

Chairperson and Subcommittee Members
AUDIT AND RISK SUBCOMMITTEE

10 APRIL 2014

Meeting Status: **Public**

Purpose of Report: For Information

HEALTH & SAFETY QUARTERLY REPORT

PURPOSE OF REPORT

- 1 This report presents a proposed Health and Safety Strategic Plan and reporting framework for the Subcommittee's information and consideration.

SIGNIFICANCE OF DECISION

- 2 This report does not trigger the Council's Significance Policy.

BACKGROUND

- 3 Within the Council, health and safety is actively sponsored and supported by the Chief Executive, Senior Leadership Team, and a committed Health and Safety Committee.
- 4 With the changes to health and safety legislation following the recommendations from The Royal Commission on the Pike River Coal Mine Tragedy, the planning and reporting to this Subcommittee will demonstrate clear leadership for health and safety and embed it into the Council's overall planning, monitoring and performance outcomes.

CONSIDERATIONS

Duties of Officers

- 5 Elected Members are considered Officers under section 39 of the new Health and Safety Reform Bill. As such, they are required to comply with the duties set out in that section which require Officers to exercise due diligence to comply with their obligations (refer to Appendix three). However, as elected members, they are excluded from penalty or prosecution if they do not comply with section 39.
- 6 The proposed legal duties of Officers under the reform bill are comparable to those set out in the Good Governance Guidelines, released by WorkSafe for use by boards last year. On 26 June the Council will be briefed by Simpson Grierson on the implications and requirements of the new legislation for the Council. The Government's intention is that the new legislation will come into force from 01 April 2015.

Charter and Strategic Plan

- 7 Following the direction provided through the Guidelines, a draft Strategic Health and Safety Plan 2014/2016 (Appendix one) which includes a Health and Safety Leadership Charter, has been prepared for consideration by the Subcommittee. A draft report for the period 1 January – 31 March 2014 (Appendix two) has also

been prepared following the structure and content of the Strategic Plan. It is proposed this would form the basis of future reporting to the Subcommittee.

- 8 In line with the Good Governance Guidelines, the requirement of Officers to carry out due diligence at a strategic level relies on the adoption of a Strategic Health and Safety Plan (including the Leadership Charter) to provide the framework for reporting and enquiry.
- 9 A reporting framework linking the Strategic Health and Safety Plan, with the ability to enquire or review evidence the accuracy of the reporting, completes the due diligence process for the Board.
- 10 Developing a draft Strategic Health and Safety Plan for adoption by Elected Members presents a manageable process to members who may be less experienced in terms of Health and Safety.
- 11 Following review by the subcommittee, Officers will make appropriate amendments to the Draft Strategic Plan and Reporting Framework. The Senior Leadership Team will contribute to this review if required. Following the finalisation and approval of the framework by the Audit and Risk Committee, it is expected the Council will complete its reporting against that plan in the first quarter of the 2014/2015 financial year.

Financial Considerations

- 12 There are no financial considerations.

Legal Considerations

- 13 There are no legal considerations.

Delegation

- 14 Under Section C.4 of the the Governance Structure and Delegations, 2013 – 2016 Triennium (version at 17 April 2014), the Subcommittee has the authority to consider this matter:

Risk Management

- 6.9 Ensure that the Council has in place a current and comprehensive risk management framework and associated procedures for effective identification and management of Council's significant risks.
- 6.10 Review and evaluate Council's risk management framework and make recommendations to the Corporate Business Committee on risk mitigation.
- 6.11 Assist elected members in the discharge of their responsibilities by ensuring compliance procedures are in place for all statutory requirements relating to their role.

Consultation and Policy Implications

- 15 There are no consultation implications. Adoption of a Strategic Health and Safety Plan will provide the high level leadership and guidance to manage health and safety within the Council.

Tāngata Whenua Considerations

- 16 There are no tāngata whenua considerations.

Publicity Considerations

- 17 There are no publicity considerations.

RECOMMENDATION

- 18 That the Audit and Risk Subcommittee receives and approves the draft Strategic Health and Safety Plan 2014/16 (Appendix one) and notes the plan will be reported back to the Subcommittee for approval later this year.

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ATTACHMENTS:

- Appendix 1 Draft KCDC Strategic Health and Safety Plan 2014/2016
Appendix 2 Health and Safety Report for the January-March 2014 Quarter
Appendix 3 Section 39, Health and Safety Reform Bill