

# Te Kōhanga Reo o Ngā Kuaka (Ngā Kuaka)

## Health and Safety Policy

### 1. Policy

- 1.1 This policy should be read in conjunction with the Health and Safety at Work Act 2015. Furthermore, the following documents set out more information relevant to this policy:

- a Child Protection Policy
- b Code of Conduct Policy
- c Occupational Health & Safety
- d Emergency Plan
- e Settling & Transition Policy
- f Sleep Policy
- g SunSmart Policy
- h Compliance Policy
- i Behaviour Management Plan/Procedures
- j Illness Policy
- k Immunisation Policy
- l Ngā Tohu Horoi Procedures

### 2. Purpose

- 2.1 Ngā Kuaka is committed to ensuring the health and safety of kaimahi, tamariki, manuhiri, whānau members and contractors by complying with relevant health and safety legislation, regulations, New Zealand standards, and approved codes of practice.
- 2.2 Ngā Kuakā committed to providing and maintaining a safe and healthy workplace for **all workers**, including but not limited to kaimahi, kairiwhi, trainees, matua aawhina, volunteer workers, contractors, sub-contractors, union and worker representatives and other people in the workplace. We will achieve this through:
- a making health and safety a key part of our role.
  - b working with our workers to improve the health and safety system at Ngā Kuaka.
  - c doing everything reasonably possible to remove or reduce the risk of injury or illness.
  - d making sure all incidents, injuries and near misses are recorded in the appropriate place.
  - e investigating incidents, near misses and reducing the likelihood of them happening again.
  - f having emergency plans and procedures in place.
  - g training everyone about hazards and risks so everyone can work safely.
  - h providing appropriate induction, training and supervision for all new and existing workers.
  - i helping workers who were injured or ill return to work safely.
  - j making sure contractors and sub-contractors working at Ngā Kuaka operate in a safe manner.
- 2.3 All workers are encouraged to play a vital and responsible role in maintaining a safe and healthy workplace through:
- a being involved in improving health and safety systems at work.
  - b following all instructions, rules, procedures and safe ways of working.
  - c reporting any pain or discomfort as soon as possible.
  - d reporting all injuries, incidents and near misses.

- e helping new workers, staff members, trainees and visitors to the workplace understand the safety procedures and why they exist.
- f reporting any health and safety concerns or issues through the reporting system.
- g keeping the work place tidy to minimise the risk of any trips and falls.
- h wearing protective clothing and equipment as and when required to minimise your exposure to workplace hazards.

### 3. Others in the workplace

3.1 All others in the workplace including but not limited to mātua, whānau members, and manuhiri are encouraged to:

- a follow all instructions, rules and procedures while at Ngā Kuaka.
- b report all injuries, incidents and near misses to the Tumuaki, Pou Manaaki, Kaiwhakahaere or Kaiako.
- c wear protective clothing and equipment as and when required to minimise your exposure to hazards while learning.

3.2 All workers provided with basic health and safety rules, information and training and are encouraged to engage in positive health and safety practices.

3.3 Health and safety is everyone's responsibility.

<b>I whakaae te Komiti Mahi ki tēnei Kaupapa Here:</b>	28 August 2018
<b>Ka tirohia anō tēnei Kaupapa Here i mua i te:</b>	TBC
<b>Waitohu (Tiatangata):</b>	

**Health and Safety for Te Kōhanga Reo o Ngā Kuaka (Ngā Kuaka): Duty holders and their responsibilities under the Health and Safety at Work Act 2015**

Duty holders and their responsibilities under the Health and Safety at Work Act 2015 <b>Duty Holder</b>	Definition	Ngā Kuaka Position(s)	Responsibilities	Offences & Penalties
<b>PERSON CONDUCTING A BUSINESS OR UNDERTAKING (PCBU)</b> The PCBU is usually a legal or corporate entity, including a self-employed person. They have the primary duty of care for the health and safety of workers and others.		Te Kōhanga Reo o Ngā Kuaka Incorporated Society (Ngā Kuaka)  Or Tiatangata?  Or Tumuaki (officer onsite)?	Ngā Kuaka must ensure the health and safety at the workplace of: <ol style="list-style-type: none"> <li>all workers</li> <li>other people by ensuring they are not put at risk from work being carried out.</li> </ol> This means that Ngā Kuaka must, among other things: <ul style="list-style-type: none"> <li>provide a safe and healthy environment for all workers, including access to facilities</li> <li>provide the right information and training to all workers</li> <li>provide and allow for kaimahi participation in health and safety matters</li> <li>notify all serious illness, injury or near misses</li> <li>monitor all workers' health and workplace conditions to prevent illness or injury.</li> </ul>	Fine up to \$500k or \$1.5M or \$3M
<b>OFFICERS:</b> Officers have <b>significant influence over the management of the business</b> or undertaking. They must exercise due diligence to ensure the PCBU meets its health and safety obligations. NOTE: <ul style="list-style-type: none"> <li>People who merely advise or make recommendations to an officer of the organisation are not officers.</li> <li>Officers who act on a purely voluntary basis (i.e out of pocket expenses only) as individuals have a duty to carry out due diligence, but they cannot be prosecuted if they fail to meet that duty. Ref Section 18, 44 &amp; 51</li> </ul>		<ul style="list-style-type: none"> <li>Chairperson</li> <li>Deputy Chairperson</li> <li>Treasurer</li> <li>Licensee</li> <li>Secretary</li> <li>Health &amp; Safety Officer</li> <li><b>Tumuaki</b></li> <li><b>Pou Manaaki?</b></li> <li><b>Kaiwhakahaere?</b></li> </ul>	Officers for Ngā Kuaka are voluntary officers <i>except</i> for the Tumuaki, Pou Manaaki(?) and Kaiwhakahaere(?) who are the only paid officer. As Officers of the Trust we must take reasonable steps to: <ol style="list-style-type: none"> <li>know about current work health and safety matters</li> <li>understand the hazards/risks associated with the workplace operations</li> <li>make sure there are resources and processes for managing risks</li> <li>ensure there are processes for receiving and reviewing information on and responding to incidents, hazards and risks</li> <li>ensure workplace health and safety processes and resources are being used.</li> </ol>	<b>Voluntary Officers</b> – no fine: exempt from liability for breach of duty.  <b>Paid Officer</b> – Fine up to \$100k or \$300k or \$600k & up to 5 yrs

Duty holders and their responsibilities under the Health and Safety at Work Act 2015 <b>Duty Holder</b>	Definition	Ngā Kuaka Position(s)	Responsibilities	Offences & Penalties
<b>WORKERS:</b> Workers work for the business or undertaking and can include: <ul style="list-style-type: none"> <li>employees</li> <li>contractors or subcontractors and their workers</li> <li>labour hire company employees</li> <li>apprentices or trainees</li> <li>people on work experience or a work trial</li> <li>volunteer workers whose work is integral to the business' operations</li> </ul> NOTE: Other volunteers, such as for fundraising, are not workers		All Kaimahi, Mātua Awhina, people on work experience, trainees and volunteer workers (Komiti Mahi members?), Officers of the Society, Contractors, sub-contractors and their employees.	All workers must: <ul style="list-style-type: none"> <li>take reasonable care for their own health and safety</li> <li>take reasonable care that their behaviour does not adversely affect the health and safety of others</li> <li>report any incident, risk or hazard to an officer or health and safety representative</li> <li>comply with any reasonable instruction from Ngā Kuaka to allow the Ngā Kuaka to comply with the Act</li> <li>cooperate with the Ngā Kuaka health and safety policies or procedures</li> <li>inform manuhiri etc of any known hazards or risks in the workplace.</li> </ul>	Fine up to \$50K, \$150K or \$300k & up to 5 yrs
<b>HEALTH AND SAFETY REPRESENTATIVES:</b> Health and safety representatives are workers who are elected to represent a defined workgroup. A workgroup is a defined group of workers who are represented by one or more health and safety representatives. The workgroup may be defined by physical location, a business group or a group of workers who have common risks.		Health & Safety Officer  Tumuaki (On site Health & Safety Officer)?  Pou Manaaki (On site Health & Safety Officer)?	Health and safety representatives can: <ul style="list-style-type: none"> <li>represent workers on health and safety matters</li> <li>investigate complaints from workers about health and safety issues</li> <li>monitor health and safety measures taken by Ngā Kuaka</li> <li>provide feedback to Ngā Kuaka about health and safety compliance</li> <li>issue provisional improvement notices and direct work group members to cease unsafe work if appropriate.</li> </ul>	<b>Paid Officer –</b> Fine up to \$100k or \$300k or \$600k & up to 5 yrs
<b>OTHER PERSONS:</b> Other persons include parents, visitors, other volunteers, general public and those who may be put at risk by the work of the PBCU. It does not include people who unlawfully enter the premises.		Maatua, whanau members, visitors, volunteers at working bees.	Other persons should: <ul style="list-style-type: none"> <li>take reasonable care for their own health and safety</li> <li>take reasonable care that their behaviour does not adversely affect the health and safety of others</li> <li>comply with any reasonable instruction from Ngā Kuaka to allow Ngā Kuaka to comply with the Act.</li> </ul>	Fine up to \$50K, \$150K or \$300k & up to 5 yrs
Other persons include children.			In the ECE context, children at ECE services, kōhanga reo and playgroups have <b>no responsibility</b> for their own health and safety.	