

FIRE REGULATIONS NOW HAVE IMPACT AND MEANING

All clients need to take action in relationship to the new regulations that are enforceable by a number of agencies and the fines have increased 100 fold approximately. It is difficult to believe that most managers do not understand that a few simple things can reduce their costs by thousands of dollars per annum.

For example there are ten things that will have about 50% potential reduction in fees. All of these items are simple and ultra cost effective and need to be actioned promptly.

1. The main waste bin / skip must be at least 4 metres away from the building and this will cost you \$500 per annum if you do not understand risk management.
2. The hazardous goods that are volatiles must be stored in a deep freeze chest or similar and if you think that this is silly then add another \$500 to your premium please.
3. You will have a dual heat and smoke detector and not just one or the other which will often not work. If you do not understand this then add another \$500 to standard levy.
4. Roller doors and external large windows must have steel pins or chains to prevent unauthorised entry. Grill bars are often better. This can easily mean another \$500.
5. A policy of no smoking and no naked flames and the need for permits is important and can easily mean another \$500.
6. And you will be quick to point out that Fire Wardens are not mentioned in the Regulations. Fancy that. Failure to have trained Wardens will probably cost you at least \$1000 per year. Trained people are by far the most cost effective way to reduce risks.
7. A fire extinguisher drill plus evacuation will also cost you and failure to have enough of them will mean an extra premium of \$500 per year which is enough to buy 5 x 2kg.
8. Simple site audits take half an hour per quarter and are a complete waste of time for people who think they are clever. Failure to audit will mean another \$500 per year.
9. Checking of electrical tools and switchboards sounds really boring. However this is another item that is likely to mean a gain or loss of \$500 annually.

For the average small site the above items above come to say \$5000 per annum. And how do you go about it? You must make a list of the above and prove them to your broker who will be keen to have happy clients and to help you win the best rates.

The clever broker will enhance the existing policies so that the client wins and the broker wins with a much lower risk rating and the risk reduction of 80%. The insurance company will be more than happy with clients that are prepared to do basic safety and in return qualify for reductions and enhancement of their policies.

Summit Manager Name _____

Telephone/Email _____

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Heb 5:8-10. Son though he was, he learned obedience from what he suffered ⁹and, once made perfect, he became the source of eternal salvation for all who obey him ¹⁰and was designated by God to be high priest in the order of Melchizedek.

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ISO STANDARDS BENEFIT SMALL & MEDIUM ENTERPRISES

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ISO International Standards provide many benefits for businesses worldwide, both in industrialised and developing countries. But these benefits are not just for large corporations and big businesses. ISO standards can also help small and medium-sized enterprises (SMEs). For example, ISO standards provide state-of-the-art specifications for products and services. They can increase the efficiency of processes. They can help SMEs qualify for participation in global supply chains. In short, ISO standards can help SMEs compete with bigger businesses for opportunities on the global market. ISO standards are the key to unlock future opportunities.

1. Standards help you compete on a level playing field with bigger enterprises
2. Standards open up export markets for your products and services
3. Standards help you discover best business practices
4. Standards drive efficiency in your business operations
5. Standards add credibility and confidence for your customers
6. Standards open new business opportunities and sales
7. Standards give you the competitive edge
8. Standards make your brand name internationally recognized
9. Standards help your company grow
10. Standards enable a common "language" across an industry sector



2.

WORKSAFE POLICIES FOR PRIVATE PROSECUTIONS

How does WorkSafe make its prosecution decisions?

WorkSafe makes prosecution decisions in accordance with the [Solicitor General's Prosecution Guidelines](#). The Guidelines have a two part test for prosecution: the evidential test and the public interest test. An offence that meets the evidential test might not be prosecuted if WorkSafe decides prosecution is not in the public interest. Private litigants are not constrained by the Guidelines. For more information about how prosecution decisions are made see [our Prosecution Policy](#).

Who can bring a private prosecution?

Anyone can bring a private prosecution – you do not have to be a victim or a victim's family member. Under HSAW Act you can bring a private prosecution in relation to an offence if:

- a) Neither WorkSafe nor any regulatory agency has taken or intends to take any action, and
- b) A person has received notification of this from WorkSafe.

If you would like to receive a notification, you must first inform WorkSafe of your interest in knowing of any action taken over the particular incident.

We do not advise any external party, such as the Person Conducting the Business or Undertaking (PCBU), that you have expressed interest.

You can also bring a private prosecution with leave of the Court.

When do I need to bring a private prosecution by?

There are time limitations set out in the Act.

It must be brought within the latest of the following:

- Two years after the date on which the incident, situation or set of circumstances to which the offence relates first become known to WorkSafe or ought reasonably to have become known to WorkSafe.
- Six months after the date on which a Coroner completes and signs a Certificate of Findings if it appears from the Certificate of Findings – or the proceeding of an inquiry – that an offence has been committed under the Act.
- Three months after the expiry date of an extension granted to WorkSafe to make a decision to prosecute.

If an [enforceable undertaking](#) has been given in relation to the offence, six months after either:

- the enforceable undertaking is contravened or it comes to WorkSafe's notice that the enforceable undertaking has been contravened or
- WorkSafe has agreed to withdraw the enforceable undertaking under section 128 of the Act.

What can I expect from WorkSafe if I bring a private prosecution?

WorkSafe will meet its obligations under the Victims' Rights Act 2002 while carrying out its investigation. During a private prosecution process WorkSafe must be fair and impartial to all parties involved in the incident because it is a Crown Entity. This means they are not able to:

provide advice on private prosecutions, including legal advice

support victims in their interactions with the party bringing the private prosecution or

advocate for victims as part of the private prosecution process.

If you request information for a private prosecution WorkSafe will meet obligations under the *Official Information Act 1982*. It can point you to industry – and topic-specific information available [on its website](#). If WorkSafe Inspectors are summoned, they will make themselves available to give evidence in Court. They may also be available prior to a court proceeding.

NB the above information is important for all clients to read and understand.

3.

SAFETY OFFICER OR SAFETY REP – WHICH IS BETTER

A considerable degree of damage was caused by a former Assistant Minister of ACC by requiring ACC to fund the training of Safety Reps with a view to bolstering the Trade Union Movement. She ensured that the \$2 million per annum was 98% allocated to TUC applicants with a minor as a sop to the Employers Federation. To make matters worse she probably did not realise that the qualified Safety Reps would have the power to issue provisional improvement notices PINs on the Owner or CEO.

We do not favour Safety Reps and although we were the first applicant to get approval directly behind ACC we took account of the problems encountered in Australia and the damage caused at many of the large sites. Essentially you run the risk of having your workforce split into two and industrial actions either likely or certain. For those who wish to dispute this statement we would hasten to advise them to contact John Randall Chief Inspector of Western Australia and to ask him what happened to health and safety in WA when the Unions gained control over the employers.

For these reasons we favour Safety Officers and we are proud to state that we have trained perhaps 50,000 of them and not one has ever been prosecuted over 25 years.



WORKERS WORKING AT HEIGHTS OSHA 1926-503

We are glad to advise that we have a high quality training set from OSHA of America. This is a great addition to our standard for Fall Prevention guidelines of Australia plus the AS NZS 1891 and the NZ Guidelines from WorkSafe.

We advise all clients that it is essential to provide guideline training for all workers including those who are only occasionally required to work at heights. Height training is not only for the people that wear a safety harness every day and this is an absurd idea.

In our opinion harnesses can be as dangerous as the risk of fall unless workers are properly trained and where possible harnesses should be avoided in preference to better options such as static lines plus belt or edge protection.

In some cases it is necessary for several methods to be incorporated and for example at a Justice Dept site in Whangarei it was necessary to have five different methods to meet the complexities of the site as the Crown was fussy to ensure that it would not be facing a prosecution today or in the future.