

Am I compliant?

The Health and Safety at Work Act 2015 & ISO 45003

At Umbrella, we support businesses to be compliant while enabling them to work towards cultivating safer and healthier environments that allow their people to thrive.

The Health and Safety at Work Act 2015

The Health and Safety at Work Act 2015 (HSWA) is New Zealand's primary workplace health and safety legislation. The HSWA aims to protect employees' health and wellbeing by setting out the duties and rights of government, business and workers. The Act legally requires persons conducting a business or undertaking (PCBUs) to provide a healthy and safe work environment by minimising or eliminating risks to health and safety, including mental health.

Duty of PCBUs

The primary duty of PCBUs is to ensure the health and safety "so far as is reasonably practicable". When it comes to mental health, this means considering all relevant matters including:

- How likely are any hazards or risks impacting on mental health to occur?
- How severe could the harm that might result from the hazard or risk be?
- What does the PCBU know, or ought to reasonably know, about the risk and the ways of eliminating or minimising it?
- What measures exist to eliminate or minimise the risk (control measures)?

- How available and suitable is the control measure(s)?
- What is the cost of eliminating or minimising the risk?
- Is the cost of eliminating or minimising the risk grossly disproportionate to the risk?

Duty of workers

Workers also have their own health and safety duties, which include:

- Taking reasonable care for their own health and safety.
- Taking reasonable care that what they do or do not do does not adversely affect the health and safety of other persons.
- Cooperating with any reasonable workplace health and safety policy or procedure.
- Complying with any reasonable instruction given by the PCBU, so the PCBU can comply with HSWA and regulations.



Meeting health and safety duties

To meet health and safety duties as a PCBU, risks that arise from work must be effectively managed and eliminated. If the risks cannot be eliminated, they should be minimised.

For clarification:

- Risks to health and safety are factors that arise from the exposure to hazards.
- A hazard is anything that can cause harm (includes behaviour that has the potential to cause injury, illness, or death).

Before managing work risks, PCBUs must think about the risks that currently exist or are likely to arise.

ISO 45003

ISO 45003 is the main global standard and risk management tool that provides guidance on how to manage psychosocial risks and promote wellbeing at work.

Psychosocial risks are factors that can affect an employee's psychological response to their work and workplace conditions. These risk factors can be present in all organisations and sectors, and can arise from all kinds of work tasks and employment arrangements.

Psychosocial risks have the potential to cause various outcomes on health, safety, wellbeing, and on organisational performance. It is crucial that psychosocial risks are managed effectively and there are appropriate controls in place to optimise positive outcomes for your people.



Our work

At Umbrella, we specialise in mental health and workplace wellbeing. We partner with organisations to help build safer and healthier workplaces which support people to thrive.

We partner with businesses to identify, assess, and manage risks in the workplace using our Umbrella Wellbeing Assessment tool and Psychosocial Risk Assessment Framework informed by the ISO 45003 standards.

Although these standards are not legally enforceable, they provide a useful framework for complying with the duties under the HSWA.

Our strategic approach at Umbrella is underpinned by the same standards. We assess organisational wellbeing against *Umbrella's 12 key Psychosocial Risk Factors*, which include:

- organisational support for wellbeing
- job satisfaction
- workload
- work environment and more.

Using assessment tools and an evidence-informed process helps to mitigate these psychosocial risks, which benefits both individuals and organisations.

To achieve this, our psychologists use their expertise to provide recommendations designed to successfully manage and reduce psychosocial risks and potential problem areas in your organisation.

Get in touch

For more information on enhancing mental health and wellbeing at work, contact us here:

0800 643 000
office@umbrella.org.nz

www.umbrella.org.nz