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| **General guidelines on how to use this Tool**   1. Read the **User Guide** to understand the ‘why?’ 2. This tool is broken into three parts:   **Part A** (PCBU duty to manage risks effectively)  **Part B** (PCBU duty to train workers to manage risks effectively)  **Part C** (PCBU duty to provide reasonable opportunities for workers to participate effectively in managing risks)   1. The default position is that the PCBU is non-compliant with a Key Performance Indicator (KPI) until the assessor is satisfied that compliance has been reasonably demonstrated. 2. For the purposes of this Tool:    1. all references to “**training**” includes the provision of information or instruction (see [Reg 9(4) HSWGR Regs](https://www.legislation.govt.nz/regulation/public/2016/0013/latest/DLM6727386.html))    2. all references to “**processes**” include processes outlined in training resources and guidance materials (e.g. training modules, process flowcharts, checklists, inspection sheets, audit forms) | | | | | | |
| Date: | / / | | | | LCD Rating Result  ?% | |
| Assessment type | Internal  External | | | |
| Name of PCBU |  | | | |
| Name of Assessor |  | | | |
| Assessor’s contact details | Mobile: Email: | | | |
| **PART A**  The duty of a PCBU to manage risks effectively | | | | | | |
| **Legal Duty** | | **Compliance Standard** (arising from the legal duty) | **KPI** (an indicator of whether the compliance standard is being met) | Legal Compliance Demonstrated? | | |
| The duty of a PCBU to **identify hazards**  [**Reg 5 HSWGR Regs**](https://www.legislation.govt.nz/regulation/public/2016/0013/latest/DLM6727310.html)  The duty of an officer of a PCBU to take reasonable steps to ensure the PCBU **has, and is implementing, processes** for complying with the above duty  [**Section 44(4)(e) HSWA**](https://www.legislation.govt.nz/act/public/2015/0070/latest/DLM5976912.html) | | **Compliance Standard 1**  The PCBU has, and is implementing, processes for identifying hazards that could give rise to reasonably foreseeable risks to health and safety. | **KPI 1** Given the statutory onus is on the PCBU (not workers!) to identify hazards, the PCBU has a written policy or written procedures:   1. requiring “workers” to identify hazards in the workplace; and 2. outlining the processes to be followed by a worker who identifies a hazard in the workplace.   *Note: while at work a worker must co-operate with any reasonable policy or procedure of the PCBU relating to health and safety at the workplace (such as the policy or procedure requiring workers to identify hazards) that has been notified to the worker (see* [*section 45(d) HSWA*](https://www.legislation.govt.nz/act/public/2015/0070/latest/DLM5976914.html)*)* | No | | Yes |
| **KPI 2** The PCBU’s written policy or written procedures (a) requiring workers to identify hazards in the workplace, and (b) outlining the processes to be followed by a worker who identifies a hazard in the workplace – has been duly notified to workers. | No | | Yes |
| **KPI 3** Workers have signed a written acknowledgement that confirms their understanding:   1. of what a hazard is; and 2. of their responsibility as a worker to identify hazards in the workplace; and 3. of the processes the worker must follow when identifying a hazard in the workplace. | No | | Yes |
| **KPI 4** Identified hazards are being admitted to a Hazards and Risks Register (or are being documented in some other effective way). | No | | Yes |
| The duty of a PCBU to **implement the hierarchy of control measures**  [**Reg 6 HSWGR Regs**](https://www.legislation.govt.nz/regulation/public/2016/0013/latest/DLM6727382.html)  The duty of an officer of a PCBU to take reasonable steps to ensure the PCBU **has, and is implementing, processes** for complying with the above duty  [**Section 44(4)(e) HSWA**](https://www.legislation.govt.nz/act/public/2015/0070/latest/DLM5976912.html) | | **Compliance Standard 2**  Where it has not been reasonably practicable for the PCBU to eliminate risks to health and safety so far as is reasonably practicable, the PCBU has, and is implementing, processes for minimising risks to health and safety by implementing control measures in accordance with regulation 6 HSWGR Regs. | **KPI 5** The PCBU **has** a written policy or written procedures outlining the processes for ensuring risks are managed in accordance with the hierarchy of controls outlined in regulation 6 HSWGR Regs. | No | | Yes |
| **KPI 6** The PCBU is **implementing** the processes referred to in KPI 5, in that where it has not been reasonably practicable to eliminate a risk, the PCBU is minimising the risk, so far as is reasonably practicable, by taking 1 or more of the following actions that is most appropriate and effective taking into account the nature of the risk:   1. Substituting (wholly or partly) the hazard giving rise to the risk with something that gives rise to a lessor risk: 2. Isolating the hazard giving rise to the risk to prevent any person coming into contact with it: 3. Implementing engineering controls. | No | | Yes |
| **KPI 7** The PCBU **is implementing** the processes referred to in KPI 5, in that where 1 or more of the actions referred to in KPI 6 has been taken and a risk then remains, the PCBU is minimising the remaining risk, so far as is reasonably practicable, by implementing administrative controls. | No | | Yes |
| **KPI 8** The PCBU **is implementing** the processes referred to in KPI 5, in that where the PCBU has implemented administrative controls but a risk remains, the PCBU is minimising the remaining risk by ensuring the “**provision”** of suitable PPE to workers who are likely to be exposed to the hazard giving rise to the risk. | No | | Yes |
| **KPI 9** The PCBU **is implementing** the processes referred to in KPI 5, in that where suitable PPE has been provided to workers who are likely to be exposed to the hazard giving rise to the risk, the PCBU is minimising the remaining risk by ensuring the proper “**use”** of the PPE:   1. By ensuring workers receive adequate and documented training and instruction on how to use the PPE provided to them; and 2. By ensuring workers understand their responsibilities to use suitable PPE for the purpose for which the PPE has been issued to them; and 3. By ensuring workers understand their responsibilities to report instances of worn, damaged, or defective PPE to management immediately; and 4. By conducting spot checks via documented periodic workplace inspections for the proper use of suitable PPE by affected workers, and rectifying instances of detected non-compliance. | No | | Yes |
| The duty of a PCBU to **maintain effective control measures**  [**Reg 7 HSWGR Regs**](https://www.legislation.govt.nz/regulation/public/2016/0013/latest/DLM6727384.html)  The duty of an officer of a PCBU to take reasonable steps to ensure the PCBU **has, and is implementing, processes** for complying with the above duty  [**Section 44(4)(e) HSWA**](https://www.legislation.govt.nz/act/public/2015/0070/latest/DLM5976912.html) | | **Compliance Standard 3**  The PCBU has, and is implementing, processes to ensure that a control measure implemented to eliminate or minimise risks to health and safety is effective, and is maintained so that it remains effective, including by ensuring that the control measure is and continues to be:   1. Fit for purpose; and 2. Suitable for the nature and duration of the work; and 3. Installed, set up, and used correctly | **KPI 10** The PCBU **has** a written policy or written procedures outlining the processes for ensuring the systematic and periodic checking of control measures to ensure the ongoing maintenance of the effectiveness of the control measures as fit for purpose; suitable for the nature and duration of the work; and installed, set up, and used correctly. | No | | Yes |
| **KPI 11** The PCBU **is implementing** the processes referred to in KPI 10. | No | | Yes |
| The duty of a PCBU to **review control measures**  [**Reg 8 HSWGR Regs**](https://www.legislation.govt.nz/regulation/public/2016/0013/latest/DLM6727572.html)  The duty of an officer of a PCBU to take reasonable steps to ensure the PCBU **has, and is implementing, processes** for complying with the above duty  [**Section 44(4)(e) HSWA**](https://www.legislation.govt.nz/act/public/2015/0070/latest/DLM5976912.html) | | **Compliance Standard 4**:  The PCBU has, and is implementing, processes for reviewing and, as necessary, revising control measures so as to maintain, so far as is reasonably practicable, a work environment that is without risks to health and safety. | **KPI 12** The PCBU **has** a written policy or written procedures outlining the processes for ensuring the periodic review and, as necessary, revising of control measures admitted to the Hazards and Risks Register (or documented in some other effective way). | No | | Yes |
| **KPI 13** The processes referred to in KPI 12, includes:   1. the requirement for the reviewing and, as necessary, revising of control measures in the specific circumstances outlined in [Reg 8(2) HSWGR Regs](https://www.legislation.govt.nz/regulation/public/2016/0013/latest/DLM6727572.html). 2. the requirement to communicate in a timely manner any revised control measures to those workers who are likely to be affected by revised changes to the control measures. | No | | Yes |
| **KPI 14** The PCBU **is implementing** the processes referred to in KPI 12. | No | | Yes |
| **KPI 15** The PCBU is communicating in a timely manner any revised control measures to those workers who are likely to be affected by the revised changes to the control measures. | No | | Yes |
| **PART B**  The duty of a PCBU to train workers to manage risks effectively | | | | | | |
| **Legal Duty** | | **Compliance Standard** (arising from the legal duty) | **KPI** (an indicator of whether the compliance standard is being met) | Legal Compliance Demonstrated? | | |
| The duty of a PCBU to ensure, so far as is reasonably practicable, the **provision of training** that is necessary to protect all persons from risks to their health and safety arising from work carried out as part of the conduct of the business or undertaking  [**Section 36(3)(f) HSWA**](https://www.legislation.govt.nz/act/public/2015/0070/latest/DLM5976895.html)  The duty of a PCBU to **provide information, supervision, training, and instruction**  [**Reg 9 HSWGR Regs**](https://www.legislation.govt.nz/regulation/public/2016/0013/latest/DLM6727386.html)  The duty of an officer of a PCBU to take reasonable steps to ensure the PCBU **has, and is implementing, processes** for complying with the above duties  [**Section 44(4)(e) HSWA**](https://www.legislation.govt.nz/act/public/2015/0070/latest/DLM5976912.html) | | **Compliance Standard 5:**  The PCBU has, and is implementing, processes for ensuring, so far as is reasonably practicable, that every worker who carries out work as part of the conduct of the business or undertaking that is capable of causing a risk, is provided with foundation hazards and risks management training and refresher training, that is suitable, adequate, and readily understandable by every worker to whom the training is provided. | **KPI 16** The PCBU **has** a written policy or written procedures outlining the processes for ensuring that every worker who carries out work as part of the conduct of the business or undertaking that is capable of causing a risk, is provided with foundation hazards and risks management training and refresher training. | No | | Yes |
| **KPI 17** The PCBU **is implementing** the processes referred to in KPI 16, in that every such worker has received, is receiving, or is scheduled to receive, in accordance with the said processes:   1. foundation hazards and risks management training; and 2. foundation hazards and risks management **refresher** training. | No | | Yes |
| **KPI 18** The foundation hazards and risks management training provided to  every worker who carries out work as part of the conduct of the business or undertaking that is capable of causing a risk, is suitable, adequate, and readily understandable by the worker to whom the training is provided having regard to:   1. the nature of the work being or to be carried out by the worker 2. the nature of the risks associated with that work 3. the control measures implemented in relation to those risks | No | | Yes |
| The duty of a PCBU to **provide information, supervision, training, and instruction**  [**Reg 9 HSWGR Regs**](https://www.legislation.govt.nz/regulation/public/2016/0013/latest/DLM6727386.html)  The duty of an officer of a PCBU to take reasonable steps to ensure the PCBU **has, and is implementing, processes** for complying with the above duty  [**Section 44(4)(e) HSWA**](https://www.legislation.govt.nz/act/public/2015/0070/latest/DLM5976912.html) | | **Compliance Standard 6:**  The PCBU has, and is implementing, processes for ensuring, so far as is reasonably practicable, that every worker who carries out work capable of causing a risk has adequate knowledge and experience to ensure the worker is not likely to adversely affect the health and safety or cause harm to themselves or others, or is adequately supervised by someone with that knowledge and experience. | **KPI 19** The PCBU **has** a written policy or written procedures outlining the processes for ensuring that every worker who carries out work capable of causing a risk has adequate knowledge and experience to ensure the worker is not likely to adversely affect the health and safety or cause harm to themselves or others, or is adequately supervised by someone with that knowledge or experience. | No | | Yes |
| **KPI 20** The PCBU’s processes referred to in KPI 19, are consistent with the following requirements:   1. the worker shall be under documented training, and competent supervision while carrying out the work capable of causing a risk, until deemed competent-to-role 2. before being deemed competent-to-role the worker must be competency-to-role assessed by a person or persons already deemed competent to role 3. before being competent-to-role assessed the worker must complete: 4. foundation hazards and risks management training (see Compliance Standard 5); and 5. training:    1. regarding the hazards that the trainee worker is likely to encounter while carrying out the work capable of causing a risk    2. the risk control measures associated with those hazards 6. training in the safe use of all plant, objects, substances, or equipment that the trainee worker is or may be required to handle while carrying out the work capable of causing a risk; and 7. training in the safe use of all PPE that the trainee worker is or may be required to wear or use while carrying out the work capable of causing a risk. | No | | Yes |
| **KPI 21** The PCBU is **implementing** the processes referred to in KPI 19. | No | | Yes |
| **KPI 22** In implementing the processes referred to in KPI 19, the training is suitable, adequate, and readily understandable by the worker to whom the training is provided having regard to:   1. the nature of the work being or to be carried out by the worker 2. the nature of the risks associated with that work 3. the control measures implemented in relation to those risks | No | | Yes |
| **PART C**  The duty of a PCBU to provide reasonable opportunities for workers to participate effectively in managing risks | | | | | | |
| **Legal Duty** | | **Compliance Standard** (arising from the legal duty) | **KPI** (an indicator of whether the compliance standard is being met) | Legal Compliance Demonstrated? | | |
| The duty of a PCBU to have **worker participation practices**  [**Section 61 HSWA**](https://www.legislation.govt.nz/act/public/2015/0070/latest/DLM5976960.html)  The duty of an officer of a PCBU to take reasonable steps to ensure the PCBU **has, and is implementing, processes** for complying with the above duty  [**Section 44(4)(e) HSWA**](https://www.legislation.govt.nz/act/public/2015/0070/latest/DLM5976912.html) | | **Compliance Standard 7:**  The PCBU has practices that provide reasonable opportunities for workers who carry out work for the business or undertaking to participate effectively in managing risks to health and safety arising from work carried out as part of the conduct of the business or undertaking on an ongoing basis. | **KPI 23** The PCBU has practices that provide reasonable opportunities for workers who carry out work for the business or undertaking to participate effectively in **identifying and reporting hazards**. | No | | Yes |
| **KPI 24** The PCBU has practices that provide reasonable opportunities for workers who carry out work for the business or undertaking to participate effectively in **controlling risks** | No | | Yes |
| **KPI 25** The PCBU has practices that provide reasonable opportunities for workers who carry out work for the business or undertaking to participate effectively in **reviewing risks** | No | | Yes |
| **RESULT: Allocate the PCBU a LCD rating**  C  B  A  A  **30**  STEP 1: Count up the total number of “Yes” boxes ticked and type the answer in box A  =  =  x  **? %**  **4**  **?**  STEP 2: Multiply box A by 4 and type the answer in box C  STEP 3: Type your answer in box C into the result box on page 1  STEP 4: Click on the purple box situated on the bottom left of Koia’s Risk Management Compliance Continuum Model shown on page 1 and drag it to position it on the compliance continuum to provide a visual of where the PCBU is currently sitting on the compliance continuum  END Note: For help closing any compliance gaps detected after using this tool visit [www.ezhr.co.nz](http://www.ezhr.co.nz) | | | | | | |