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Health, Safety and Wellbeing Tier One Policy

For decision:

For noting:

Te tūtohunga / Recommendation

That the Auckland Transport Board (board):

- a) Approves the Health, Safety and Wellbeing (HSW) policy for Auckland Transport (AT) Board (board).

Te whakarāpopototanga matua / Executive summary

1. The current Health and Safety (H&S) policy was issued in January 2017 and a review of Tier One policies provided a revised version to the board in October 2020. An updated HSW policy is now presented to the board with board feedback addressed (refer Attachment 1). Further, amendments have been made which position AT for HSW approach changes indicated by WorkSafe. The regulator's new direction aligns with developments in H&S best practice and this has been incorporated into both the policy and our safety business plan. A change to the policy supporting this mindset shift is the inclusion of AT values and "behavioural" principles to demonstrate what the "how" looks like at AT.
2. The board will also note the expansion of the policy principles section, the rationale being the policy is required at this time to provide more context on AT's key commitments given our safety strategy is being updated. This work is underway and will be completed through co-design over the next 6 months. Part this work will be to ensure alignment of this policy and it is expected this will reduce the policy principles section.

Ngā tuhinga ō mua / Previous deliberations

Date	Report Title	Key Outcomes
October 2020	Tier One Policies Approval – Health & Safety Policy (Refer Attachment 2.)	The board asked management to review the policy to add further detail, including obligations that AT has to comply with Health and Safety at Work Act 2015 (HSWA), obligations for critical risks, mental health and reporting metrics.

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Date	Report Title	Key Outcomes
July 2021	Health, Safety and Wellbeing policy – Endorsement from Safety Committee	The committee endorsed the policy noting that the current policy is an interim policy and will be reviewed and aligned with safety strategy development. The committee noted the policy has more in-depth consideration of the board in the roles and responsibilities section than other Tier one policies. This reflects the requirements of Officers as per the Health and Safety at Work Act (HSWA) and has been guided by the Institute of Directors: good governance guide. The lack of a vision on the proposed policy was noted, discussion covered that a safety vision will be created through the safety strategy development process.

Te horopaki me te tīaroaro rautaki / Context and strategic alignment

- In 2020, AT reviewed and updated all AT Tier One policies to ensure they reflect leading practice, address key risk areas in the organisation and align to Auckland Council direction. Policies that are strategic in nature, have reputational impact, or provide direction on important operational activities have been classified Tier One policies. Tier One policies are approved by the board. This policy has been presented for endorsement to the Safety Committee before submission to the board.
- The current organisational Health & Safety (H&S) policy was reviewed and approved by the previous Chief Executive in 2017. This update will follow the normal policy review process and be subject to annual review and update going forward.
- AT is about to commence the development of an overarching safety strategy that will integrate HSW and transport safety. The HSW policy will be updated to reflect any related outcomes as this progresses.
- Over the last decade there has been a substantive shift of health and safety best practice placing a stronger emphasis on being proactive, and less compliance focussed. This mindset shift has also been signalled by the regulator in industry forums and media releases (refer Attachment 3).

Ngā matapakinga me ngā tātaritanga / Discussion and analysis

- The overarching changes to the HSW policy from the October 2020 version are listed below for discussion.
- A growing trend across New Zealand, amplified by the COVID-19 pandemic, has been the increased focus on psychosocial factors. The Policy now visibly includes wellbeing to strengthen the understanding that mental health and wellbeing is part of our approach to safety at AT. This also responds to Worksafe’s signalling to “evolve its priorities and capability to deal with wellbeing issues” (refer Attachment 3).

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9. Board feedback, in October 2020, noted that incorporation of legislation and obligations was required. HSWA terminology has now been incorporated, that is the concepts of: Officer, Person Conducting a Business or Undertaking (PCBU) and the term 'reasonably practicable'. The Policy was reviewed against the Institute of Director requirements and requirements of duties and risk management under the HSWA. In particular:
- a. The term "reasonably practicable" (refer Attachment 4) is now inserted into the policy principles section and is included the HSW hazard and risk management approach under commitments. This is fundamental in the regulator's approach when considering a breach of the duties, so visibility of this concept is important;
 - b. Additions have been made to the roles and responsibilities section for the board including the Officers requirement to perform due diligence, strengthening the requirement to lead HSW and expanding the board's role in ensuring adequate provision of resources; and
 - c. The policy has been expanded to capture the complex environment of multiple PCBUs, using the term "AT Partners" "and ensuring our commitment covers the joint activity nature of AT.
10. The policy principles section now incorporates AT strategic focus and values, which are the basis for AT's culture, our view is safety culture stands as part of one organisational culture as opposed to separate. The section has also been expanded to incorporate a focus on four key principles rather than one. They are:
- a. AT commitments based on key HSW areas relevant to our business which will make a substantial difference. These are supported by the safety business plan, safety framework, BIR feedback, best practice, and New Zealand H&S trends. They are PCBU overlapping duties, worker participation, management of HSW hazards and risks, learning communities through sharing and continuous improvement, safety in design and mental health & wellbeing;
 - b. A success section which identifies reportable targeted areas to demonstrate the outcomes which relate to our commitment;
 - c. Outlining types of behaviours AT expects to see in our business to deliver/enhance safety. These are "Safety Principles" which demonstrate predominantly the value of '*Tiakitanga - safe with us.*'. These can be considered a cultural anchor for AT workers and aligns with our intention to move away from H&S as compliance (refer to Attachment 3); and
 - d. A succinct paraphrase of the HSWA Section 45 (a) & (b) duties of workers (while at work, a worker must—(a) take reasonable care for his or her own health and safety; and (b)take reasonable care that his or her acts or omissions do not adversely affect the health and safety of other persons). This principle also provides all workers the authority to stop unsafe acts.

These changes demonstrate AT's intention to move our safety mindset further to a proactive rather than a compliance-based approach.

11. Other changes to the policy include:

- a. Addition of the following new sections: "Introduction from the board", "Health and Safety Management System (HSMS) framework" and "Document version control"; and

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- b. Health and Safety Representatives renamed as HSW champions (pre-empting changes coming to our engagement, participation, and representation policy to reflect a broader worker approach – HSMS core policies refresh).
 - c. The role of Officers has been included in the section relating to the Chief Executive and Executive Leadership Team.
12. The development of the safety strategy means the policy will require review within 12 months to align with its development. It is anticipated the co-design process will provide a safety vision, enhancement of safety principles, and enhance clarity on AT's key safety focus. Another by-product should include the formation of "common language". Such outputs will be required to be considered in a review of this Policy. This process will also demonstrate consultation with our workers on the changes.

Ngā tūraru matua / Key risks and mitigations

13. The policy will demonstrate publicly and visibly the HSW leadership commitment and approach that AT takes to deliver leading HSW outcomes across our organisation and other PCBU's who help deliver our work activities. This will help AT mitigate HSW risks.

Ngā ritenga-ā-pūtea me ngā rauemi / Financial and resource impacts

14. There are no financial implications currently identified.

Ngā whaiwhakaaro o te taiao me te panonitanga o te āhuarangi / Environment and climate change considerations

15. There are no impacts on the environment or climate change.

Ngā reo o mana whenua rātou ko ngā mema pooti, ko ngā roopu kei raro i te maru o te Kaunihera, ko ngā hāpori katoa / Voice of mana whenua, elected members, Council Controlled Organisations, customer and community

16. Customers and members of public have been considered under the obligations of the HSWA in relation to the Statement of Intent.

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Ngā whaiwhakaaro haumaruru me ngā whaiwhakaaro hauora / Health, safety and wellbeing considerations

17. The Safety team has established a new operating model and formulated a new business plan. Critical to our success is the upgrade of the HSMS. The HSW policy is the fundamental policy that articulates how AT will approach safety and publicly communicates its commitment and expected reportable outcomes.
18. While this policy will be refreshed again during the safety strategy co-design, this update provides a better benchmark given the length of time since the current policy (2017) was reviewed. This version demonstrates our commitment to continually improve how we do HSW.
19. The policy will provide a basis for the HSMS upgrade until further clarity is provided by the strategy. Having a published updated policy is important to provide context and there a need to obtain board approval as soon as possible.

Ā muri ake nei / Next steps

20. The approved policy will be published on AT's intranet and communicated to staff through internal communication channels in due course and will be communicated to all PCBUs (AT Partners) through their relationship points in our business and discussed in context of overlapping duties.
21. The policy principles section will be extracted and printed separately as a policy statement and posted on noticeboards at all AT facilities and offices, signed off by the Chair and Chief Executive.
22. The policy will be reviewed and updated as appropriate in conjunction with the safety strategy development.

Ngā whakapiringa / Attachments

Attachment number	Description
1	Revised Health, Safety and Wellbeing policy
2	Health and Safety policy
3	Focus Closely – Boardroom article
4	WorkSafe Fact sheet: Reasonably practicable

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Te pou whenua tuhinga / Document ownership

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Approved for submission	Shane Ellison Chief Executive	