

Health NZ | Te Whatu Ora Worker Participation Agreement



July 2024

Health NZ | Te Whatu Ora

Worker Participation Agreement

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PURPOSE, SCOPE, REVIEW AND DEFINITIONS

Purpose

The creation of Health NZ |Te Whatu Ora as a national provider of health services is an opportunity for a step change in health, safety and wellbeing in New Zealand hospitals and health service provision. Health NZ |Te Whatu Ora and the unions acknowledge and commit to working together to realise this opportunity, and this includes collaborating to apprehend the values and principles that shape our behaviours, as set out in [Te Mauri o Rongo, the New Zealand Health Charter](#). The four values or pillars (Pou) being:

- **Wairuatanga** – working with heart, the strong sense of purpose and commitment to service that health workers bring to their mahi (work).
- **Rangatiratanga** – we support our people to lead. We will know our people; we will grow those around us and be accountable with them in contributing to Pae Ora (healthy futures) for all.
- **Whanaungatanga** – we are a team, and together a team of teams. Regardless of our role, we work together for a common purpose. We look out for each other and keep each other safe. Whiria te tangāta - we will weave our people together.
- **Te Korowai Āhuru** – a korowai (cloak) which seeks to provide safety and comfort to the workforce.

Te Mauri o Rongo commits Health NZ | Te Whatu Ora and other health entities to ensure that (among other commitments):

- Health and Safety are paramount across all aspects of work,
- Workers and their unions are supported to use their voices with confidence, knowing they will be heard. Health NZ |Te Whatu Ora will create and support worker and union participation: the workforce and their unions are meaningfully involved in decision-making,
- Every worker is treated with respect and dignity,
- Health NZ |Te Whatu Ora will meaningfully engage with their workforce to understand their aspirations and needs, and
- Workplaces are safe - psychologically, physically, mentally, and culturally, free from bullying, harassment, and discrimination in all its forms.

We will work together to realise these commitments and this worker participation agreement should be read with these goals in mind. Our shared aspiration is for Health NZ | Te Whatu Ora to become an exemplar of good health and safety practice through empowering and effective worker engagement, participation, and representation.

Health NZ | Te Whatu Ora acknowledges in this agreement the essential part that workers and their representative unions play in the design, implementation and maintenance of an

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effective Health, Safety & Wellbeing management system including robust systems and practices in place to promote and maintain effective worker engagement and participation.

Coverage and Scope

This Agreement should be read in conjunction with Health NZ | Te Whatu Ora’s Worker Engagement, Participation and Representation Procedure as developed, agreed, and implemented by the parties. This Agreement applies to all Health NZ/Te Whatu Ora workers.

Review of System

The parties agree to convene on an annual basis for the purpose of monitoring the effectiveness of the Agreement and Health NZ | Te Whatu Ora’s Worker Engagement, Participation and Representation Procedure. This Agreement shall be reviewed and updated at least every two years, or as necessary to align with relevant legislation.

When reviewing the effectiveness of the Agreement and Health NZ | Te Whatu Ora’s Worker Engagement, Participation and Representation Procedure the review will include an assessment of the following measures:

- Managers demonstrate an understanding of their role and responsibility with respect, to health and safety and how to effectively engage with workers and HSRs,
- Workgroups have been determined,
- HSRs have been elected for all workgroups and have been trained for their roles,
- HSRs have adequate time allocated as part of their role to undertake their functions,
- Workers know who their HSRs and representatives on their HSC are,
- Worker, HSR and union feedback confirms positive engagement on health and safety,
- Adequate training provision and uptake by HSRs and other workers,
- Commitments under this agreement have been progressed and agreed.

Definitions

HSR	a Health and Safety Representative is a worker for Health NZ Te Whatu Ora who has been duly elected to represent the workers in a specific workgroup on health and safety matters.
Parties	Health NZ Te Whatu Ora and the Union signatories to this agreement.
Unions	trade union organisations who have membership or represent people working in Health NZ Te Whatu Ora.
Worker	a person who carries out work in any capacity for Health NZ Te Whatu Ora including an: <ul style="list-style-type: none"> • employee; or • contractor or subcontractor; or • employee of a contractor or subcontractor; or

	<ul style="list-style-type: none"> • employee of a labour hire company who has been assigned to work in the business or undertaking; or • outworker (including a homeworker); or • apprentice, or a trainee; or • person gaining work experience or undertaking a work trial; or • a volunteer worker. <p>Note: Workers can be at any level, including management.</p>
<p>Worker Representative</p>	<p>a health and safety representative (HSR) or union representative.</p>

LEADERSHIP AND ENGAGEMENT

Leadership

For a health and safety system to be effective, everyone has a role to play:

- **Workers:** see it, report it or escalate it.
- **Health and Safety Representatives:** are recognised as a voice of the workers who listen to and understand worker issues and insights, support, reinforce, contribute to and participate in the health and safety system and structures to assist workers and work with managers to resolve issues and realise opportunities. Seeking Health, Safety and Wellbeing team, union or other expert advice as needed.
- **Managers:** listen to and work with workers and worker representatives, assess and seek to understand the issues, fix it or escalate it, and then feedback to health and safety representatives and workers on the outcome.
- **Senior Leadership:** ensure the right people are in the room, talking about the right issues, with the right resources and have clear and effective escalation procedures to fix the issues. Promote and model high engagement, and feedback mechanisms.
- **Governance:** ensure that Health NZ | Te Whatu Ora is meeting its responsibilities under the Health and Safety at Work Act 2015, Te Mauri o Rongo, and other legislation. Taking reasonable steps to be actively involved in overcoming barriers to improvement in the health, safety and wellbeing of our people and championing how worker participation contributes to a healthy, safe workplace.
- **Unions:** are recognised as the primary representative voice of workers and understand, participate, support, reinforce, advise, and use the health and safety system and structures to support and enhance their members' health, safety, and wellbeing.

Health NZ | Te Whatu Ora will also provide leadership by consulting, co-operating, and coordinating worker engagement, participation and representation activities with other Persons Conducting a Business or Undertaking (PCBUs) especially where overlapping duties exist.

Engagement

Workers are in the best position to know how a job is done and how it affects them. Workers have the knowledge and experience to provide practical solutions to improve health and safety in their workplace. Health NZ | Te Whatu Ora commit to ensure that workers input is sought, heard, and responded to in matters that workers consider may affect their health and safety, in its endeavours to improve workplace health and safety.

Workers will be provided with all reasonable opportunities to participate effectively in ongoing processes for improvement of health and safety in relation to their work, worksite, and workgroup.

This means that Health NZ | Te Whatu Ora will engage with workers, via various participation practices (including worker representatives), on matters that may affect their health and safety. This includes engagement on health and safety matters:

- (a) when identifying hazards and assessing risks to work health and safety
- (b) when making decisions about ways to eliminate or minimise those risks
- (c) when making decisions about the adequacy of facilities for the welfare of workers
- (d) when proposing changes that may affect the health or safety of workers
- (e) when making decisions about the procedures for the following
 - (i) engaging with workers
 - (ii) monitoring the health of workers
 - (iii) monitoring the conditions at any workplace under the management or control of Te Whatu Ora
 - (iv) providing information and training for workers
- (f) when making decisions about the procedures for resolving work health or safety issues at the workplace
- (g) when developing worker participation practices, including when determining work groups.

This engagement on health and safety matters will involve workers, via various participation practices (including worker representatives) as early as practicable. Wherever possible, workers and their representatives will be included in the decision-making process relating to the health and safety matter.

In engagement on health and safety matters, Health NZ | Te Whatu Ora commits to the following:

- Workers must be given the relevant information in a timely manner. Information cannot be withheld and should be provided in a manner that workers can understand.

- Workers must be given an opportunity to respond, including being given an opportunity for workers to seek advice if they need it.
- Workers views need to be considered, and listened to with an open mind and a genuine willingness to include in the decision-making process and to reconsider decisions made.
- Workers need to be advised of any outcomes reached as soon as possible.

To achieve appropriate input and enable decision making, Health NZ | Te Whatu Ora will engage with workers through different participation practices, including the formal Union Representative, Health and Safety Representative or Health and Safety Committee structures. Different ways of engaging will be through a mixture of planned and deliberate, formal, and informal activities, and may include:

- Whole workforce discussions.
- Convening project or focus groups.
- In work group activities of local hazard and risk management.
- Worker surveys.
- General and specific health and safety training.
- Health NZ | Te Whatu Ora standardised work group health and safety notice boards.
- Suggestion boxes.
- Planned team meetings of which health and safety is an agenda item.
- Staff awards.
- Casual or unplanned discussion with colleagues and managers.
- Shared communications and good news health and safety stories.

Health NZ | Te Whatu Ora and unions will work together to ensure these mechanisms of engagement and participation are effective and appropriate.

HEALTH AND SAFETY TRAINING

Health NZ | Te Whatu Ora and unions recognise that for the health and safety system to operate effectively, everyone requires a level of health and safety knowledge. Health NZ | Te Whatu Ora is committed to providing health and safety training for workers, including specific training for managers and Health and Safety Representatives, including giving them adequate paid time to attend, study and practice what they've learnt. Unions are committed to providing health and safety training to union officials and delegates.

The parties will engage with workers, via various participation practices, to determine and agree an annual health and safety training programme including consideration of the following:

- A preferred provider or providers for core Health and Safety Representative training including delivery of NZQA Unit Standard 29315.
- A list of pre-approved courses for Health and Safety Representatives to use their two-day annual training entitlement on following their core Health and Safety Representative training.
- Health and Safety Training provided by unions to workers including Health and Safety Representatives
- Other health and safety training opportunities for workers or specific groups of workers, including, without limitation, training for health and safety committee members or training relating to particular risks or processes.

Health and Safety Representatives may choose other training opportunities outside of the confirmed health and safety training programme in consultation with Health NZ | Te Whatu Ora about location, timing, and costs.

Health NZ | Te Whatu Ora will provide the parties to this agreement with a summary of health and safety training undertaken by workers each year. The parties will promote measures to increase uptake of training opportunities.

HEALTH AND SAFETY REPRESENTATIVES (HSRs)

Supporting HSRs

HSRs are an important means of ensuring workers expertise can provide insights on health and safety matters. HSRs afford a key conduit by which to facilitate worker participation and perform a key role in representing their colleagues and advocating for their health and safety.

Health NZ | Te Whatu Ora and unions are committed to supporting and valuing HSRs as a form of worker engagement and participation practice and will take steps to enable HSRs to be as effective as possible. To be effective, Health NZ | Te Whatu Ora commits to ensure that HSRs:

- Are given adequate time to undertake their functions and exercise their powers. At a minimum this will equate to eight hours of rostered work time for a health and safety representative per six weeks (or other equivalent arrangement) in addition to health and safety committee meetings. The parties to this agreement will also discuss release time arrangements (including back filling) for HSRs undertaking significant committee, project, regional or national work.
- Are given adequate resources to undertake their functions and exercise their powers including reasonable access to Health NZ | Te Whatu Ora information technology systems, noticeboards and other resources needed to undertake their role.
- Are supported, respected, and listened to by Health NZ | Te Whatu Ora management and leadership. To enable this, managers will be provided clarity regarding the role of an HSR and will work to develop a trusting relationship with open communication.
- Are provided with any information necessary as soon as practicable to enable the health and safety representative to perform his or her functions or exercise his or her powers.

HSRs are protected from adverse conduct for a prohibited health and safety reason. Among other things, this means that disciplinary action cannot be taken against HSRs for carrying out their functions in good faith.

Workgroups

The parties will engage with workers, via various participation practices to determine and agree the suitable configuration of workgroups. This configuration will be reviewed three yearly by Te Whatu Ora and unions in consultation with workers and health and safety representatives.

Workgroups must be structured to allow for effective representation. A workgroup will be effective when:

- It accounts for the risk profile and characteristics of the workers and the type of work occurring in that workgroup.

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- It allows for the workers to be able to access their health and safety representatives (e.g., contact, location, time and resources, pattern of work, the time at which work is carried out); and
- The workers know which workgroup(s) they belong to.

A worker can belong to more than one workgroup and a workgroup can cover workers of more than one manager or PCBU. Health NZ | Te Whatu Ora recognises that HSRs can represent across workgroups when deemed appropriate by the parties or where an HSR requests the assistance of another HSR.

Where unions and Health NZ | Te Whatu Ora cannot agree on the configuration of workgroups, they will use WorkSafe’s dispute resolution procedures or other agreed dispute resolution process.

Health NZ | Te Whatu Ora Workgroup options are:

Option
1

Health NZ | Te Whatu Ora Entity/Area/Service/Department
An HSR can represent their entity, area, service or department.

Work Group Example: Pacific Health (Entity), Kotuku House (Area), Data & Digital (Service), Emergency Services (Department)

Option
2

Health NZ | Te Whatu Ora Role Type
An HSR can represent a group of workers by role type, role sub-group, or all Health NZ | Te Whatu Ora role types.

Work Group Example: Nurses or Radiologists (Role Type), Neonatal Nurse (Sub-Group), or all roles within a small location/site

Option
3

Health NZ | Te Whatu Ora Combination
An HSR can represent a combination of options 1 or 2, representing a role type or group within an entity, area, service or department.

Work Group Example: Community Mental Health Nurses within the Mental Health & Addictions Service, or Business Analysts within the Data & Digital Team

Number and list of HSRs

There shall be at least one HSR elected for each workgroup in Health NZ | Te Whatu Ora. Health NZ | Te Whatu Ora will use best endeavours to achieve a ratio of 1 HSR to 19 workers and may ask the workers to elect further HSRs to ensure the parties agree appropriate coverage across a workgroup. The parties will receive an annual report from Health NZ | Te Whatu Ora as to the number of HSRs for each workgroup and ratio to workers.

Te Whatu Ora will maintain an up-to-date list of HSRs and their contact details on the staff intranet and will make this accessible to unions when requested, which we agree will be built into the worker engagement, participation, and representation procedure.

Powers and functions of HSRs

The powers and functions of an HSR, and Health NZ | Te Whatu Ora's obligations towards a HSR are set out in [Schedule 2 of the Health and Safety at Work Act 2015](#).

Functions of the role are to:

- Represent workers in matters relating to health and safety.
- Investigate complaints from workers regarding health and safety.
- If asked by a worker, to represent the worker in relation to a matter relating to health and safety (including a complaint).
- Monitor the measures taken by Health NZ | Te Whatu Ora that are relevant to health and safety.
- Inquire into anything that appears to be a risk to the health or safety of workers in the work group arising from the conduct of the business or undertaking.
- Make recommendations relating to work health and safety.
- Provide feedback to the PCBU about whether the requirements of the Act or regulations are being complied with.
- Promote the interests of workers who have been harmed at work, including in relation to arrangements for rehabilitation and return to work.

Workers, HSRs, HSR managers and leadership at Health NZ | Te Whatu Ora will be supported to understand and provided clarity of the role of the HSR. This will be achieved by the utilisation of a HSR role description, training, and a training guide for leaders.

HSR Recommendations

An HSR may make a recommendation regarding work health and safety. Health NZ | Te Whatu Ora must, within a reasonable time:

- a) adopt the recommendation; or
- b) provide a written statement to the HSR setting out the reasons for not adopting the recommendation.

Provisional Improvement Notices (PINs)

Section 69 of the HSWA permits HSRs who have completed their initial training (including unit standard 29315) to issue a Provisional Improvement Notices (PIN).

A PIN is a mechanism to formally escalate a health and safety issue after previous consultation with Health NZ | Te Whatu Ora does not resolve the matter, by bringing it to the attention of the regulator. A PIN is a written notice to a person or organisation issued by a trained HSR where an HSR reasonably believes that the person or organisation is contravening, or is likely to contravene, the Health and Safety at Work Act 2015 or its regulations.

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A HSR may issue a PIN to:

- a) remedy the contravention; or
- b) prevent a likely contravention from occurring; or
- c) remedy the things or activities causing the contravention or likely to cause a contravention.

A PIN may also include recommendations to remedy any contraventions. An HSR must not issue a provisional improvement notice to a person:

- a) unless he or she has first consulted the person; and
- b) if an inspector has already issued an improvement notice or a prohibition notice in relation to the same matter.

If a HSR issues a PIN, they must provide a copy of that notice to the PCBU as soon as practicable.

Election of Health and Safety Representatives

The parties acknowledge that HSRs are essential to effective Health and Safety structures and must be elected by the workers.

HSR's hold office for a term of three (3) years. At the end of the three-year term (or earlier if vacated prior), Health NZ | Te Whatu Ora shall arrange elections for those vacancies. Nominations shall be sought for candidates who wish to stand for election for the position of HSR in each designated workgroup. Health NZ | Te Whatu Ora will notify workers and unions of the upcoming election with no less than four weeks' notice and may request the assistance of unions to run the election. In all cases, the election process must start within two months of notification. The election of HSRs will be through an election process suitable for the workgroup, including by secret ballot if requested by a candidate, those workers in the workgroup represented, or a PCBU. The default method will be electronic voting for the workgroup unless this is not practical in which case a face-to-face meeting will be held. A person can vote if they are a worker and a member of the workgroup that the election is being held for.

If there is only one willing candidate for the position of HSR there is no need to hold an election and that person shall automatically fill the position.

A new election will be held if an HSR resigns, if an election requested by at least 50% of the workers of the workgroup because they have lost confidence in their HSR, or if WorkSafe removes an HSR from office.

Where an HSR role is or becomes vacant, Health NZ | Te Whatu Ora shall undertake reasonable steps to ensure a candidate, or candidates is elected within prescribed timeframes. These steps shall include using email, intranet, staff meeting notices and notice board posters to advertise the vacancy and informing the relevant unions.

Health NZ | Te Whatu Ora will provide the election outcomes to relevant unions.

HEALTH, SAFETY AND WELL-BEING COMMITTEES

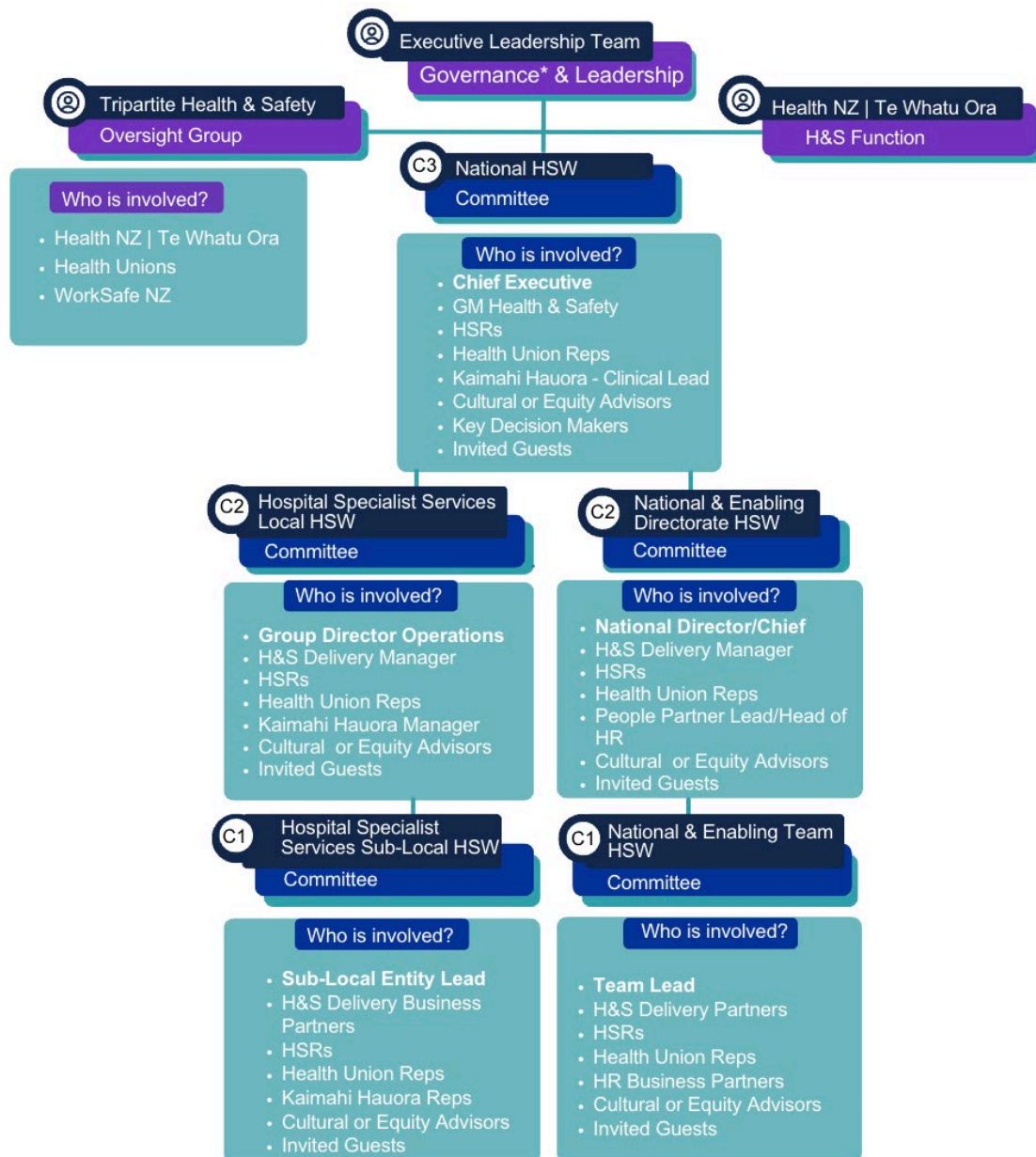
A cornerstone of the Health & Safety at Work Act 2015 (HSWA) is the engagement, participation, and representation of workers in health, safety, and wellbeing. Health NZ | Te Whatu Ora envisages active and ongoing engagement with workers in areas such as identifying hazards, managing risks (including physical and psychological risks), monitoring facilities and changes to work that may affect their health and safety, monitoring conditions of work, providing information and training, participation practices, and the election of health and safety representatives.

Drawing inspiration from the four pou (pillars) of Te Mauri o Rongo / New Zealand Health Charter; Wairuatanga, Rangatiratanga, Whanaungatanga, and Te Korowai Āhuru, all HSW Committees will be a forum that nurtures a positive safety culture, fueled by transparency, empathy, respect, and open communications. By embracing the values of Te Mauri o Rongo, the HSW Committees will be a space where every individual feels valued, supported, and empowered to work together.

HSRs within a Workgroup for Health NZ | Te Whatu Ora are supported to meet regularly and work cooperatively to improve work health and safety; however the following structures demonstrate the membership of health and safety committees for Health NZ | Te Whatu Ora.

The following diagram provides the structure for all levels of Health NZ – Te Whatu Ora Health, Safety & Wellbeing Committees, as well as governing and supporting groups.

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*For example - Board or Health and Safety Sub-Committee of the Board

Sub-Local/Team Health, Safety and Well-being Committee – (HSWC-1)

Purpose:

The HSS Sub-Local and National & Enabling Team Health and Safety Representative Committees - C1, are the first level of HSWC and via elected HSRs hears the voices of all workgroups, and therefore, the workers. HSWC1 provides a forum for HSRs to discuss, share, and listen to workers’ voices related to health, safety and wellbeing matters in individual work groups, and is a supportive environment to collaboratively address issues that arise. HSWC-1 is an important conduit for health, safety, and wellbeing communications to be disseminated through to workers and escalate issues up to leadership.

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The purpose of the HSWC-1 is to:

- Actively encourage and involve worker participation and engagement on HSW issues
- Address issues from HSR workgroups and escalate to HSWC-2 Committees as required
- Report on hazards and incidents and ensure mitigations are in place to reduce risk.
- Actively monitor performance data, including on the success of mitigations, incidents and near misses
- Actively communicate and report HSW matters to HSRs
- Ensure two-way communication and engagement of health and safety issues in their area

Terms of Reference Functions:

Leadership and Commitment

- Empower and influence a positive culture for Health NZ | Te Whatu Ora's commitment to health, safety, and wellbeing
- Contribute, in collaboration with Local/Directorate HSWC-2 Committees, the HS function and Health Unions, to the implementation of a HSW strategy.
- Support the implementation of a Local/Directorate HSW plan within the national HSW framework.
- Support management in their delivery of the HSW plan
- Support management to ensure Health NZ | Te Whatu Ora has, and uses appropriate resources and processes to deliver the HSW plan
- Be prepared to seek advice from industry and health and safety experts as required
- Actively seek evidence-based research to support decisions, and champion projects, initiatives, and innovative approaches to further enhance HSW

Risk and Engagement

- Monitor, assure and support the implementation of national and local policies and frameworks within HSW.
- Review specific incidents (such as notifiable events), incident trends and monitor corrective actions following incidents as and when appropriate.
- Discuss, review & implement Sub-Local/Team procedures and guidelines related to HSW within the bounds of the national HSW frameworks.
- Discuss, implement, and monitor control measures for critical risks and escalate risks as and where necessary.
- Ensure that Health NZ | Te Whatu Ora's HSW Committees and representatives are well trained, resourced, and integrated
- Promote worker engagement and participation in all aspects of the HSW plan
- Review and share lessons learned with all HSWC.
- Receive and review minutes of work group meetings (if held) and reflect on raised HSW issues ensuring appropriate action has been taken.

Prevention and Resolution

- Resolve or escalate HSW issues that are brought to the Committee’s attention and feedback to relevant HSWC Committee.
- Resolve Sub-Local/Team HSW issues where possible & appropriate.
- Escalate any unresolved issues or requests for support through to other relevant committees (i.e. Local/Directorate HSWC)
- Review the efficacy of information-sharing and cascading through large locations and divisions
- Champion projects, initiatives & ideas which seek to improve HSW.

HSWC-1 Health, Safety & Wellbeing Committee Representatives:

	HSS Sub-Local Committee	National and Enabling Team Committee
<p>Membership</p> <p>Should be approximately 20 members</p> <p>Note: 50% of membership <u>must</u> be HSRs</p>	<p>Sub-Local Services Lead (key decision maker)</p> <p>H&S Delivery Business Partners</p> <p>Health & Safety Representatives (inc. union delegates)</p> <p><i>(These are elected representatives from work groups who must make up at least 50% of the committee membership)</i></p> <p>Health Union Representatives (as required, with right to attend as per the Worker Participation Agreement)</p> <p>Clinical Leads (incl. Kaimahi Hauora Reps and occupational medicine expertise)</p> <p>Cultural and/or Equity Advisors (min. two representatives)</p> <p>Invited guests (inc. regulator, industry representatives)</p>	<p>Team Lead (key decision maker)</p> <p>H&S Delivery Partners</p> <p>Health & Safety Representatives (inc. union delegates)</p> <p><i>(These are elected representatives from work groups who must make up at least 50% of the committee membership)</i></p> <p>Health Union Representatives (as required, with right to attend as per the Worker Participation Agreement)</p> <p>HR Business Partners</p> <p>Cultural and/or Equity Advisors (min. two representatives)</p> <p>Invited guests (inc. regulator, industry representatives)</p>

HSWC-1 Health, Safety & Wellbeing Committee Criteria:

Meeting frequency/schedule	Quarterly – First week of February, May, August & November
Quorum	Chair + 7 Committee members (With at least 50% HSRs)
Chair	To be elected by the Committee members, initial chair will be the key decision maker of the area
Secretary	To be provided by the key decision maker of the area

Local/Directorate Health, Safety and Wellbeing Committees - C2

Purpose:

The Local and Services Health, Safety and Wellbeing Committees – C2, are the second level of HSWC and via HSWC-1 representatives (who are elected HSRs) provide a forum to hear the voices of all workgroups, and therefore the workers. In addition to representation from all HSWC1 committees, HSWC2 membership includes a range of managers and/or leaders who can provide leadership to implement recommendations and actions and facilitate support at a higher organisational level.

The purpose of the Local/Services Health, Safety, & Well-being Committees is to:

- Oversee the management of HSW within their district, region, or area of influence.
- Ensure cascading of information through large locations/divisions is effective.
- Monitor extreme and high actual/potential events. Ensure mitigations are in place to reduce risk. Escalate where required.
- Facilitate resolution of escalated matters from HSCs

Terms of Reference Functions:

Leadership and Commitment

- Empower and influence a positive culture for Health NZ | Te Whatu Ora's commitment to health, safety and wellbeing
- Contribute, in collaboration with the National HSCW-3, the HS function and Health Unions, to the implementation of a HS strategy.
- Develop and lead the implementation of a Local/Services HSW plan within the national HSW framework.
- Support management in their delivery of the HS plan
- Support management to ensure Health NZ | Te Whatu Ora has, and uses appropriate resources and processes to deliver the HS plan
- Be prepared to seek advice from industry and health and safety experts as required
- Actively seek evidence-based research to support decisions, and champion projects, initiatives, and innovative approaches to further enhance HSW

Risk and Engagement

- Monitor, assure and support the implementation of national and local policies and frameworks within HSW.
- Review specific incidents (such as notifiable events), incident trends and monitor corrective actions following incidents as and when appropriate.
- Discuss, review & implement Local/Services procedures and guidelines related to HS within the bounds of the national HSW frameworks.
- Discuss, implement, and monitor control measures for critical risks and escalate risks as and where necessary.
- Ensure that Health NZ | Te Whatu Ora's HSW Committees and representatives are well trained, resourced, and integrated
- Promote worker engagement and participation in all aspects of the HS plan

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- Review and share lessons learned with the sub-local area and Regional HSWC.
- Receive and review minutes of Sub-Local/Services HSWC-1 Committees meetings and reflect on raised HSW issues ensuring appropriate action has been taken.

Prevention and Resolution

- Resolve or escalate HSW issues that are brought to the Committee’s attention and feedback to relevant HSWC Committee.
- Resolve Local/Services HSW issues where possible & appropriate.
- Escalate any unresolved issues or requests for support through to other relevant committees (i.e. National HSWC)
- Review the efficacy of information-sharing and cascading through large locations and divisions
- Champion projects, initiatives & ideas which seek to improve HSW.

HSWC-2 Local/Services Health, Safety & Wellbeing Committee Representatives:

	HSS Local Committee	National and Enabling Directorate Committee
<p>Membership</p> <p>Should be approximately 20 members</p> <p>Note: 50% of membership must be HSRs</p>	<p>Group Director of Operations (or proxy as agreed for those with multiple sites)</p> <p>Health & Safety Delivery Manager</p> <p>Health & Safety Representatives (inc. union delegates)</p> <p><i>(These are elected representatives from Sub-Local/Services HSW Committees), who must make up at least 50% of the committee membership</i></p> <p>Health Union Representatives (as required, with right to attend, as per the Worker Participation Agreement (WPA))</p> <p>Clinical Leads (incl. Kaimahi Hauora Manager and occupational medicine expertise)</p>	<p>National Director/Chief (or proxy as agreed for those with multiple sites)</p> <p>Health & Safety Delivery Manager</p> <p>Health & Safety Representatives (inc. union delegates)</p> <p><i>(These are elected representatives from Sub-Local/Services HSW Committees), who must make up at least 50% of the committee membership</i></p> <p>Health Union Representatives (as required, with right to attend, as per the Worker Participation Agreement (WPA))</p> <p>People Partner / Head of HR</p>

	Cultural and/or Equity Advisors (min. two representatives) Invited guests (inc. regulator, industry representatives)	Cultural and/or Equity Advisors (min. two representatives) Invited guests (inc. regulator, industry representatives)
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HSWC-1 Health, Safety & Wellbeing Committee Criteria:

Meeting frequency/schedule	Quarterly – Third week of February, May, August & November
Quorum	Chair + 7 Committee members (With at least 50% HSRs)
Chair	To be elected by the Committee members; initial chair will be Group Director of Operations
Secretary	To be provided by the Group Director of Operations or National Director/Chief

National Health, Safety and Wellbeing Committee – C3

Purpose:

The National Health, Safety and Wellbeing Committee is the highest level of HSC-3 and has representation from Local/Directorate HSWC-2 Committees, Unions and Executive members. The purpose of the National HSWC-3 Committee is to facilitate communication and collaboration between Health NZ | Te Whatu Ora, relevant unions, elected officials, and other stakeholders concerning health, safety, and wellbeing matters, to achieve good outcomes.

This Committee will work with the Tripartite Health and Safety Oversight Group and the H&S Function carefully to avoid unclear relationships and unnecessary duplication.

The purpose of the National HSWC-3 is to:

- Be a strategic group representing the organisation
- Provide oversight of strategy and leadership level issues and ideas relating to HSW
- Discuss and understand HSW risk profile of the organisation
- Contribute to effective management of organisational HSW risk
- Ensure worker voice and involvement at all levels.
- Remove barriers to the resolution of health and safety issues.

Terms of Reference Functions:

Leadership and Commitment

- Empower and influence a positive culture for Health NZ | Te Whatu Ora's commitment to health, safety and wellbeing
- Contribute, in collaboration with the National HS function and Health Unions, to the design of a HSW strategy.
- Agree & approve with the National HS function and Health Unions the priorities from the strategy to be developed as part of a HSW plan.

- Support management in their accountability for the delivery of the HSW plan
- Support management to ensure Health NZ | Te Whatu Ora has, and uses appropriate resources and processes to deliver the HSW plan
- Be prepared to seek advice from industry and health and safety experts as required
- Actively seek evidence-based research to support decisions, and champion projects, initiatives, and innovative approaches to further enhance HSW

Risk and Engagement

- Actively enquire about Health NZ | Te Whatu Ora’s Critical HSW Risks and assess the application of controls
- Recommend deep dives in particular risks for review and consideration by the National HSWC-3
- Discuss, review & implement National policies, procedures and guidelines related to HS within the bounds of the national HS frameworks and HSWA 2015.
- Ensure that Health NZ | Te Whatu Ora’s HSW Committees and representatives are well trained, resourced, and integrated
- Promote worker engagement and participation in all aspects of the HSW plan
- Review and share lessons learned from Local/Directorate HSWC-2s with the wider Health NZ | Te Whatu Ora
- Receive and review minutes of Local/Directorate HSWC-2 meetings and reflect on raised HSW issues ensuring appropriate action has been taken

Prevention and Resolution

- Resolve HSW issues that are brought to the Committee’s attention and feedback to relevant HSWC
- Seek assistance for challenging issues from external subject matter experts as required
- Support resolution of Local/Directorate issues when support is required

HSWC-3 National Health, Safety & Wellbeing Committee Representatives:

Committee/Group Name	National HSWC
<p>Membership Should be approximately 20 members Note: 50% of membership <u>must</u> be HSRs</p>	<p>Chief Executive (or authorized delegate) General Manager of Health & Safety Health & Safety Representatives (inc. union delegates) <i>(These are elected representatives from C2 Local/Directorate HSW Committees, who must make up at least 50% of the committee membership)</i></p> <p>Health Union Representatives (as nominated by Unions in accordance with the Worker Participation Agreement WPA) HSS Kaimahi Hauora - Clinical Lead representative as appropriate National & Enabling Services People Partner/Head of HR representative as appropriate</p>

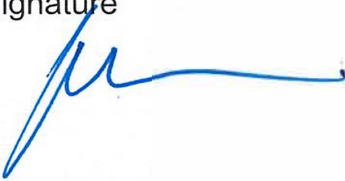
	<p>Cultural and/or Equity Advisors (min. two representatives) Key Decision Makers Invited guests (Board HSC member, regulator, industry representatives)</p>
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HSWC-1 Health, Safety & Wellbeing Committee Criteria:

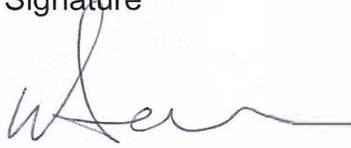
Meeting frequency/schedule	Quarterly – Fourth week of February, May, August & November
Quorum	Chair + 7 Committee members (with at least 50% HSRs)
Chair	To be elected by the Committee members, initial chair will be Chief Executive
Secretary	To be provided by the Chief Executive


SIGNATORIES

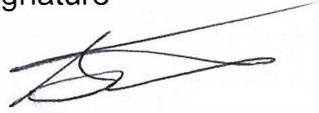
The following are party to this agreement and undertake to co-operate in good faith to ensure the effective ongoing improvement of health and safety.

Union Name: New Zealand Nurses Organisation Toputanga Tapuhi		
Name:	Paul Gouster	Signature 
Role:	CEO	
Date	31/7/24	

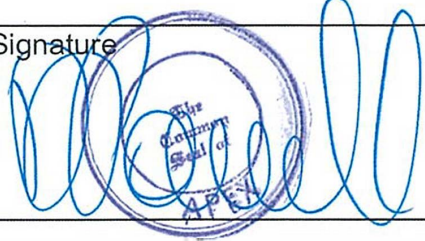
Union Name: Toi Mata Hauora ASMS		
Name:	SARAH DALTON	Signature 
Role:	EXECUTIVE DIRECTOR	
Date	31 JULY 2024	

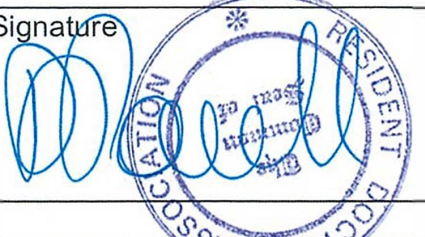
Union Name: Public Service Association Te Pūkenga Here Tikanga Mahi		
Name:	Kerry Davies	Signature 
Role:	National Secretary	
Date	31/7/24	


Union Name: E tū incorporated		
Name:	Mat Danaher	Signature 
Role:	Director	
Date	31 July 2024	


Union Name: Midwifery Employee Representation & Advisory Service/ MERAS		
Name:	Sam Jones	Signature 
Role:	Co-Leader	
Date	31/7/2024	


Health New Zealand
Te Whatu Ora

Union Name: APEX Allied Scientific and Technical		
Name:	Deborah Powell	Signature 
Role:	National Secretary	
Date:	14 July 2024	

Union Name: New Zealand Resident Doctors Association/ NZRDA		
Name:	Deborah Powell	Signature 
Role:	National Secretary	
Date:	14 July 2024	

Union Name: Specialty Trainees of New Zealand/ STONZ		
Name:	Kate Clapperton-Rees	Signature 
Role:	Executive Director	
Date:	31 July 2024	

Union Name: New Zealand Council of Trade Unions/ NZCTU		
Name:	Richard Wagstaff	Signature 
Role:	President	
Date:	31 July 2024	

Health NZ Te Whatu Ora		
Name:	Margie Apa	Signature 
Role:	Chief Executive	
Date:	31 July 2024	