

INDEPENDENT FORESTRY SAFETY REVIEW

An agenda for change in the forestry sector
SUMMARY OF RECOMMENDATIONS
October 2014



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31 October 2014

This document is a summary of the findings of the Independent Forestry Safety Review (the Review). It has been produced by the Review Sponsors for the forestry industry. The Review Sponsors are the Forest Industry Contractors Association, the Forest Owners Association and the New Zealand Farm Forestry Association.

The three members of the Review Panel – businessman George Adams, health and safety lawyer Hazel Armstrong and safety expert Mike Cosman – were engaged in January 2014. They were tasked with identifying the likely causes and contributing factors to the high rate of serious injuries and fatalities in the New Zealand forestry sector.

The Review Panel had a broad mandate and were required to take an independent approach. Their report was released in October 2014. It includes a package of practical recommendations that, if implemented, will result in a significant reduction in the rate of serious injuries and fatalities in the forestry sector over the next five years.

Copies of the full report can be downloaded from
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Background to the Review

The forestry industry is the most dangerous sector in which to work in New Zealand. The injury rate is double that of other sectors and the fatality rate is 15 times the overall rate for all sectors. This needs to change to prevent further injuries and loss of lives, and for the industry to be sustainable.



Review Panel chair George Adams

Over the course of the Review, the Review Panel heard a strong motivation for change from forestry workers, their supervisors and crew bosses, from forestry contractors, managers and forest owners. They spoke with about 8% of the forestry sector. This included meeting more than 540 forestry sector stakeholders, receiving 111 submissions on their consultation document and having more than 330 workers complete their Forestry Worker Survey.

There was widespread agreement with the issues the Review Panel identified as impacting on health and safety on the forest block. These issues included:

- Lack of leadership to drive a safety culture
- Gaps in the standards to ensure safe work and safe workplaces
- Inadequate training and supervision of workers
- Low levels of worker participation, representation and engagement in safety.

There has also been widespread support for WorkSafe New Zealand (WorkSafe) stepping up its compliance and enforcement visits. But, WorkSafe cannot be on every forest block, every day. Because of this, it is important that everyone working in the forestry industry understands that health and safety is a cost of doing business, but also that improved safety and productivity go hand in hand.

We agree with WorkSafe that those not doing, or capable of doing, business safely should not be doing it at

all. Improving health and safety may mean that some organisations and individuals lose the right to operate and work in the sector. It may also mean that when log prices are low some trees may need to stay in the ground if it is uneconomic to harvest them safely.

Along with meeting health and safety standards, the forestry industry needs to take responsibility for the lifelong training and development of its workforce. This is needed to reflect the high hazard and safety-critical nature of work on the forest block.

Too many workers are expected to be productive from day one, and too many are left to their own devices too soon; it is not acceptable to say there is insufficient money or resources to achieve training outcomes. Information, training, instruction, or supervision to enable safe work is required by law. It is also important to recognise, therefore, that training and development needs to focus on communication, team building and leadership for supervisors.

The Review Panel's vision is for a safe, sustainable and professional forestry sector by 2017, achieved in partnership by government, industry and workers. This can be achieved if the forestry industry learns to better manage the health and safety challenges that come from its varied structure. These challenges include the industry's ability to:

- Understand the health and safety responsibilities of all those in the supply chain
- Ensure contractual arrangements recognise and support health and safety outcomes
- Manage the supply chain in a way that enables the forest block to be managed safely
- Ensure the safety implications of the choice and design of a forest block are managed
- Plan and organise work so it can be carried out safely
- Ensure workers and their crew bosses have the skills to work safely
- Ensure that workers' employment terms and conditions support safe workplaces.

The challenges can be managed. The Review Panel has seen owners, managers, forestry contractors and crews who have consistently demonstrated the ability to work safely without serious injuries or fatalities on their forest blocks.

There is a strong 'can do' culture on the forest block. This needs to become a "can do safely" culture.

Changing the safety culture across the forestry industry will require a change to the way things are done. The change must be led by forest owners and managers, by marketers, forestry



A professional culture needs to be built where forest workers are viewed as skilled tradespeople who are proud to demonstrate the mastery of their craft – harvesting trees safely and productively

contractors and crew bosses.

A first step to addressing changing the safety culture on the forest block is for those in positions of leadership and management to make a commitment to change and to meet mandatory standards for health and safety and employment across the forestry industry. It is important that work and workplaces in the forestry industry change in a way that shows a respect for workers. This should enable workers to then show respect for their work and their workmates.

This respect can also be fostered through building a professional culture where forest workers are viewed as skilled tradespeople who are proud to demonstrate the mastery of their craft – harvesting trees safely and productively. Many of those we spoke to want further training to enable them to do their work professionally.

The Health and Safety Reform Bill

In August 2013, the government released *Working Safer: A blueprint for health and safety at work*. The blueprint is the Government's response to the recommendations of the Independent Taskforce on Workplace Health and Safety and sets a target to reduce New Zealand's workplace injury and death toll by 25 per cent by 2020. Forestry fatalities accounted for 20 per cent of workplace fatalities in 2013.

The blueprint provided the foundation for the introduction of a new Health and Safety Reform Bill (the Reform Bill). The Reform Bill will have implications for the forestry industry. The imposition of duties on all Persons Conducting a Business or Undertaking (PCBU) throughout the supply chain, the new responsibilities for officers and the expanded definition of workers to include both employees and contractors will help clarify health and safety obligations.

The Reform Bill will require the sector to understand and manage the underlying factors that create risks to safe workplaces and safe work as well as managing the obvious hazards. Without a high level of engagement and support in the lead-up to the implementation of the Reform Bill, the forestry industry may struggle to understand its new obligations.

Without a better understanding, the changes in the Reform Bill will have little impact on health and safety outcomes. It is time to start engaging and preparing for the new legislation. The time to begin planning and implementing a new approach to managing forestry operations across the supply chain is now.

“There is a strong ‘can do’ culture on the forest block. This needs to become a “can do safely” culture”.

Recommendations

- 1 WorkSafe New Zealand convenes a Forestry Leadership Action Group made up of government, industry, workers and their representatives to oversee the delivery of a Forestry Sector Health and Safety Action Plan within three months of this Final Report.
- 2 The proposed Forestry Sector Health and Safety Action Plan has a focus on delivering:
 - a A charter or pledge for industry leaders to commit to specific actions for change now and into the future
 - b Tools and resources to support the development of safety leadership capabilities across the supply chain
 - c Effective worker participation and representation, engagement and developing network of trained representatives
 - d A timetable for developing clear and consistent standards to support safe work and safe workplaces, including competency standards
 - e A timetable for developing an industry-led contractor certification scheme and supporting systems
 - f An enhanced approach to:
 - i Data collection and evaluation, and
 - ii Information sharing.
- 3 The Forestry Leadership Action Group works with the Ministry of Business, Innovation and Employment and key stakeholders to develop regulations to clarify forestry industry specific rules where:
 - a It is possible to define and measure safe outcomes associated with this work
 - b There are effective and stable technologies and practices codified in standards
 - c Alternative control measures have been shown to be ineffective
 - d Failure to comply with standards is not accepted by the regulator.
- 4 The Forestry Leadership Action Group supports WorkSafe New Zealand to develop a clear and consistent, free-to-access, suite of supporting approved codes of practice, guidance and best practice documents that include:
 - a Updating the Approved Code of Practice for Safety and Health in Forest Operations to include:
 - i Detail of the health and safety roles and responsibilities of persons conducting a business or undertaking across the supply chain
 - ii A standard procedure for pre-operation planning, including the safety-critical tasks of risk and hazard identification and management
 - iii Protocols and procedures for designing and constructing forestry infrastructure
 - iv Protocols and procedures for daily risk and hazard identification and management, including how to respond to adverse working conditions caused by the interaction of light, weather extremes, geography and the terrain
 - v Protocols and procedures to manage issues of impairment, including, but not restricted to, fatigue
 - vi Protocols for the provision of personal protective equipment, including two-way communication equipment
 - vii Emergency planning protocols and procedures, including training exercises with response agencies
 - viii Protocols related to the provision of facilities consistent with regulated standards and guidance, including welfare facilities, fresh water and shelter for workers and their gear
 - b An approved code of practice for the design, testing, certification modification and maintenance of mobile plant and equipment in forestry operations and accompanying best practice guides
 - c Best practice guides for employment contracts, including minimum employment standards that must be specified in employment contracts.
- 5 The Forestry Leadership Action Group and WorkSafe New Zealand work to draw together the relevant legislation, regulations, approved codes of practice, policies and procedures, and best practice documents into a Forestry Safety Manual with a framework that is accessible and understandable for those working in the forestry sector.
- 6 The Forestry Leadership Action Group works with, among others, the forestry industry, workers and their representatives, the Ministries of Business, Innovation and Employment, Education, Primary Industries and Social Development to develop a workforce strategy to:
 - a Assess workforce needs and then attract, train and retain the right people for forestry work in roles across the supply chain, from forest managers through to forestry contractors and forestry workers
 - b Develop and embed a training culture within the industry aimed at improving safety, efficiency and productivity and recognising training and development as an investment, not a cost.

- 7 The Forestry Leaders Action Group works with the Ministry of Business, Innovation and Employment and stakeholders to develop regulations that specify:
 - a Mandatory competency standards for safety-critical forestry roles spanning forest management, forestry contractor, supervisor and trainer and specific worker roles on the forest block
 - b Procedures for the independent assessment and periodic reassessment of competency with five years and procedures for dealing with non-competency
 - c Ensure inexperienced trainee forestry workers on the forest block are carefully transitioned into high-hazard work and supported with appropriate training and supervision.
- 8 The Forestry Leadership Action Group works with the Ministries of Business, Innovation and Employment and Education, the Tertiary Education Commission, New Zealand Qualifications Authority, Competenz and training institutions, to ensure that the:
 - a Forestry industry understands its responsibilities for providing training and supervision, and the opportunities available to fund training and assessment
 - b Forestry curriculum supports the proposed competency standards and enables a balance between foundation skills training and safety-critical task training at the right time for workers.
- 9 The Forestry Leadership Action Group works with the sector to implement an industry-led forestry contractor certification scheme that:
 - a Initially, provides a mechanism to identify forestry contractors who meet the current requirements of health and safety and employment legislation (along with those who do not)
 - b Then, leverages off the obligations in the Health and Safety Reform Bill to support industry to meet its obligations under the new legislative framework, and
 - c Finally, creates a higher tier of certification for contractors who meet health and safety, employment and environmental requirements and demonstrate best practice in their field of expertise.
- 10 WorkSafe New Zealand develops an enhanced and comprehensive set of key indicators for workplace visits that are communicated, along with assessment results, across the forestry industry and include:
 - a The appropriateness of contractual arrangements for health and safety management



The forestry industry must understand that it is primarily responsible for training its own workforce

- b Adequacy of risk and hazard management and safe systems of work
 - c The appropriateness of site design, infrastructure, machinery, plant and equipment
 - d Management and supervision on site, along with training levels of the foremen and workers
 - e Management of impairment considering fatigue, weather, terrain travel and work times
 - f Access to facilities such as welfare facilities, fresh drinking water and shelter
 - g Worker health and safety participation and representation.
- 11 WorkSafe New Zealand develops an enhanced and comprehensive set of procedures and process for investigations that ensure:
 - a Clarity for all parties around responsibilities during incident responses
 - b A comprehensive underlying cause analysis of the reasons a serious injury or fatality occurred
 - c Effective communication with victims, their families, workers, crew and industry.

The rationale behind the recommendations

Leadership is essential

The need for a Forestry Leadership Action Group and an Action Plan

The results of recent WorkSafe assessments show that health and safety failures are not simply those of the worker, but of the crew boss, the forestry contractor and the forest owner, manager or marketer. The failures extend all the way up the supply chain.

This is why a Forestry Leaders Action Group (FLAG) and Forestry Sector Health and Safety Action Plan (the Plan) are necessary to drive long-term, system-wide and integrated improvements across the supply chain. The FLAG and the Plan should be put in place within three months of the delivery of the Review Panel's Final Report.

The recommendation that WorkSafe convene the FLAG is intended to ensure that it is set up with an appropriate Chair and secretariat, a clear set of objectives and the structure, systems and processes needed to drive the changes recommended in this Review. The rate of serious injuries and fatalities in the sector and the recent WorkSafe compliance activity highlights that the current industry-led groups and initiatives have not been able to deliver sustainable change in health and safety outcomes.

It is important to ensure that there is appropriate representation from across the forestry sector when the FLAG is set up. It is the view of the Review Panel that it should include representatives from:

- Forest owners and managers (but these stakeholders should not outweigh others)
- Small and farm forest representatives (including those in the farming sector)
- Forestry contractors
- Forest marketers
- Workers and their representatives
- Māori
- The training industry
- Government agencies
- Other key stakeholders or experts (that may include experts from outside the industry).

Initiatives for change in the forestry sector that rely solely on the worker are flawed. This is why a Forestry Sector Health and Safety Action Plan is necessary to drive for long-term, system-wide and integrated improvements across the supply chain. The Plan should be in place within three months of the delivery of

the Review Panel's Final Report. With concerted effort, this can be achieved.

A charter or pledge for industry leaders to commit to action for change

A safety charter or pledge should be a key step for forest owners, forest management companies, forest marketing companies and forestry contractors to demonstrate their commitment to change health and safety outcomes across the supply chain.

There is evidence of the power of a safety charter as a lever for change in complex supply chains, as demonstrated in the construction sector in Canterbury. The importance of respecting workers and their wellbeing was also recognised in a major review of health and safety in the construction sector in the United Kingdom.



A Forestry Leaders Action Group (FLAG) and Forestry Sector Health and Safety Action Plan are necessary to drive long-term, system-wide and integrated improvements across the supply chain

There should be a 'no excuses' approach taken. And the first pledge should be to meet the mandatory health and safety and employment standards already in place. The Review Panel reported being consistently disappointed by the comments and submissions they received that sought to minimise or devalue the importance of meeting standards, such as providing appropriate personal protective equipment (PPE) and basic welfare facilities in the workplace.

Leadership capabilities across the supply chain

After pledging their commitment to change, industry leaders should work to build their health and safety leadership capabilities and to understand the benefits that come from establishing and supporting safe work and safe workplaces. Building health and safety leadership capabilities does not have to start from scratch. There are a number of organisations that have developed health and safety leadership tools which the industry can draw from.

“Health and safety failures are not simply those of the worker, but of the crew boss, the forestry contractor and the forest owner, manager or marketer”

There needs to be worker participation, engagement and representation

Workers do not have an effective voice when it comes to planned changes in the way their work and workplace is organised. Yet workers will often be best placed to provide advice on the risk and hazards faced day-to-day on the forest block and the practical implications of proposed changes. They can also offer informed advice on the mechanisms that can be used to eliminate, isolate or manage these hazards and risks.

The role that workers can play in improving health and safety outcomes is recognised internationally. It is also recognised in the Health and Safety in Employment Act 1992 and in the Health and Safety Reform Bill (the Reform Bill).

Regardless of this, the Review Panel found few examples of genuine worker participation schemes. The sector will need to work together to give effect to the requirements of the Reform Bill in a way that works for industry and for the workers themselves.

Mechanisms to give workers a voice in the forestry sector will be a challenge that the industry must take on. Supporting worker representatives to receive health and safety training will be a key element of that. The Accident Compensation Corporation (ACC) partially funds training for appointed worker health and safety representatives, including in the forestry sector. However, the Review Panel did not meet many workers who had the opportunity to attend training. This is a loss for workers, the health and safety representatives and the industry. A trained representative is more effective.

The Review Panel believes the family and whanau culture of many harvesting crews provides both opportunities and challenges to developing informal and formal mechanisms to foster good worker participation, engagement and representation. Pilot programmes are required to test various participation models in the industry.



The role that workers can play in improving health and safety outcomes is recognised internationally. Developing mechanisms to give workers a voice will be a challenge that the industry must take on
Photo: Phil Taylor, Blakely Pacific

Clear and consistent standards are essential

Forestry-specific rules and prohibitions need to be in regulations

To support the successful implementation of the new legislative framework, the forestry sector needs to work together to ensure that the general regulations include, or are supplemented by, forestry-specific regulations that are clear and consistent and contain the industry's agreed rules.

There are a number of accepted and long-standing rules that ensure highly hazardous work on the forest block is done safely. It is not satisfactory that these rules are specified in the Approved Code of Practice for Safety and Health in Forestry Operations (the Forestry ACoP) which can be read as optional. Regulations are mandatory but following the Forestry ACoP is not.

Placing the industry's own rules in regulations will send a clear message about what is accepted practice. Having rules in the Forestry ACoP creates confusion and implies there are alternatives to those rules when in practice there are not.

The Forestry ACoP needs further development

When the new legislation and regulations are implemented, the current Forestry ACoP and other ACoPs and guidance will require review. WorkSafe is tasked to lead this work with significant input from industry, workers and their representatives. In the Review Panel's view, the need for review is timely. The Forestry ACoP, while generally supported in terms of technical content, has gaps and provides insufficient guidance to an industry that needs it. These gaps include detail on:

- Operation planning, including the safety-critical tasks of risk and hazard identification and management
- Designing and constructing forestry infrastructure
- Daily risk and hazard identification and management, including how to respond to adverse working conditions caused by the interaction of light, weather extremes, geography and the terrain
- How to manage issues of impairment, including, but not restricted to, fatigue
- The provision of personal protective equipment, including two-way communication equipment
- Emergency planning protocols and procedures, including training exercises with response agencies
- The provision of facilities consistent with regulated standards and guidance, including welfare facilities, fresh water and shelter for workers and their gear.

Fifty-eight per cent of forestry workers completing the Review Panel's Forestry Worker Survey indicated that they did not stop work for bad weather. The Review Panel reported concern that production pressures and contract payment rates may drive this behaviour.

Forest owners, managers and marketers, along with forestry contractors, need specificity on managing adverse working conditions in contracts. It may also be that the industry needs

to agree on the circumstances where the working conditions are so poor that a change in the approach to work will not be satisfactory and that work needs to stop.

The Review Panel acknowledged that stop-work rules may not be popular. There may, however, be some cases where stopping work is the only way to ensure the safety of those on the forest block.

An Approved Code of Practice for machinery and equipment

The Review Panel would like to see a reduction in the injuries and fatalities associated with machinery and equipment so that their full potential, for example in steep-slope harvesting and breaking out, can be realised.

The new law and regulations place strict duties on PBCUs in respect to the design of plant and structures, including machinery and equipment. The Review Panel is concerned that there is insufficient guidance to the forestry sector on how to meet these legal responsibilities and ensure the safe trialling and adoption of new and modified machinery and other equipment that has the potential to offer significant safety gains.

Mobile plant is addressed in the Forestry ACoP – but not comprehensively. Rather, it references the Approved Code of Practice for Operator Protective Structures on Self-Propelled Mechanical Mobile Plant (the machinery and equipment ACoP) which was issued in 1999 and is now out of date.

The Review Panel reported that the machinery and equipment ACoP is now under review. This is the opportunity for a forestry-specific ACoP for machinery and plant to be developed or for the current machinery and plant ACoP to be much enhanced. Either way, it should provide tailored protocols and procedures for all forestry machinery and equipment, including machines used for steep slopes. It should support the forestry industry to design and implement innovative technologies in a safe and effective way.

Implementation planning needs to include detail on the safe operation of machinery and plant and be supported by robust standard operating procedures.

Minimum employment conditions have to be met across the industry

Taking only one short break to ‘accommodate’ finishing work, or getting home a little earlier is a poor excuse for failing to comply with employment standards. Breaks are mandated to assist with managing fatigue and worker wellbeing.

There is a link between compliance with employment standards and health and safety standards. Compliance with both sets of standards provides the foundation for a safe and healthy workplace and safe and healthy workers. Where standards are not met workers may:

- Feel pressured into working longer hours and not taking statutory breaks
- Lack awareness of their right to breaks and to paid time off work

- Feel pressured into doing unsafe work due to the negative consequences of saying no.

The forestry industry needs best practice guidance and advice on minimum employment conditions and entitlements as defined in employment law.

Government should also target forestry workers to improve awareness of their obligations, entitlements and processes for making complaints related to employment and health and safety standards. Labour inspectors and health and safety inspectors should distribute information to employers and workers on all workplace visits.

The need to tailor information for the industry in a Forestry Safety Manual

The Review Panel recommends that a Forestry Safety Manual is produced to draw together the relevant legislation, regulations, approved codes of practice, guidance and best practice documents into a framework that is accessible and understandable for those working in the forestry sector.

A range of formats are needed to ensure information is useable and accessible for the entire forestry sector. For example, the hierarchy of compliance and guidance documents may need to be detailed and presented in a visual format. Summaries of where laws, regulations and rules sit at each level of the legislative hierarchy may also be necessary.

The need for mandatory competency standards

There are not enough barriers to prevent inexperienced workers being deployed on tasks beyond their level of competency. Mandatory competency standards set in regulations are required to drive health and safety outcomes in the forestry industry.

The standards must set the competency level required for safety-critical roles, outline procedures for the independent assessment and periodic reassessment of competency and the procedures for dealing with non-competency. At minimum, the following roles require competency standards:

- Plantation and harvest planner
- Site supervisor/foreman
- Tree feller
- Mechanised tree feller
- Breaker-out
- Head breaker-out
- Yarder operator
- Hauler operator
- Loader operator.

Further roles that should be regulated may be identified by the FLAG, by government, industry, workers and their representatives during the policy and legislative process required to implement the recommended regulations. The Review Panel is not opposed to regulating more roles if it is considered by others to have potential benefits.

Workforce strategy and training

The need for a workforce strategy

The forestry industry is struggling to attract, train and retain the workforce it needs. Even with the forecast increase in harvest, the overall size of the workforce is predicted to remain largely static. However, work undertaken by the Ministry for Primary Industries suggests there will be a need to replace approximately 19,000 “Farm, Forestry and Garden Workers” between 2012 and 2025.

To stimulate a good supply of workers and reduce the high rate of turnover, a workforce strategy is needed that includes:

- Information about the skills and capabilities the forestry industry needs to be a success
- Targeted marketing campaigns to raise the profile of the industry with a range of job seekers
- Options to develop the worker pipeline from schools and other training institutions
- Job matching and screening to ensure people with the right attributes are attracted to the industry
- A commitment to remunerating experience and skills and providing decent working conditions
- Career pathways, including for trainers and supervisors
- Clear provision for employer-paid training and continuing professional development opportunities
- A plan to ensure support and supervision on the job for trainee forestry workers on the forest block.

The workforce strategy should recognise the need for industry to take responsibility and address the issues that have arisen from a failure to invest in people. This includes recognition of the need to transition trainee workers purposefully and safely into production crews through the provision of offsite foundation and onsite safety-critical training and supervision. The industry must address the current ability for new forestry workers to be put into dangerous frontline roles beyond their level of competency.

As part of the strategy, industry needs to develop a clear career pathway for trainers and supervisors. The Review Panel is concerned about the reported shortage of quality third-party trainers that have the accreditation needed to provide vocational training. During the Review, they heard that trainers may be engaged on an ad hoc basis and how travel for work impacts on their pay. This has resulted in trainers re-joining a crew where they can be assured of a reliable income and working week.

Use curriculum and funding opportunities to support improvements

The forestry industry must understand that it is primarily responsible for training its own workforce. The entire supply chain must acknowledge this and ensure that sufficient allowances for the costs of training and supervision are accommodated in the lifecycle of the forest.

The mandatory competency standards and re-assessment processes recommended earlier should help to clarify this. They should also provide a stimulus for more in-house and third-party trainers and supervisors, and address some of the challenges being confronted by training institutions that are currently struggling to attract trainees.

Deliver an industry-led contractor certification scheme

The Review Panel reported on the need to level the playing field for those forestry contractors, marketers, managers and owners who do the right thing and meet the requirements of the law. Their recommendations should then see the standards raised across the industry. This can be achieved through an industry-led contractor certification scheme, implemented in manageable steps, that:

- Initially, provides a mechanism to identify forestry contractors who meet the current requirements of health and safety and employment legislation (along with those who do not)
- Then, leverages from the obligations in the Health and Safety Reform Bill (the Reform Bill) to support industry to meet its obligations under the new legislative framework, and
- Finally, creates a higher tier of certification for contractors that meet health and safety, employment and environmental requirements and demonstrate best practice in their field of expertise.

The FLAG should work with the sector to deliver the contractor certification scheme, in stages, over a three-year period from the Final Report. A timeframe for the work required should be developed alongside the development of the Forestry Sector Health and Safety Action Plan. It is most important that a robust and well considered scheme is delivered.

Develop an enhanced approach to data collection, evaluation and information sharing

There is a lack of robust and consistent data about near-misses, injuries and fatalities, and their underlying causes in the forestry industry. The FLAG should consider how government and industry can work together to address the lack of lead data.

The FLAG can also work to ensure that information about near-misses, serious harms and fatalities is shared in a meaningful and timely way to improve health and safety outcomes. There is no good reason for the current lack of information sharing. The Review Panel reported being consistently told that industry access to accident information, in a timely manner, would help ensure continuous improvement and safe work practices.

It is also essential that the sector puts in place an evaluation plan that enables it to determine the success of the recommendations of the Review and other initiatives that are put in place to drive health and safety outcomes in the forestry industry. The FLAG needs to agree on a mechanism for government, industry, workers and their representatives to monitor and evaluate change and to intervene if change is not occurring.



The development of a comprehensive set of indicators for workplace assessments that looks at both risk and hazard management on the forest block would have multiple benefits
 Photo: Phil Taylor, Blakely Pacific

Worksafe assessments

Develop an enhanced approach and indicators to workplace assessments and investigations

WorkSafe will need to adjust its workplace assessment procedures and processes to take account of the Health and Safety Reform Bill and the lessons learnt in this Review. The new legislation shifts to a *risk* and hazard identification and management model.

The Review Panel reported that an ongoing focus on tree felling and breaking-out activities in workplace assessments will not be enough to determine whether forestry contractors and crew bosses are meeting the requirements of the new legislation. Nor will it address the underlying factors that are contributing to serious injuries and fatalities on the forest block.

The Review Panel has heard that WorkSafe is enhancing its approach to forestry and will develop indicators that can be used to identify underlying factors. Those indicators should include:

- The appropriateness of contractual arrangements for health and safety management
- The appropriateness of site design, infrastructure, machinery, plant and equipment
- Quality of management and supervision onsite, along with training levels of the foremen and workers
- Working conditions caused by the interaction of lighting, weather extremes, geography and the terrain
- Impairment such as fatigue and drugs and alcohol
- Access to facilities such as welfare facilities, fresh drinking water and shelter
- Effectiveness of worker health and safety participation and representation.

The development of a comprehensive set of indicators for workplace assessments that looks at both risk and hazard

management on the forest block would have multiple benefits.

The Review Panel heard widespread concern about the serious injury and fatality investigations undertaken by the regulator. Some 71 per cent of submitters on the consultation document agreed that an enhanced set of procedures and protocols should be developed for WorkSafe investigations. The Review Panel recommended an enhanced approach to ensure:

- Clarity for all parties around responsibilities during incident responses
- A comprehensive underlying cause analysis of the reasons a serious injury or fatality occurred
- Effective communication with victims, their families, workers, crew and industry.

As the forest block is often remote and isolated, in the case of a serious injury or fatality it is regularly the New Zealand Police (the Police) or other emergency services that arrive onsite first. The establishment and sharing of good practice and minimum requirements for scene preservation and investigations between the Police and WorkSafe would be a real safeguard for the integrity of investigations.

Investigations should look at all the failures contributing to an accident to enable all the factors to be identified and remedied. They should also include an enhanced approach to drug and alcohol testing that includes all parties on the site at the time the accident occurred.

A further issue of concern to the Review Panel was the feedback received about communication with victims, their families, workers, crew and industry when an accident occurs and during the investigation and prosecution phase. The Police and WorkSafe should work together with industry to ensure there is appropriate initial and ongoing communication with all those impacted by a serious injury or fatality. There is also a need to consult with Māori to ensure the guidelines provide for appropriate tikanga.

