

NZ NOT NEARLY SO CLEVER AS WE HAVE BEEN LED TO BELIEVE

Vietnam – a developing country that has a large land border with China and a population of 97 million people – has not reported a single death from coronavirus. As of April 21, the country had reported 268 cases of COVID-19, the disease associated with the new coronavirus, with 140 people making a full recovery. The reason why Vietnam has managed to keep patients from death’s door is down to a three-pronged government strategy.

1. Temperature screening and testing. Vietnam immediately responded early in January 2020 and closed the border with China.
2. There has also been intensive testing across the country. Testing stations have been set up across cities, which all citizens can attend.
3. From early January, the Vietnamese government has communicated widely to citizens about the seriousness of the coronavirus.
4. The final measure was to control all inter-regional travel and to prevent transfers within the nation.

SAFETY OBSERVER QUALS WILL BECOME IMPORTANT

We advise all clients to seriously consider getting workers qualified as safety observers as there will be major benefits to the Directors, Owners and Managers as a direct result. This will be a real cost benefit that will enhance your ACC experience rating bonus.



Summit Manager Name _____

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Rev 13.7 KJV 7 And war broke out in heaven: Michael and his angels fought with the dragon; and the dragon and his angels fought, 8 but they [a]did not prevail, nor was a place found for [b]them in heaven any longer.

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WORKSAFE PROSECUTION FOR NZ DEFENCE FORCE DEATH.

The Defence Force was sentenced at the Auckland District Court today for health and safety failings following the death of a trainee diver. In March 2019 a group of trainees was taking part in an 18 week advanced diving course.

Following a full day of dive exercises, the trainees were undertaking a night dive when one of the trainees was identified as in trouble and pulled unresponsive from the water. The trainee later died as a result of a brain injury due to oxygen deprivation.

A WorkSafe investigation found the exercise went against the Defence Force’s own training standards. It also found trainees were covertly switching their breathing apparatus from nitrox to oxygen mode, which ran the risk of leading to oxygen deprivation. This switching activity was known between trainees but not to their supervisors in the Defence Force.

WorkSafe’s Head of Specialist Interventions Simon Humphries said while WorkSafe couldn’t find evidence to suggest the Defence Force’s actions had directly caused the victim’s death, health and safety failings were still evident. “To put it very simply there was a lack of supervision,” said Mr Humphries. “There were no diver attendants, whose role was to observe the floats attached to the divers indicating their position in the water on the night of the incident. This was the divers only means of communicating to the surface should they be experiencing difficulty whilst underwater.

“The Defence Force was not following guidance it had set out for itself. This guidance was put in place for the health and safety of these trainee divers and it is disappointing that it was ignored.” Mr Humphries said it was reasonably practicable to expect the Defence Force to have ensured divers were effectively supervised during training operations. “They should have ensured the correct number of supervisory staff were present. There was also a failure to ensure that all divers, including instructors, had Certificates of Competence for diving.

“These health and safety failings exposed all the trainees to a risk of serious injury or death.” The New Zealand Defence Force was ordered to pay a fine of \$288,750. A fine of \$288,750 was imposed.

WANTED 100 QUALIFIED SAFETY OBSERVERS FOR NZ DEFENCE FORCE

2.

OUR BEST OFFER FOR 28 YEARS PROTOCOLS OF NEW ZEALAND

We are confident that this is the most important offer that we have made in 28 years since our formation. All clients with a service agreement, may as part of the deal get free access to our new Protocols of NZ which is normally priced at \$799 plus GST and is probably worth \$30,000 to the average site. You must get the first five pages of this document now and study this extremely valuable offer.



THE FOUR PARTS TO THE PROTOCOLS OF NZ

1. The Owners, Directors and CEO referred to as PCBU sections 17-18. They must be trained and qualified as Safety Officers.
2. Responsible Managers and Controlling Officers as they would be known in NZ Govt circles. They also come under PCBU sections 17-18. They also should be qualified.
3. Other parties such as members of the public or subbies that come on site and cannot be easily controlled except by formal agreements. This is usually taken as the three Cs vis consult, communicate, and coordinate. This part of the Act (section 34) does not solve the liability and responsibility.
4. The workers as stated in section 45 (old Act section 19) are to be made responsible. Actually little or none of this is happening and the Departmental Officials have written excellent documents but have done nothing to get nationwide agreement to bring about high level commitment, cooperation and championing of the cause of staff empowerment apart from the vindictive role for a possible Safety Rep.

Unfortunately the legal experts who wrote the current Act did nothing profound to describe what the workers are required to do to make it clear and obvious that they are playing a full and important role at the workplace. The documents dealing with interpretation are much less than helpful and it therefore comes down to what each site can achieve by way of legal agreement among the parties to the protocols.

May we respectfully suggest that if the law draftspersons spent a fraction of the time throwing together a string of sections relating to obligations of the management and put half of the same effort into the workers then we would have a much different Act.

3.

WHAT ARE THESE MEERKATS ABOUT CAN YOU EXPLAIN?

We are continually being told that the Owners, Directors and CEOs at workplaces are responsible to prevent all serious harms. We see clear repeated examples of prosecutions where the officials or enforcer takes action to find the Directors, Owners and CEO liable and responsible.

For 28 years we have made it clear that we do not agree with the policy to only punish Managers and not the workers and make a clear example of Owners and Managers so that all other Managers wake up and take Health and Safety seriously.

We do not agree that continuation of the failed policy will ever get more than a small percentage of the Managers to treat the situation seriously. The option to have a Safety Rep is about as foolish as asking a traffic cop to ride in the back seat of the car with you to make sure you do not travel too fast.

For your information and advice we have some responsibility for the failure to get this matter sorted. We did try at the time of the select committee for the No 70 Act to bring us under the same as NSW to get formal recognition for the Safety Officer role as had been advocated by officials in Australia. We do not have Officials in NZ who have had wide exposure to the benefits of WHOSO appointments that most inspectors in Australia wanted to retain.

In our opinion and we believe that we can prove what we say, 99% of accidents are caused by the workers and not by failure of management. At the same time, most of the accidents are where another worker was present at the time and may have been able to prevent or ameliorate the accident to make it much less harmful.

Our intention is therefore quite simple. Let us empower all of the workers with roles of injury prevention and safety observer. Make them responsible for watching out and stopping the accidents before they happen. To make sure that this is taken seriously all Workers will be able to bring a warning note and then a fine where failure has occurred.

We know from thousands of discussions with workers at sites in the period from 1995 to 2011 that workers are prepared to take their responsibilities and also the role of preventer and safety observer and we regret that we have not moved on this matter until now.

