Governance Policy

What guides us:

Living Te Tiriti o Waitangi
Ensuring ākonga are at the centre of everything we do
Delivering high-quality, future-focused teaching and learning

Poipoi – Kauawhi – Tāuteute – Pūnaha Auaha – Ārahi
Nurture - Include - Engage - Innovate - Lead

HEALTH AND SAFETY

Date of approval	: 9 August 2023
Date first created/This version no.	: 2023/1
Next review date (2 year cycle)	: August 2025
Owner	: DCE Systems and Support
Who does this policy apply to	: All persons who work in or visit our workplaces and other environments where work of Te Kura is undertaken

Outcome statement

The purpose of this Policy is to ensure that every person in our work environment contributes to keeping people safe, and Te Aho o Te Kura Pounamu (Te Kura) complies with the Health & Safety at Work Act 2015.

The key principles of this policy and the 'Health and Safety Commitment Statement' of Te Kura are the following:

- A health and safety culture that promotes participation and engagement, along with continuous improvement, to strive to achieve excellence in managing health and safety in our workplaces and work practices.
- Ensure health and safety is a top priority for every person in the work environment.
- Ensuring all kaimahi (employees), kaikirimana (contractors), ākonga (students) and manuhiri (visitors) understand the role they play and their responsibilities in regard to health and safety.
- Preventing harm from health and safety risks.
- Ensuring the health and safety framework and practices that are in place support compliance with the legislation.
- Reflect our values in everything we do.

The Board is responsible for ensuring health and safety procedures are developed and implemented. However, leaders and kaimahi need to be aware of their responsibilities and comply with the Board's health and safety policy and school procedures.

Together, we will create a safe and healthy workplace that is maintained by providing the information, training, and supervision required to ensure, as far as reasonably practicable, the health and safety of all kaimahi, kaikirimana, ākonga, manuhiri, and other people in the workplace.

Te Tiriti o Waitangi

Te Kura is a major education provider, and both our leadership and organisational approach is focused on living Te Tiriti o Waitangi. This policy aligns with Te Tiriti o Waitangi Policy which recognises and upholds the obligations and commitments of Te Tiriti o Waitangi.

Te Kura recognises the unique status of Māori as tangata whenua, the indigenous people of Aotearoa/New Zealand, which gives rise to the expectation of equal treatment and equitable access for Māori. Our approach to health and safety for kaimahi and ākonga will reflect the principles of tino rangatiratanga/self-determination, partnership, equal treatment and equitable access. Health and safety at Te Kura will actively protect Māori knowledge, interests and values.

Cultural inclusivity

Cultural safety and responsiveness are paramount to Te Kura for kaimahi, ākonga and whānau. Our approach to health and safety will actively seek to understand and recognise the cultural origins, assumptions, and limitations within cultural contexts and the sensitivity, skills and knowledge required to deliver safe, responsive and inclusive outcomes.

Definitions

Ākonga: Student (Māori).
Culture: Culture includes, but is not limited to, age or generation, gender, sexual orientation, occupation and socio-economic status, cultural and epistemological frame of reference, ethnic origin, or migrant experience, religious or spiritual belief, and disability.
Cultural safety and responsiveness: Effective delivery as applied to a person, family, or group from another culture, and as determined by that person, family, or group. The role delivering the service will understand and recognise the cultural origins, assumptions, and limitations of certain forms of delivery within some cultural contexts. They will also have undertaken a process of reflection on their own cultural identity and will recognise the impact that their personal culture as on delivery.
Kaikairimana: Contractors (Māori).
Kaimahi: Staff/employees (Māori).
Manuhiri: Visitors/guests (Māori).

Delegations

Roles and Responsibilities

Role	Authority/Responsibilities
Board	- Approve this policy. - Show strong health and safety leadership and setting appropriate tone from the top. - Receive and question appropriately health and safety reporting and take actions where required.
CEO / PCBU (Person conducting a business or undertaking)	Ensure, as far as reasonably practicable, that the health and safety of workers, kaimahi, kaikirimana, ākonga and that other persons are not put at risk by Te Kura's work. This is called the 'primary duty of care'. Responsibilities: - Ensure health and safety is a top priority for everyone at Te Kura. - Accountable for compliance with the Health and Safety legislation and regulations and Te Kura's health and safety policies and procedures.

(The duty holder of the 'primary duty of care').	• Ensure the appropriate budget and resources are allocated to make the system work effectively.
	• Ensure health and safety management systems are effective. This includes keeping documentation up to date, along with making sure health and safety procedures are operating correctly.
	• Monitor and evaluate the effectiveness of health and safety systems and management of risks to health and safety, the impacts and harm to our workers, kaimahi, kaikirimana, ākonga, and other people.
	• Monitor and evaluate the effectiveness of the health and safety policies and procedures, and safe work practices.
	• Receive, review, and understand information on events, trends and effectiveness of risk controls that relate to health and safety.
	• Make sure hazards and risks to health and safety are actively identified, assessed, monitored, and evaluated, are controlled and work practices are meeting procedures.
	• Ensure an accident/incident reporting process is in place and accidents and incidents are investigated.
	• Ensure systems are in place so health and safety information about hazards and risks is available to kaimahi.
	• Ensure managers are competent in health and safety management and take a leading role in health and safety.
	• Ensure worker participation practices are in place.
	• Advise the Board Chair of any emergency situations as soon as reasonably practicable.
	• Take all reasonable steps to protect workers, kaimahi, kaikirimana, ākonga and manuhiri of the school from unsafe or unhealthy conditions or practices.
	• Ensure the kaimahi code of conduct is implemented effectively.
	• Ensure there are effective processes to prevent and respond to unacceptable behaviours, such as bullying.
	• Provide a smoke-free environment (including vape-free).
	• Approval for overnight stays/camps/visits, aligned to compliance requirements.
	• Ensure kaimahi have the information, professional development, and training opportunities they need in order to comply with policy and procedures.
	• Ensure all kaimahi and the school will take reasonable care to:
	o Cooperate with school health and safety procedures.
	o Comply with the health and safety legislation and duties of workers.
	o Ensure their own safety at work.
	o Promote and contribute to a safety-conscious culture at the school.

Officers An officer holds a specific role that allows them to exercise significant influence over the management of the business, i.e. Individual Board Directors and CEO.	An Officer must make sure Te Kura has appropriate systems of work. They must also actively monitor and evaluate how health and safety is managed within Te Kura. Exercising due diligence means taking reasonable steps to: • Continuously learn about, and keep up to date with, work health and safety issues. • Know the risks that workers, kaimahi, kaikirimana, ākonga and any other people who could be affected by the organisation's actions may face. • Seek advice or information from others to meet their due diligence requirements. • Check the organisation has processes and appropriate resources to eliminate or minimize risks to health and safety and uses them. • Check the organization has processes in place to communicate and consider information about work health and safety, and to respond to that information in place to comply with any duties and requirements under HWSA and uses them.
Senior Leadership Team (SLT)	Senior leaders visibly demonstrate their commitment to health and safety through their actions: • Take all reasonable steps to protect kaimahi, kaikirimana, ākonga and manuhiri of the school from unsafe or unhealthy conditions or practices. • Review health and safety policies, procedures, and forms in line with the Health and Safety Framework. • Ensure robust practices to cover off overlapping duties between ākonga and Te Kura are in place and effective. • Make sure health and safety system is functioning, risks to health and safety are mitigated by having appropriate controls in place. • Ensure their teams are educated in their roles and responsibilities so they comply with health and safety policies and procedures, follow work practices and expectations, and do not adversely affect their own or others' health and safety. • Develop structures and processes for workers to participate and engage with Te Kura and contribute to ways of improving their health and safety, environment, work issues, risks to health and safety, impacts, harm and practices. • Ensure team members are trained on how to use the health and safety incident management system. • Ensure their teams are educated to identify hazards, develop and maintain appropriate safety procedures, raise concerns and report issues. • Provide resources so the health and safety system can work effectively. • Monitor and evaluate control measures to ensure they are working and fit for purpose. • Monitor compliance to ascertain and verify that the health and safety system is working. • Support the safe and appropriate rehabilitation and return to work of any

	injured or ill workers.
	• Provide comprehensive set of health and safety metrics for senior leaders and the Board to assess the status of the health and safety system.
DCE Systems and Support	The DCE of Systems and Support, as the Business Owner must:
	• Support the CEO/PCBU in the delivery of their responsibilities under this Policy.
	• Establish and maintain procedures to provide assurance to the CEO and Board that health and safety policies and procedures are being followed at Te Kura.
	• Review this Policy biannually to ensure it remains current and provide recommendations to SLT should changes be required.
	• Complete any notifications for WorkSafe NZ and other agencies.
	• Oversight of event/incident investigations and ensure there are resolutions/actions in place.
	• Oversee health and safety risk registers are up to date and newly identified risks to health and safety are notified to Senior Managers.
Human Resources Manager	Oversee the development and implementation and review of the health and safety strategy, objective and goals.
	• Provide support and resources so that systems are maintained and improved.
	• Ensure health and safety systems and practices to cover off overlapping duties between kaikirimana/subcontractors and Te Kura are in place and effective.
	• Ensure reporting, employee engagement, participation and representation mechanisms are in place.
Facilities Manager	• Ensure robust practices to cover off overlapping duties between kaikirimana/subcontractors and Te Kura are in place and effective.
	• Ensures in collaboration with HR and other stakeholders, that appropriate controls are in place to eliminate or minimize hazards.
Regional Managers/Managers	• Support the implementation of health and safety systems and the health and safety activity schedule.
	• Ensure their teams are adequately trained, instructed and supervised and can understand and comply with the health and safety policies and procedures.
	• Ensure all events are reported on the health and safety system and investigated where required.
	• The risks to health and safety are reviewed and updated, new risks related to health and safety are added, assessed and controls are allocated.
	• Ensure safe work practices are followed by workers, kaimahi, kaikirimana/subcontractors and ākonga.
	• Include health, safety and wellbeing in the life cycle of any project, especially in the planning phase.
	• Provide training and supervision to ensure kaimahi competence, health, safety and wellbeing awareness.

	• Ensure that all kaimahi are trained in health and safety systems and understand their roles and responsibilities. • Promote and support the safe and appropriate rehabilitation and return to work of any injured or ill workers. • Allow Health and Safety Representatives adequate time to complete their duties.
Senior Health, Safety, Wellbeing Advisor	• Develop health and safety strategies, framework, reviews and health and safety plans. • Develop and implement related documents and procedures to ensure health and safety policies and procedures are reflected in Te Kura's everyday operations. • Create/coordinate health and safety reports for SLT and Board. • The risks to health and safety are reviewed and updated, new risks related to health and safety are added, assessed and controls are allocated. • Manage the coordination and implementation of the health and safety activity schedule.
Health and Safety Committee Members (HSC)	• Attend and actively participate in scheduled HSC meetings. • Participate in reviews of all health and safety risks data, including event reporting, hazard management, levels of engagement and health and safety activity. • Monitor and review health and safety management practices in the workplace and make recommendations. • Problem solve health and safety matters and initiatives as they rise. • Assist with event/incident investigations and resolution (as required).
Health and Safety Representatives (HSRs)	HSRs provide workers with a formal, visible way to have a voice in work health and safety and provide a forum for workers who might not otherwise speak up about work health and safety matters. HSRs know about health and safety matters and are aware of the rights and responsibilities of everyone in the workplace (see role description). • Attend and actively participate in scheduled HSC meetings. • Attend approved HSR training. • Encourage positive health and safety management practices in the workplace. • Promote workers' interests in a health and safety context. • Communicate health and safety updates to team members (workers, kaimahi, kaikirimana/subcontractors and ākonga). • Champion workers competence, health, safety and wellbeing awareness. • Assist with health and safety tasks and activities at their site and/or sites they represent. • Identify and report hazards in the workplace and assist with putting appropriate controls in place. • Ensure accidents/incidents are reported accurately and as promptly as reasonably possible in the system. • Attend approved training to assist with event/incident investigation and

	• resolution (as required). • Actively participate in audits and reviews (where applicable). • Trained HSRs have powers that enable them to take action on behalf of their work group, such as issuing a Provisional Improvement Notices (PINs) or shutting down a site.
Workers A worker is an individual who carries out work in any capacity for Te Kura (e.g. kaimahi, kaikirimana/ subcontractor, other persons or a person gaining work experience). Workers can be at any level – a manager is a worker too.	• Know and follow all health and safety policies, procedures and plans as per the agreed documentation. • Understand the role of the Health and Safety Representative and the Health and Safety Committee. • Participate in health and safety activities, training and meetings as required. • Follow emergency procedures and actively participate in drill procedures. • Use personal protective equipment (PPE) and infection control measures as and when required and report any personal protective equipment (PPE) that is not fit for purpose. • Identify and report hazards and risks to health and safety immediately. • Report any unsafe conditions immediately. • Cease work and seek assistance or advice if unclear about safe methods of work or conditions. • Report accidents, incidents, injuries and near misses immediately. • Use the health and safety systems as required. • Assist with event/incident investigation and resolution (as required). • Actively participate in their rehabilitation and return to work programme.

Expectations and limitations

Specifically, the guiding principles of Te Kura's Health and Safety Policy are to:

- Ensure our Board, CEO and our leaders role model health and safety.
- Ensure we have effective health and safety governance and management oversight.
- Ensure our health and safety systems include policies and procedures fulfil all legal requirements.
- Continually review and improve our health and safety systems, policies, and culture.
- Empower our people to easily report and address potential hazards and incidents.
- Ensure our kaimahi, kaikirimana/subcontractors and ākonga employ health and safety practices that align with our health and safety and industry standards'.
- Build health and safety into our day-to-day business using effective training and communication.
- Have systems and processes to effectively identify hazards and reduce risk to health and safety and the impacts and harm to our kaimahi, kaikirimana, ākonga and other people.
- Support our people when they are recovering from a work related or non-work-related incident.

Te Kura will:

- Comply with the Health and Safety at Work Act 2015 (the Act), Health and Safety at Work (General Risk and Workplace Management) Regulations 2016 (the Regulations) and any other relevant legislation, codes of practice, safe operating procedures, and best practice.

- Develop and maintain health and safety policies and procedures and review them in accordance with the business review schedule, with the assistance of an expert where appropriate.
- Review and maintain health and safety management system to assess procedures are in place, working to procedures and meeting expectations.
- Set up systems and processes for workers and kaimahi to participate and engage in identifying hazards, continually developing, enhancing, and maintaining appropriate health and safety procedures.
- Actively identify, manage, and review hazards and risks to health and safety in our workplaces and communicate insights with the intension of reducing possible harm.
- Ensure procedures are in place for responding to emergency situations.
- Providing adequate facilities, including ensuring access and ensuring property and equipment is safe to use and workers, kaimahi and ākonga are not exposed to hazards.
- Provide and monitor the use of suitable equipment and tools as appropriate and reporting when replacements are required.
- Establish health and safety work practices and monitoring processes to assess industry standards and best practices are being met and followed.
- Provide health and safety induction, information, supervision, and training for workers, including training on actual and potential hazards, and identify and provide further training as part of the continuous improvement process.
- Ensure workers and kaimahi have the correct level of competency in health and safety management through training and skill development.
- Establish a worker participation system that enables worker engagement and joint engagement between management, worker representatives and workers regarding health and safety management and practices.
- Ensuring there is an effective procedure for identifying, assessing, and controlling hazards, which includes recording and investigating injuries and reporting serious harm incidents.
- Provide systems and support to accurately and promptly, report accidents, incidents and injuries, health events, and near misses in the relevant system, and investigate and implement corrective actions with worker participation and communication.
- Provide a safe physical and emotional learning environment.
- Ensure a health and safety strategy/plan is in place and engagement and consultation on the strategy occurs with workers and the school community.
- Ensure there are procedures in place regarding any sale, supply and consumption of alcohol and that these are aligned with the protection of kaimahi, ākonga and manuhiri to the school procedures and, where applicable, comply with the [Sale and Supply of Alcohol Act 2012](). If in doubt about whether an alcohol license is required or if you intend to have alcohol available for sale or supply, please discuss it with the CE's Office.
- Monitor and evaluate worker health and workplace conditions and assess control measures are meeting regulations, codes, standards, and guidance to constantly improve control and procedure measures.
- Establish procedures to support rehabilitation and return to work of injured or ill workers; and having a commitment to a culture of continuous improvement.

Procedures/Supporting documentation

Access to Te Kura Premises Hātepe Kaimahi

Anti-Bullying, Anti-Harassment and Anti-Discrimination Hātepe Kaimahi

Contractor Management Hātepe Kaimahi

Use of Vehicle and Safe Driving Hātepe Kaimahi

Emergency Management Hātepe Kaimahi

Employee Engagement, Participation and Representation Hātepe Kaimahi

Health and Safety Representative Role Description

Health and Safety Risk Management Hātepe Kaimahi

Hazard Risk register

Incident Management Hātepe Kaimahi

Flexible Working Hātepe Kaimahi (Link to People and Wellbeing Policy)

Return to Work Hātepe Kaimahi (Link to People and Wellbeing Policy)

Managing Challenging Behaviour

Legislative compliance

Health and Safety at Work Act 2015

Health and Safety at Work (General Risk and Workplace Management) Regulations 2016

Health and Safety at Work (Worker Engagement, Participation and Representation) Regulations 2016

Health and Safety at Work (Asbestos) Regulations 2016

Health and Safety at Work (Hazardous Substances) Regulations 2017

The Accident Compensation Act 2001 (ACC Act)

The Building Act 2004

Building Regulations 1992

Civil Defence Emergency Management Act 2022 (CDEM Act)

Children's Act 2014

Education and Training Act 2020

Smoke-free Environments and Regulated Products Act 1990

Fire and Emergency New Zealand Act 2017

Fire and Emergency New Zealand (Fire Safety, Evacuation Procedures and Evaluation Schemes) Regulations 2018

Public Services Act 2020

Approved by Nicola Ngarewa, Chairperson, Te Kura Board of Trustees