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Health and Safety Changes Coming 2015

1. A new primary duty holder:

OLD: HS&E Act 1992

- Employers, principals, self employed people (s2)

NEW: Health and Safety Reform Bill

- PCBU is a “Person Conducting a business or undertaking” (Clause 13)
 - **A volunteer org is a PCBU if it employs one or more paid workers**
- Multiple PCBU in relation to an event or activity
 - Theatre company in a venue that is hired



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Health and Safety Changes Coming 2015

1. A new standard required:

- Shall take all practicable steps
- Focus is on “the harm that may be suffered”
- The cost of mitigating the harm is a consideration



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Health and Safety Changes Coming 2015

1. New Duties for Individuals in Governance and Management:

- The development of a new duty holder - Officer
- Officers owe a new positive due diligence duty
- Individuals who “make decisions affecting the business of the PCBU”



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Health and Safety Changes Coming 2015

1. New Duties for Individuals in Governance and Management:

- The development of a new duty holder - Officer
- Officers owe a new positive due diligence duty
- Individuals who “make decisions affecting the business of the PCBU”
 - Cant delegate your duty – will be liable



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Health and Safety Changes Coming 2015

1. New Duties for workers (volunteers)

- Volunteers treated as workers in a PCBU
- Workers owe duties. The duties are more prescriptive when compared to duties owed under current Act.
- Must follow instructions and policies post induction
- Dismissal for breach



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Health and Safety Changes Coming 2015

1. New Consultation duty

- If more than one person has a duty in relation to the same matter under this ACT, each person with the duty must, so far as reasonably practical, consult, cooperate with, and co-ordinate activities with all other persons who have a duty in relation to the same matter
- Breaching this duty is an offence carrying a maximum penalty of \$20,000. The body corp /organisation penalty is a max of \$100,000



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Health and Safety Changes Coming 2015

1. New Penalty Regime

- Four categories of offence & new definitions
- \$3,000,000 max (Org) – (Old \$250,000)
- \$600,000 for a PCBU or Officer of PCBU



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Health and Safety Changes Coming 2015

- MTNZ can act as a repository for Health and Safety Information.
- Share Hazard Records and Information between societies
- Develop best practice methodologies – ETNZ
- Work with Worksafe to get coaching / input / guidance.
- Continually develop and assist in Audits
- Remove the noise



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Health and Safety Changes Coming 2015

- In the past two years since the Aussie Act was passed and applied not a single Volunteer has been prosecuted as an officer
- Volunteers have however been prosecuted as a worker failing in duty



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Checklist from Australia

Organisation Duties

1. Have you been provided with induction training that has included info and instructions on how to do your job safely when volunteering?
2. Has the organisation (PCBU) ensured that any machinery or equipment you use is suitable for the work and safe to use
3. If you need PPE, has it been provided
4. Have you received training on the org's H&S policies and procedures, for example what to do in emergencies, how to report hazards and incidents
5. Do you receive info from the org about H&S matters that might affect you when volunteering



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Checklist from Australia

Organisation Duties (Continued)

6. Are you provided with opportunities to have a say in the way your work is carried out safely
7. Do you know who to contact if something happens when you are volunteering

Volunteer Worker Duties

1. Do you follow, so far as you are reasonably able, the safety instructions, policies and procedures given to you by the organisation you volunteer for?
2. Do you do things safely as you can when you volunteer?



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Checklist from Australia

Volunteer Worker Duties (continued)

1. Do you follow, so far as you are reasonably able, the safety instructions, policies and procedures given to you by the organisation you volunteer for?
2. Do you do things safely as you can when you volunteer?
3. Do you take reasonable care not to endanger other peoples health and safety?
4. Do you participate I work and safety training and discussions?
5. Do you report any hazardous situations and incidents to your supervisor as soon as possible?



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Checklist from Australia

Volunteer Officer Duties

1. As a volunteer officer, you know what workers and volunteers do in the organisation you volunteer for?
2. Are you aware of the risks that volunteer workers face when carrying out work for the organisation?
3. Does the organisation use and keep up to date safe work policies and procedures?
4. Do you keep informed of health and safety developments, hazards and risks relevant to the organisation, for example:
 - Regularly checking your regulators website
 - Talking to health and safety advisors and other workers in the organistaion



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