

Policy: Health and Safety

Description:	Policy of the Ngāti Whātua Ōrākei Reserves Board
Approved by:	Resolution of the Board (Resolution number XXXXXX)
Date:	10 February 2020

1 Purpose and Scope

- 1.1 This policy outlines the position and commitments of the Ngāti Whātua Ōrākei Reserves Board (“Reserves Board”) in relation to ensuring the health and safety of employees, whānau and manuhiri in the Workplace, buildings and locations managed by the Reserves Board or on behalf of the Reserves Board through contractors or intermediaries.

2 Definitions

- 2.1 “Council” means the Auckland Council established by section 6 of the Local Government (Auckland Council) Act 2009
- 2.2 “Officer” – as defined in section 18 of the Health and Safety in Work Act 2015 means a person who can exercise significant influence over the management of the business. Accordingly, an “officer” is defined as any member of the Ngāti Whātua Ōrākei Reserves Board and the appointed officers of the Reserves Board.
- 2.3 “PCBU” – Person Conducting a Business or Undertaking. Generally, describe all types of modern working arrangements or businesses. Does not include Workers, volunteers or Officers.
- 2.4 “Ngāti Whātua Ōrākei” means the trust established Trust established by a deed of trust dated 3 November 2011.
- 2.5 “Reserves Board” means Ngāti Whātua Ōrākei Reserves Board established under the Ngāti Whātua Ōrākei Claims Settlement Act 2012 to act as the administering body of the Whenua Rangatira and Pourewa Creek Recreation Reserve.

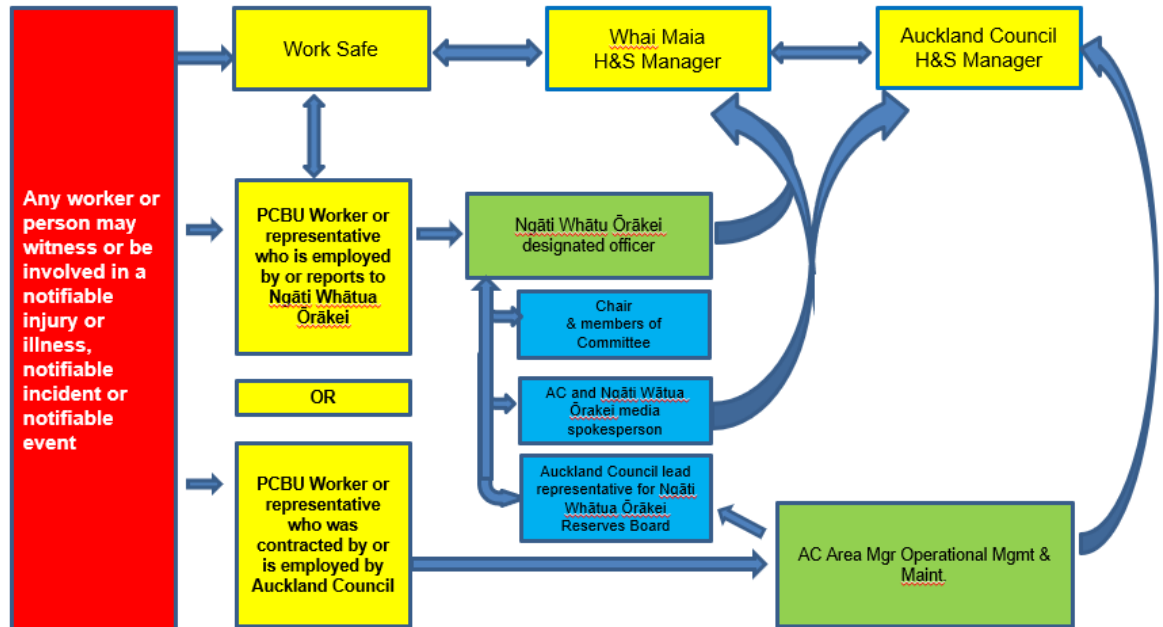
- 2.6** “**Whenua Rangatira**” means the land as defined in section 59 of the Act and as shown in the map in Appendix One.
- 2.7** “**Pourewa Creek Recreation Reserve**” means the reserve defined in section 10 of the Act and as shown in the map in Appendix Two.
- 2.8** “**Whānau**” – members of Ngāti Whātua Ōrākei who are the legal owners of the whenua administered by the Reserves Board.
- 2.9** “**Worker**” – an individual who carries out work in any capacity for a PCBU. Includes employees, contractors, volunteers.
- 2.10** “**Workplace**” - A place where:
- Work is customarily done (always a workplace);
 - Work is being carried out (temporarily a workplace);
 - Includes any place where a worker goes, or is likely to be, while at work.

3 Relationship

- 3.1** The diagram below illustrates the relationship between Ngāti Whātua Ōrākei, the Council and the Reserves Board and in particular shows the communication between parties in the event of a notifiable injury or illness, a notifiable incident or a notifiable event. While there are a range of PCBU’s that may operate on the Whenua Rangatira or Pourewa Creek Recreation Reserve at any given time they should always be either contracted by or authorised by the Reserves Board, Ngāti Whātua Ōrākei or the Council.

Ngāti Whātua Ōrākei Reserve Board

Roles and responsibilities in the case of notifiable injury or illness, notifiable incident or notifiable event (as defined in section 23, 24 and 25 of the Health and Safety at Work Act 2015)



- After initial notification ongoing updates will occur via the same communication flow
- Summary of all other incidents to be reported retrospectively at quarterly meetings

4 Policy Statement

- 4.1** Officers are committed to managing the health and safety hazards on all parts of the Whenua Rangatira and Pourewa Creek Recreation Reserve in particular where these are a Workplace so that Workers, Whānau and others are not exposed to the risk of significant illness or injury. Officers are also committed to programmes and activities that enhance the health of our Workers.
- 4.2** The Reserves Board also recognises it has a duty of care for all manuhiri visiting the Whenua Rangatira and Pourewa Creek Recreation Reserve. In common law a duty of care is generally defined as the need to exercise reasonable care while performing any acts that could foreseeably harm others.
- 4.3** Officers of the Reserves Board will:
- Exercise due diligence to ensure that PCBU's comply with their duties or obligations. Due diligence includes taking reasonable steps to:
 - acquire, and keep up to date, knowledge of work health and safety matters
 - understand the nature of relevant operations and associated hazards and risks
 - ensure there are appropriate resources and processes to eliminate or minimise risks to health and safety

- ensure there are appropriate processes for receiving and considering information
 - ensure the implementation of processes for complying with duties or obligations
 - verify the provision and use of resources and processes
- b) Commit to meet best practice industry standards.
- c) Ensure processes and practice is in place to consult, co-operate with, and co-ordinate activities with other PCBUs who have a duty in relation to the Whenua Rangatira and Pourewa Creek Recreation Reserve as far as practicable.
- d) Support training programmes for Workers focused on improving safe work practices.
- e) Encourage a culture where everyone takes responsibility for health and safety of themselves and others and all Officers, Whānau and Workers are encouraged to report incidents and new hazards.
- f) Recognise and celebrate effective health and safety risk management.
- g) Visit the Whenua Rangatira and Pourewa Creek Recreation Reserve and, as far as is reasonably practicable, interact with Workers and work practices at least once a year and follow up on any health and safety concerns in a timely manner.

5 Relevant Legislation and Authoritative Guidance

- Health and Safety at Work Act 2015
- Health and Safety at Work Act Regulations
- Companies Act 1993
- Ngāti Whātua Ōrākei Claims Settlement Act 2012
- Reserves Act 1977

6 Policy Review

6.1 This policy is to be reviewed, but not necessarily amended, every three years.

6.2 Date of next review: **February 2023.**

Appendix one: Whenua Rangatira



Appendix two: Pourewa Creek Recreation Reserve

