

Health & Safety - *Self-responsibility is missing in the new Health & Safety regime, suggests Michael Barnett.*

The publicity over making worm farming high-risk and quarrying low-risk industries highlights that the Health and Safety Reform Bill now passing through Parliament may not be 'fit for purpose'. But there are other issues that also need a rethink. They include the role of Health and Safety Representatives in workplaces. Under the Bill they are compulsory for large businesses and voluntary for small. What is the thinking behind this call? Will a regime of workplace monitors really help reduce work place accidents, or end up reducing the self-responsibility that workers ought to have for their own health and safety performance and employers should have for employees ?

According to the Bill's explanatory note the new regime is said to recognise that a well-functioning health and safety system relies on participation, leadership, and accountability by government, business and workers. The aim is a law that is flexible enough to work for small and large businesses and high-risk and low-risk sectors, without imposing unnecessary compliance costs. Obligations are placed on people in the workforce who create the risk and are best able to manage the risk; namely, health and safety monitors and others who manage or control workplaces. This is fine as far as it goes. It translates to formal job descriptions spelling out employees' responsibilities clearly and in written form for future reference. In many firms performance evaluations helps ensure that employees are living up to their work responsibilities, or provides a platform for discipline or training when they aren't.

In doing this, the government's job is to provide a framework to enable businesses – big and small – to manage their health and safety responsibility. But there is another type of workplace responsibility – self-responsibility – that in my view the Bill fails to capture and reflect. Self-responsibility refers to each employee and also employers and managers – i.e. everyone in a business equally – taking responsibility for their own actions outside of normal job duties.

Self-responsibility is related to accountability, which requires everyone in a business to accept a role and responsibility for their own health and safety environment; to accept blame for their errors or omissions and acknowledge the contributions and role of others. It comes down to the overall culture within the business. Accountability is especially important within a businesses' leadership – to set a positive workplace culture based on self-responsibility as a core part of the work team environment. An extension of self-responsibility in a workplace is reflected in the mutual responsibilities that all members of a business share and have to one another – whether it is health & safety, ensuring a work life balance or treating each other with respect. I am concerned that the strong emphasis in the Bill on the role and responsibility of health and safety officers and the under-representation of self-responsibility creates a false sense of who exactly is responsible for safety in a workplace.

Don't get me wrong. Employers have legal responsibilities to provide safe work environments for their employees. Employees obviously have a responsibility for a safe workplace. And Government agencies have a role to oversee workplace safety guidelines and perform inspections to enforce them. The point however is that the requirement to appoint a health and safety officer in large firms especially will reduce the sense of self-responsibility of employers and employees alike to take prime accountability for establishing and maintaining their own and the businesses health and safety regime. Their workplace behaviour and attitudes will be different to what they would be in a firm with a culture of self-responsibility. I would review the provisions in the Bill requiring appointment of workplace health and safety monitors, and strengthen the thrust encouraging a flexible framework that gives a key role and responsibility to self-responsibility.

This is no idle suggestion. I can point to a number of firms that have taken the step to build a self-responsibility culture and who have been rewarded with a reduced accident rate. At the end of the day, a prescriptive set of laws can only get a business so far; a culture of self-responsibility creates a mutual environment based on recognition that everyone in a firm shares and has responsibilities to each other and themselves.

- **Michael Barnett is chief executive of the Auckland Chamber of Commerce.**