

Leveraging the Health and Safety at Work Act (2015) for Disaster Risk Reduction

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Do organisations see earthquake risk as a health and safety issue?

LEGISLATIVE LEVERS

There is a well-established tradition within New Zealand of effectively using legislation and policy to help manage our significant risks. Several legislative levers aim to provide appropriate policy backing to reduce exposure or limit the impact of earthquakes. These include the Resource Management Act 1991, the Building (Earthquake-prone Buildings) Amendment Act 2016, and the Civil Defence and Emergency Management Act 2002. There is potentially more existing legislation that could be used to encourage disaster risk reduction (DRR), providing an untapped opportunity to further improve New Zealand's resilience to disaster.

The key objective of the Health and Safety at Work Act 2015 (HSWA) is to give "workers and other persons the highest level of protection against harm to their health, safety, and welfare from work risks as is reasonably practicable"¹. Organisations have this regulatory obligation to protect their employees and other stakeholders, as well as being a potential catalyst in building a resilient nation. Organisations that effectively manage their natural hazard risk provide safety for their employees, minimise economic losses through downtime, and can support community recovery by providing key services, employment, and economic stimulus.

This project investigates what organisations are doing to stay safe in our seismically active environment, and what helps or hinders organisations implementing earthquake risk reduction efforts, focusing particularly on the influence of HSWA.

What do you think motivates organisations to reduce earthquake risk?

Place a sticky dot below to indicate what you think is the most important driver for earthquake risk reduction in an organisation.

Building Act Obligations	
Financial impact of an earthquake	
Staff and safety wellbeing	
Current financial position	
Board directives	
Staff concerns	
Likelihood of an earthquake	
Importance of our organisation to the community	
Availability or price of insurance cover	
Health and Safety at Work Act obligations	

What are organisations doing to reduce earthquake risks?

METHOD

Review of the Law

Review of HSWA 2015 in relation to earthquake hazards, and how it interplays with the Building (Earthquake-prone) Amendment Act 2016.

Interviews

Interviews with senior company representatives exploring:

- earthquake risk reduction attitudes,
- what drives or informs their approach,
- what barriers they face in reducing earthquake impacts.

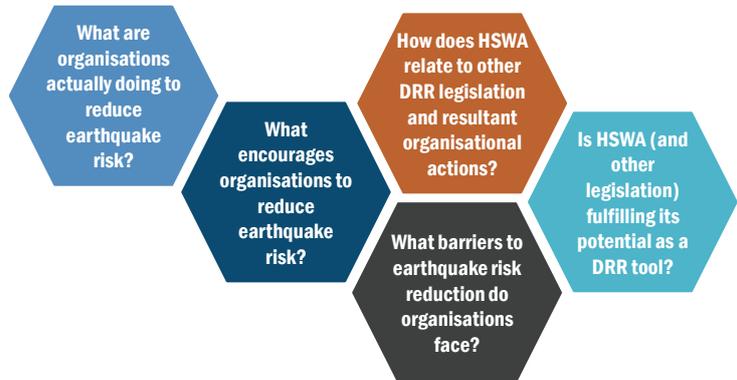
Survey

What are organisations actually doing and what motivates them?

Take the survey now



ANALYSIS



What more could or should be done to enhance the impact of HSWA on DRR behaviour?

EARLY FINDINGS

Organisations seem to be motivated by the safety and wellbeing of staff rather than legislative requirements.

There is a lack of understanding of how to prepare for earthquakes, particularly for small organisations with limited resources.

Any Person Conducting a Business or Undertaking (PCBU) is expected to prepare for an earthquake. But the interplay between the HSWA and Building Act leads to **uncertainty about the exact liability of a PCBU**, particularly where the building has not been classified as earthquake prone. The PCBU's actual obligations are confusing and need to be clarified.

HOW WILL IT MAKE A DIFFERENCE?

This project will help us determine:

1. Current earthquake risk reduction methods implemented within organisations.
2. Resources utilised by organisations to inform earthquake impact reduction efforts.
3. What helps and what hinders organisations implementation of earthquake risk reduction efforts.

Following our consultation with WorkSafe and MBIE during project inception, results will be shared with them along with our reflections on opportunities that may exist to improve DRR behavior amongst large and small businesses.