

Scope of Services Offered

Over recent years ACC has provided support services to businesses to help them reduce their Health and Safety risk, improve safety for their staff, and consequently their ACC levies. I have had a significant role in this service. Now that ACC has withdrawn from this activity, I am offering this support on a private basis. I have established *Adaptive Health and Safety Ltd*. This document includes material that describes the nature of the services I can offer.

Adaptive Health and Safety Limited adds value to New Zealand businesses by helping them reach their goals in relation to international and national safety standards. We have experience in a range of industries with a special interest in the agriculture sector. We help businesses build on their own knowledge and provide updates and recommendations based on our regular networking with trusted safety, health and wellbeing specialists and colleagues outside our area of expertise.

I am a member of the New Zealand Institute of Safety Management (NZISM). This body is a member of the Health and Safety Association of New Zealand (HASANZ) that requires members to participate in continual professional development to meet national standards.

Background: The Health and Safety at Work Act 2015 (HSWA) enforced in 2016, created the definition of a Person Conducting a Business or Undertaking (PCBU) and defined its responsibilities. These responsibilities are significant and are relevant for self-employed individuals, employers and employees.

There are risks of all kinds in any business including risk to life and limb. Part 2 of HSWA details duties to manage health and safety risks as copied here in italics:

Section 30 Management of risks

(1) A duty imposed on a person by or under this Act requires the person—

(a) to eliminate risks to health and safety, so far as is reasonably practicable; and

(b) if it is not reasonably practicable to eliminate risks to health and safety, to minimise those risks so far as is reasonably practicable.

There is a need for everyone to understand the risks involved in their activities and how they can prevent harm to anyone as a result of them. Part of this is putting a system in place so your management of the risks can be repeated and improved without having to reinvent the wheel!

It is important to emphasise that it is the PCBU's responsibility to know about and manage all the risks of a business operation. *Adaptive Health and Safety Limited* can help you with that, but it is not possible for anyone, including self-employed individuals, employers and employees, to contract out of their responsibilities under this Act. Part 2 of HSWA details this as copied here in italics:

Section 31 Duties not transferable *A duty imposed on a person by or under this Act may not be transferred to another person.*

Therefore, *Adaptive Health and Safety Limited* does not/cannot accept any responsibility for your obligations under the HSWA. It is up to you to meet your own obligations or duties as a Person Conducting a Business or Undertaking (PCBU) under the HSWA and to operate your health, safety and injury management system to meet those.

We will refer you to qualified specialists for advice where the needs of the business are outside the scope of ISO 45001:2018, AS/NZS 4801:2001, the ACC Injury Management Process and general guidance based on HSWA and its related regulations, enactments, codes of practice (approved or voluntary) applying to your trade or profession.