

NZTR Circular 2015/16 - No.17: The Health and Safety at Work Act (HSWA)

The Health and Safety at Work Act (HSWA)

HSWA became law on Monday 4th April accompanied by some hysteria and misinformation from some media outlets. However, every PCBU such as Trainers, Jockey's, Clubs, and Breeders must review their workplace Health and Safety to ensure that they comply with the new HSWA. Under the new law there is a lot more emphasis on those responsible for the workplace and on workers to ensure that workplace is a safe place for everyone.

WorkSafe have recently clarified the reporting criteria for a notifiable event and it would be worthwhile printing out this information, as noncompliance can result in substantial fines.

What is a notifiable event?

Under the Health and Safety at Work Act 2015 (HSWA) you must notify WorkSafe (copied to NZTR) when certain work-related events occur.

A notifiable event is when any of the following occurs as a result of work:

- a death;
- notifiable illness or injury, e.g. any injury requiring professional medical treatment;
- a notifiable incident, e.g. an accident that could have resulted in an injury that would have required professional medical treatment.

Use the WorkSafe Notifiable Event tool below to help you with understanding which events are notifiable, what you need to do and when, and how to notify WorkSafe.

Deaths, injuries or illnesses that are unrelated to work are not notifiable events eg:

- a diabetic worker slipping into a coma at work;
- a worker being injured driving to work, when that driving is not part of their work;
- a worker fainting from a non-work related cause.

Further information is available by clicking on the following link.

<http://www.business.govt.nz/worksafe/notifications-forms/notifiable-events/notifiable-event-problem-solver>

NZRB/Club raceday health and safety agreement

The New Zealand Racing Board (NZRB) and the code bodies are drafting up a shared duties Cooperation Agreement pursuant to the Health and Safety at Work Act 2015 (HSWA) (Shared Duties) on advice from NZTR's Lawyer's.

This agreement will be sent out to clubs and the NZRB field staff and meetings organised for the Cooperation Agreement to be signed in the next few weeks.

In the interim clubs do not have to pursue any individual agreements with the NZRB.

NZTR Website Health and Safety information

Trainers who wished to prepare their own Health and Safety plan would like to see more guidance placed on the NZTR website. An overview on how to prepare your Health and Safety plan and where to start can now be found on the following link.

[http://www.nzracing.co.nz/OnHorseFiles/Health%20and%20Safety/Health%20and%20Safety%20Plan%20outline%20-%20sector%20groups%20\(2\).pdf](http://www.nzracing.co.nz/OnHorseFiles/Health%20and%20Safety/Health%20and%20Safety%20Plan%20outline%20-%20sector%20groups%20(2).pdf)

The horse riding and stable safety brochure on the NZTR website is a comprehensive document with detail on how to make your stable and work environments safer to avoid the most common and preventable accidents. The document can be found on the following link.

http://www.nzracing.co.nz/OnHorseFiles/Health%20and%20Safety/horse_racing_safety_guide_stables%20April%202016-2.pdf

ACC levies

As advised previously NZTR in conjunction with ACC, NZTA and NZTB have been looking at actions that could assist the Industry to reduce the injury rate and improve injury recovery, with the objectives of making the industry safer and reducing ACC levy payments.

With the cooperation of several trainers and breeders, representatives from NZTR and ACC visited training and breeding establishments to view work processes and discuss areas of concern with trainers and their staff.

From the observations and feedback the following actions were recommended.

Footwear

NZTR will be putting out an advisory shortly about all staff wearing appropriate footwear when working in the stable environment or with horses at the race track. Stables and race courses are work environments and regulations require staff to dress appropriately. There were 35 claims for serious foot injuries last year due to staff not wearing appropriate footwear.

Staff are required, for safety purposes, to have appropriate footwear that is easy to walk in and will protect their feet if stood on by a horse. High heels and Jandals are inappropriate and unsafe examples of footwear. They should not be worn when working around or leading horses as the handler may have less control over the horse and risk injury to themselves or worse, someone else. Stewards may direct a person not to lead a horse if there are any safety concerns with the person's footwear.

Staff should also remember that when a horse is led or ridden within the confines of any racecourse or training track under the jurisdiction of a club it shall at all times have a bit in its mouth. When the horse is lead either by reins or a lead they must be attached to the bit.

Mobile telephones and horses don't mix

There have been reports that people are using their mobiles while being engaged in work with or around horses or while riding. As we all know horses can be unpredictable animals and while engaged in their care mobile phones must not be used.

Slips/Trips/Falls

The high number of injuries around stables caused by slips/falls/trips is of concern; most of these injuries are preventable with work place tidiness being high on the list of prevention.

To reduce the risk of injury all gear, horse covers etc should be hung up or packed away rather than be left lying around on the ground where it can be a trip hazard.

Other main causes of injury are unsuitable footwear, lack of hazard identification and lack of maintenance around stable flooring and pathways.

ACC levies will come down if the industry reduces the numbers of injuries in line with better injury prevention practices.

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