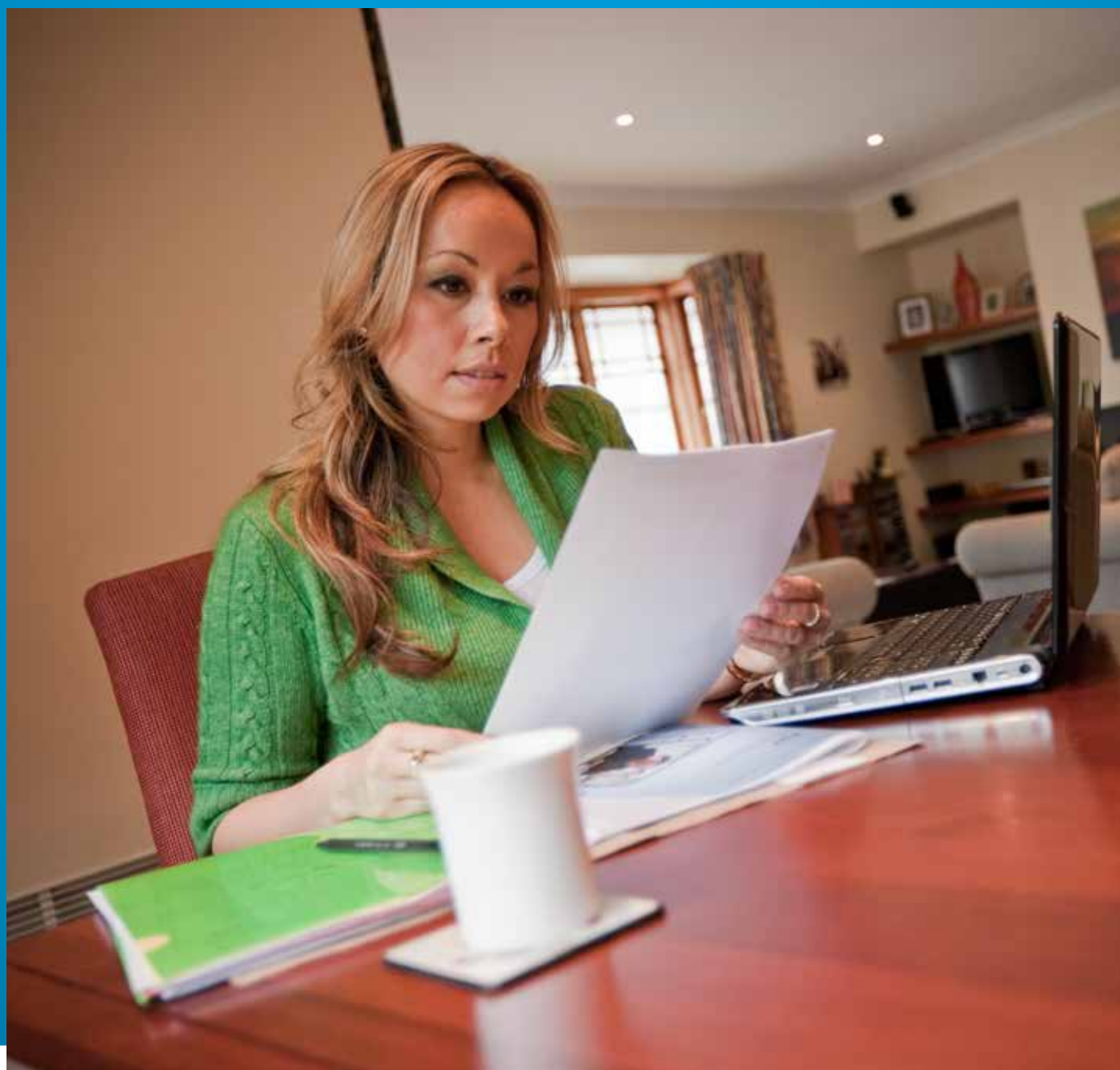


# How to manage health and safety in small businesses





### Do I need to read this?

- Are you a self-employed person?
- Do you own a business and employ staff or contractors?
- Do you want some influence over your ACC work levies?

If you've answered 'yes' to any of these questions, you should read this booklet.

# What are your responsibilities?

*Under the Health and Safety in Employment Act 1992 (HSE Act), you are legally required to make sure people are not hurt in your workplace. If you don't manage health and safety properly, you're responsible if a staff member or visitor gets hurt. You could be taken to court, prosecuted and fined. This would take up a lot of your time, attract negative publicity and cost you a lot of money (in legal fees, fines and lost productivity).*

Injuries often mean your staff are off work. This can reduce the productivity and profitability of your business, as well as put a strain on the staff member and their family.

If you are injured at work and unable to work for several weeks (or several months), how well would your business do without you? What impact would it have on your cashflow and your ability to provide for yourself and your family? This could be enough to send your business under.

Fewer injuries mean lower cost to your business. This becomes more apparent with the introduction of experience rating. Under experience rating, eligible businesses and self-employed people, who have lower-than-average injury rates, with better-than-average return-to-work rates, may get a discount on their levies. Those with worse-than-average claims experience may get a loading on their levy.

Experience rating recognises and rewards those business owners with good claims experience. It also encourages businesses to prevent injuries in the workplace and when accidents do happen, help injured staff return to work as safely and quickly as possible.

For more detailed information about experience rating please go to [www.acc.co.nz/er](http://www.acc.co.nz/er)

# What does the law require you to do?

The HSE Act requires all business people to make sure their staff have a safe place of work and that no visitors are harmed in the workplace.

Employers have to do this by taking all practicable or reasonable steps to ensure their own safety and the safety of others in the workplace. This doesn't mean you have to do everything humanly possible; you only have to do what a reasonable and sensible person would do in the circumstances.

The action you take will depend on:

- how seriously hurt someone may be
- the chance of an accident happening
- how much is known about the hazard and possible solutions to deal with it
- the availability and cost of the solutions.

The HSE Act requires you to 'eliminate, isolate or minimise' workplace hazards – in that order.

This means that you must:

- 1st **Eliminate** – remove the hazard if possible, or
- 2nd **Isolate** – make sure you keep people away from the hazard, or
- 3rd **Minimise** – take steps to reduce the chance of someone being hurt and remember that when you minimise a hazard you must then monitor the effectiveness of your solution.

*For example:*

*There's a risk of someone falling on a slippery surface in your workplace while shifting stock. They could possibly suffer broken bones, a sprain or bad bruising from the fall.*

*You have three ways to deal with it:*

1. *Install and maintain a non-slip surface on the floor (eliminate the hazard)*
2. *Fence off the slippery area to keep people away from it (isolate the hazard)*
3. *Provide staff with boots with non-slip tread to reduce the chance that they'll slip (minimise the hazard). Keep checking to see if the boots are actually preventing slips.*

*You'll need to decide on the 'reasonable' steps for you to take by weighing up all of the action factors listed above.*

# Definitions

The Health and Safety in Employment Act (1992) defines significant hazard and serious harm as follows:

## Significant hazard

A hazard that is an actual or potential cause or source of:

- (a) serious harm, or
- (b) harm (being harm that is more than trivial) the severity of whose effects on any person depend (entirely or among other things) on the extent or frequency of the person's exposure to the hazard, or
- (c) harm that does not usually occur, or usually is not easily detectable, until a significant time after exposure to the hazard.

## Serious harm

1. Death.
2. Any of the following conditions that amounts to or results in permanent loss of bodily function or temporary severe loss of bodily function: respiratory disease, noise-induced hearing loss, neurological disease, cancer, dermatological disease, communicable disease, musculoskeletal disease, illness caused by exposure to infected material, decompression sickness, poisoning, vision impairment, chemical or hot-metal burn of eye, penetrating wound of eye, bone fracture, laceration, crushing.
3. Amputation of a body part.
4. Burns requiring referral to a specialist registered medical practitioner or specialist outpatient clinic.
5. Loss of consciousness from lack of oxygen.
6. Loss of consciousness or acute illness requiring treatment by a registered medical practitioner, from absorption, inhalation or ingestion of any substance.
7. Any harm that causes the person harmed to be hospitalised for a period of 48 hours or more commencing within seven days of the harm's occurrence.

# Other legal requirements

## Keep an accident register

You and/or your staff must keep a record of any accidents and near misses. If you have staff, make sure everyone knows where the accident register is kept and that they fill it in when something happens. You must be able to produce this register if a Health and Safety Inspector asks for it.

This isn't just a form-filling exercise. It's about business knowledge. When you know about all the accidents, incidents and near misses, you can work out how serious they are, the risks they pose for you, your staff and your business, and how to stop them happening again.

You must notify WorkSafe New Zealand as soon as possible when there is a serious harm incident in the workplace. This must be followed up with written advice within seven days. A copy of an Accident Investigation form is on page 9 of this booklet.

If you're unsure how to deal with an issue, get help with finding a solution from ACC (go to [www.acc.co.nz](http://www.acc.co.nz)) or WorkSafe New Zealand (go to [www.business.govt.nz/worksafe](http://www.business.govt.nz/worksafe)).

## Train and supervise your staff – and keep records

You must keep a record of the training and supervision your staff have had, so that if there's an incident or accident you can prove this to a Health and Safety Inspector. You can keep these records in any way that suits you (eg keeping notes in your work diary or in a staff file).

You need to be satisfied that your staff know how to do the job properly and safely.

### **Trainees and apprentices**

- Make sure trainees and apprentices do the available New Zealand Qualifications Authority (NZQA) or trade training courses.
- Share your knowledge and experience with them.
- Watch them doing the work or have them supervised by an experienced staff member.
- Gradually let them take on more responsibility as they prove they're able to do the job.

**Other new staff members**

- Get copies of any certificates or qualifications other new staff have.
- Confirm their experience with their previous employer by doing a reference check when you hire them.
- Make sure they get training for any gaps in their knowledge.
- Even with experienced new staff, watch them on the job to start with to make sure they don't have any bad habits and that they're working the way you want them to.

**Experienced staff**

- Keep the training and supervision record of experienced staff up to date to show their skills and experience.

# What should you do now?

Follow this nine-step process to protect yourself, your staff and your business:

1. Tell your staff you're serious about health and safety and why. Let them know you're going to take action to lessen your business risks and the risks to their safety.
2. Set up an accident and 'near miss' register and make sure your staff know where it is and when and how to fill it in. (An example of an Accident Investigation form is on page 9.
3. Start a list of hazards – refer to the ACC booklet 'How to manage hazards' for help with this.
4. Decide what action you will take to fix each hazard. Will you: Eliminate? Isolate? Minimise?
5. Deal with the most high risk hazards first and work your way through to the less serious ones.
6. Put your solutions in place – the hazard fact sheets from ACC give you solutions to some common workplace hazards.
7. Keep a record of the training and supervision your staff have had and any new training you give them. Make sure they know how to work safely and how to deal with the hazards you've identified or ensure they are supervised.
8. Keep looking for new hazards and encourage your staff to do the same.
9. Get help if you need it from ACC's Injury Prevention Management Consultants.

Be realistic about how much time you'll be able to spend on this and when you'll be able to afford to make any changes that might be needed. Sort out a timeframe for working through this and stick to it.



# Emergency planning

Talk to your staff and plan how you'll deal with emergencies that could happen in your workplace. When an emergency happens, it's too late to decide who'll do what, and what equipment you need.

Situations for you to talk about include:

- accidental emergencies – injured staff member, fire, gas leak, power failure, chemical spill, vehicle accident
- violent emergencies – armed robbery, bomb threat
- natural emergencies – earthquake, slip, flood, heavy snow, tsunami, volcanic eruption.

Work out what emergency equipment you might need and make sure that all staff know how to use it.

## Fire

### **If you discover a fire:**

1. Activate the alarm and dial **111**.
2. Alert people in your area.
3. Do not extinguish the fire unless there is no personal danger to you or anyone else.
4. If time permits and there is no danger, close all doors and windows.
5. After evacuation meet at the assembly point in teams.

### **If the fire alarm sounds:**

1. Walk quickly to your nearest exit.
2. Do not stop to take personal items with you.
3. Meet at the assembly area.

**Do not leave the assembly area until you are given the all clear.**

## Evacuation procedures

1. Follow instructions.
2. Walk to the nearest exit.
3. Keep together with the nearest people around you.
4. Use the stairs (not the lift).
5. Do not go back to collect personal items.
6. Meet at the assembly area.

**Do not leave the assembly area until you are given the all clear.**

## Example hazard record for a small business

Hazard	Significant				Practice to				Practice to		Practice to		All Practicable		Controls required (including existing)	Person responsible	Date to be completed by	Completed (date and initials)
	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No	steps to minimise	steps to minimise				
Noise levels of machinery and equipment – risk of hearing loss	✓			✓				✓	✓			No			1. For staff who work with or around noisy machinery and equipment: <ul style="list-style-type: none"> <li>• provide and maintain Grade 4 earmuffs</li> <li>• ensure staff wear earmuffs as required.</li> </ul> 2. Regularly maintain equipment and machinery. 3. Separate noisy activities from quieter ones. 4. Roster staff to minimise exposure to noise (by rotating noisy and quiet tasks). 5. Monitor staff hearing.	J Smith	31/3/13 then as required.	

# Accident Investigation Form

A copy of this form for your use is available from [www.business.govt.nz/worksafe](http://www.business.govt.nz/worksafe). You can find this by clicking on health and safety templates under the tools and resources section.

## Accident Investigation



Ministry of Business,  
Innovation & Employment

Name of organisation: ..... Branch/department: .....

### PARTICULARS OF ACCIDENT

Date of accident	Time	Location	Date reported
M T W T F S S			

### THE INJURED PERSON

Name	Address		
Age	Phone number		
Date of accident	Length of employment — at plant		on job
<b>TYPE OF INJURY:</b>	<input type="checkbox"/> Bruising <input type="checkbox"/> Strain/sprain <input type="checkbox"/> Fracture <input type="checkbox"/> Laceration/cut	<input type="checkbox"/> Dislocation <input type="checkbox"/> Scratch/abrasion <input type="checkbox"/> Amputation <input type="checkbox"/> Burn scald	<input type="checkbox"/> Internal <input type="checkbox"/> Foreign body <input type="checkbox"/> Chemical reaction
			<input type="checkbox"/> Other (specify) Remarks Injured part of body

### DAMAGED PROPERTY

Property/ material damaged	Nature of damage
	Object/substance inflicting damage

### THE ACCIDENT

#### Description

Describe what happened (space overleaf for diagram — essential for all vehicle accidents)

#### Analysis

What were the causes of the accident?

#### HOW BAD COULD IT HAVE BEEN?

☐ Very serious   ☐ Serious   ☐ Minor

#### WHAT IS THE CHANCE OF IT HAPPENING AGAIN?

☐ Minor   ☐ Occasional   ☐ Often

#### Prevention

What action has or will be taken to prevent a recurrence? Tick items already actioned

Use space overleaf if required

By whom   When

### TREATMENT AND INVESTIGATION OF ACCIDENT

Type of treatment given	Name of person giving first aid	Doctor/Hospital
Accident investigated by	Date	DOL advised YES / NO
		Date

# Where can you get further information or help?

## Publications

The following are some of the publications available from ACC (go to: [www.acc.co.nz](http://www.acc.co.nz)) for small businesses:

- How to manage hazards.
- Training and supervision.
- Emergencies and incident investigation.

## Contact WorkSafe New Zealand

- For publications or advice, freephone 0800 20 90 20.
- To get help with difficult or technical health and safety problems, visit: [www.business.govt.nz/worksafe](http://www.business.govt.nz/worksafe)









Te Kaporethana Āwhina Hunga Whara

[www.acc.co.nz](http://www.acc.co.nz)

0800 844 657