Construction Clients' Group
CONSTRUCTING EXCELLENCE

November 23, 2016

# Response to WorksafeNZ draft for consultation

Health and Safety by Design Guidance

## General

Are we satisfied that the guidance has drawn on international experience and standards such as UK CDM Regulations, European Machinery Directives, ANSI Z490 Standard, and Australia Code of Practice and Guidelines which relate to health and safety in design?

## Position

Are we satisfied that the guidance includes:

1. Use a risk management approach
2. Consider the lifecycle
3. Knowledge and capability
4. Consultation, cooperation and co-ordination
5. Information transfer

Are we satisfied that the core principles are made relevant to other industries or aspects of design including:

- manufacturing or heavy industry
- retrofits, upgrades or refurbishments
- plant, equipment, control systems or substances.

## Scope

Are health (and environmental) factors included?

Are software and control systems associated with any plant, substance or structure included?. The operational (and therefore potential failure) of many of our structures and plant rely on software and control systems.

Does it include: Special consideration and industry relevant guidance should be developed separately for manufacturing, heavy industry and construction. In addition, guidance would be beneficial on how to apply the principles to retrofits, refurbishments or partial designs.

## Use a Risk Management Approach

Does it allow for the various risk tools which might be appropriate to their operations and designs.?

Does it address when, in the absence of applicable standards, the burden of proof must fall on the PCBU to demonstrate that any action or policy is appropriate for the risk?

Does it address when Tests, calculations and analysis should be done? E.g., as required by the relevant technical standards and over-arching quality process. Or as a critical part of a pre-commissioning phase especially where there are multiple designs, PCBUs or discreet bodies of work which come together to provide one functional unit.

## Consider the Lifecycle

Does it include consideration for all potential uses and misuses of the plant, substance, structure or control system being designed, especially where the potential consequences are high?



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## Knowledge & Capability

Does it address a designer PCBU being required to establish resources, roles and responsibilities to manage this duty of care?

Does it include a requirement to assess the core competencies for each designer individually? This should be based on core technical competencies associated with the professional advise or technical contribution to the design.

Does it include awareness of the key elements of health and safety in design as a foundation for competency?

Does it include peer reviews (review and verification) as an independent check that the relevant professional standards have been met, especially where there are high risks?

## Consultation, cooperation and co-ordination

Where there is a shared duty by multiple PCBUs, does it address the allocation of specific responsibility for managing the application of health and safety in design on a project, system or product should be assigned to a specific individual to lead, coordinate and monitor?

Does it address the need to ensure consultation is completed early with those affected (especially those response for construction, manufacturing, assembly or installation) and a record kept of the discussion points and outcomes?

## Information Transfer

Does it include a variety of types of manuals, reports, registers or other expected method of information transfer and that they should be identified at the beginning of any contract or engagement?



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