

## **Module 4**

### **Health And Safety For Volunteers**

#### **Purpose**

The purpose of this module is to promote safety and prevent injuries or illnesses to community patrollers. It also allows us to comply with the Health and Safety at Work Act 2015 and covers the identification of hazards and associated risk factors, control methodologies and responsibilities.

CPNZ has a responsibility to manage Health and Safety issues, not only under current legislation but in compliance with the Memorandum of Understanding between Community Patrols of New Zealand and the New Zealand Police.

Relevant information can be obtained from Worksafe NZ, Volunteering NZ and the CPNZ Website.

First we will look at what Worksafe NZ and Volunteer NZ states and then we will look at Community Patrols of New Zealand.

#### **Worksafe NZ**

The following information is copied from Worksafe NZ and it is available along with further information at the following website: [www.worksafe.govt.nz](http://www.worksafe.govt.nz).

#### **Information For Volunteers**

The obligations, duties and rights contained in the Health and Safety at Work Act 2015 (HSWA) make it clear that everyone has a role to play in ensuring health and safety at work.

#### **What Is A PCBU?**

A PCBU is a 'person conducting a business or undertaking'. A PCBU may be an individual person or an organisation. A 'business' is a profit making entity, whereas an 'undertaking'

may not be commercial in nature. HSWA places duties on all PCBUs (see below).

#### **What is a Volunteer Association?**

A volunteer association is a group of volunteers working together for a community purpose who do not employ any person under a contract of service. Purposes could include the promotion of art, culture, science, religion, education, medicine, or to support a charity, sport or recreation activity. Volunteer associations do not have health and safety duties under HSWA, as they are not PCBUs.

Other volunteer organisations, such as CPNZ, are recognised as PCBUs and have the same duties as other PCBUs.

#### **Are You A Volunteer?**

You are a volunteer if you do work that you don't receive payment or reward for. You may be reimbursed for out-of-pocket expenses, for example you may be reimbursed for your petrol expenses if your volunteer work requires you to drive.

#### **Are You A Volunteer Worker For A PCBU?**

Some volunteers are classified as volunteer workers and are treated as 'workers' under HSWA (except for worker engagement, participation and representation purposes).

You are a volunteer worker if:

- You are doing work for a PCBU that has knowledge you are doing the work or has given consent for you to do the work
- You work for the PCBU on an ongoing and regular basis
- The work is an integral part of the business or undertaking
- The work is not:
  - Participating in fundraising

- Assisting with sports or recreation for an educational institute sports club or recreation club
- Assisting with activities for an educational institute outside its premises
- Providing care for another person in the volunteers home.

### **What Is Required Of The PCBU You Volunteer For?**

A PCBU must ensure, so far as is reasonably practicable, the health and safety of:

- Workers who work for the PCBU, while the workers are at work in the business or undertaking
- Workers whose activities in carrying out work are influenced or directed by the PCBU, while the workers are carrying out the work

The PCBU must also ensure, so far as is reasonably practicable, that the health and safety of other people is not put at risk from work carried out as part of the business or undertaking. This duty is owed to volunteers who are not volunteer workers.

A PCBU must ensure, so far as is reasonably practicable, that volunteer workers have:

- A work environment that is free from risks to health and safety. This can include risks of physical harm such as injuries and ill health and risks to your psychological health
- Safe equipment, structures and systems of work
- Safe use, handling, and storage of plant, substances and structures
- Adequate and accessible welfare facilities such as toilets, drinking water, washing and eating facilities

- The necessary information, training, instruction, or supervision to do the work safely. For example it may be necessary for you to receive an induction, Personal Protective Equipment, emergency plans, and support dealing with clients who may have challenging behaviours
- The monitoring of worker health (where relevant) and the exposures at the workplace, for the purpose of assessing the effectiveness of controls

### **What Are Your Responsibilities?**

(Refer Information for Volunteers, Fact Sheet Worksafe NZ).

If you're a volunteer you must take reasonable care of your own safety and take care not to do anything which could harm another person. You should follow all reasonable safety instructions given to you by the PCBU, so that they can comply with their obligations under the HSWA and its regulations (these are the duties of other persons at workplaces).

If you're a volunteer worker, you have the same Health and Safety duties as paid workers. In addition to the duties above you must also cooperate with any reasonable Health and Safety policy or procedure of the PCBU, as long as this has been notified to you.

Reasonable care means that you should do what a reasonable person would do in the same circumstances. This is for you to determine, however the following considerations may be helpful:

- The skills and knowledge you have
- What the risks and outcomes are
- The resources you have available to you

Some steps you can take include:

- Only doing tasks that have been assigned to you
- Only doing tasks that you have been trained to do or are familiar with
- Not doing tasks that you think are unsafe
- Reporting new hazards and risks to the PCBU
- Being familiar with the PCBU's Health and Safety policies and rules
- Providing feedback on Health and Safety issues
- Using any Personal Protective Equipment that is provided, and storing and maintaining it as instructed
- Participating in health monitoring programmes

### **Can You Be Prosecuted?**

An individual patroller could be prosecuted if that person fails to meet a duty as a volunteer or volunteer worker.

*(Note from Kensington Swan (Legal Advisors): The risk of this is low as Worksafe NZ's approach is not to prosecute individuals except in exceptional cases where there is wilful misconduct or recklessness).*

### **Who Is An Officer Of A PCBU?**

**(refer Information for Officers who are Volunteers, fact Sheet, Worksafe NZ)**

An officer is a person who occupies a specified position or who occupies a position that allows them to exercise significant influence over the management of the business or undertaking. Organisations can have more than one officer.

Officers are:

- company directors (even if they do not have 'director' in the title)

- any partner in a partnership (other than a limited partnership)
- any general partner in a limited partnership
- any person who holds a position comparable to a director in a body corporate or an unincorporated body
- any person who occupies a position that allows them to exercise significant influence over the management of the business or undertaking (eg the Chief Executive).

### **Who Is A Volunteer Officer Of A PCBU?**

Officers who perform their duties on a voluntary basis, i.e. they do not receive payment or reward, are volunteer officers.

Note: volunteers can be reimbursed for out of pocket expenses.

### **What Is The Duty Of Volunteer Officers?**

Volunteer officers have a due diligence duty to ensure the PCBU complies with its duties and obligations.

### **What Is Due Diligence?**

An officer of a PCBU must exercise due diligence to ensure that the PCBU complies with its health and safety duties.

This means they must exercise the care, diligence and skill a reasonable officer would take in the same circumstances, taking into account the nature of the business or undertaking, the officer's position and the nature of the responsibilities they undertake.

The Health and Safety at Work Act 2015 (HSWA) is a law to make sure all New Zealanders are safe at work.

## **Volunteer NZ**

(refer VNZ Brief: HSWA Info for Volunteers)

The Act makes a distinction between casual volunteers and 'volunteer workers'. You are a volunteer worker if:

- Your organisation has knowledge you are doing work or has given consent for you to do the work
- you work for your organisation on a regular basis
- the work you do is an integral part of your organisation.

As a volunteer worker you should receive the same treatment as your organisation's paid workers with regard to health and safety. For example, you should receive the necessary training to do your work safely.

Familiarise yourself and follow the instructions given to you by your organisation as part of their health and safety policies and rules. You must cooperate with any reasonable health and safety policy or procedure of your organisation.

You must take reasonable care - you should do what a reasonable person would do under the circumstances by:

- only doing tasks that have been assigned to you
- only doing tasks you have been trained to do, or are familiar with
- not doing tasks you think are unsafe
- reporting hazards and risks providing feedback on health and safety issues: speak up if you have safety concerns
- using the personal protection equipment (PPE) if it is required, and using it as instructed.

A major departure from reasonable care (eg, recklessness or deliberately putting yourself or another in danger) could be grounds for prosecution under the Act.

## **CPNZ Health And Safety Induction Training**

The CPNZ induction training programme is detailed on the organisations website.

A Community Patrol carries out an induction programme for new patrollers to teach them about health and safety. An induction is training that is given to new patrollers to ensure they know how to keep themselves safe as well as how to be a competent patroller. The Health and Safety Officer or Training Coordinator will go through the health and safety rules for your patrol.

These rules are also covered in depth on the CPNZ website ([www.cpnz.org.nz](http://www.cpnz.org.nz)). They include, but are not limited to the following;

- Patrollers must comply with all rules of CPNZ and the rules of their patrol
- Patrols must log on and off with Police before and after patrolling
- Patrolling must be carried out with at least two patrollers at any time
- Hi-viz clothing items must be worn at all times while patrolling
- Patrollers must not put themselves, other patrollers or anybody else at risk
- Patrollers must, at all times drive in accordance with the NZ road code

## **Health And Safety Training On The Job**

As a patroller you will undertake regular health and safety training on the job.

Your Health and Safety Officer or Training Coordinator or Patrol leader must make sure you are sufficiently trained to carry out your patrol activities. This includes training you on

how and when to wear your personal protective clothing, use protective equipment [such as fire extinguishers] and operate patrol vehicles safely. This training must form part of your patrol induction training.

### **Health and Safety Officers**

Health and safety officers or representatives are people who are elected by the patrol, or designated by the patrol committee. They will represent patrollers and engage with patrollers about health and safety issues.

Health and Safety officers should have some form of specialised training.

Health and Safety officers focus on;

- Identifying hazards
- Managing hazards
- Promoting health and safety at work
- Help for employees who have been injured

### **Health And Safety Committees**

Your patrol may have a Health and Safety committee or it may be part of the work carried out by the patrol committee. This committee will meet to discuss health and safety issues within your patrol. The committees will;

- Make suggestions to improve health and safety
- Obtain information about health and safety for staff training
- Work with management to improve health & safety systems

### **Responsibilities Of CPNZ Officers**

As a PCBU CPNZ has responsibilities under the Health and Safety at Work Act 2015 to keep all community patrollers safe. These responsibilities include:

- Taking all practicable [reasonable] steps to ensure the safety of patrollers

- Ensuring all patrollers are equipped with personal protective clothing and equipment
- Managing hazards [dangers]
- Providing supervision and training

Taking all practicable [reasonable] steps to ensure the safety of employees.?

Practicable steps are all the actions CPNZ can reasonably take to keep patrollers safe.

Actions CPNZ or a Patrol Committee can take include;

- Providing a safe and healthy workplace. E.g. safe buildings, vehicles and equipment
- Having procedures in case of emergencies
- Making sure visitors and contractors follow health and safety requirements
- Having systems for recording accidents or incidents
- Reporting serious accidents to the Worksafe

Definition: a practicable step is an action that is possible to do, sensible and reasonable.

### **Providing Personal Protective Equipment**

CPNZ has a responsibility to provide you with personal protective equipment. These are obtained via the CPNZ website.

Personal protective equipment is designed to minimise the risk of you being injured. It can include;

- Something you wear, such as a high-vis vest that makes you easy to see
- Something you use, such as road signs to alert oncoming traffic of an accident scene
- Something installed in your vehicle such as fire extinguishers

It is your responsibility to wear or use this equipment.

### **Managing Hazards**

A hazard is something that is dangerous and can injure you or make you sick.

The patrol committee is responsible for;

- Having a system to identify and record hazards
- Eliminating those hazards where possible
- Minimising those hazards that cannot be eliminated

### **Providing Supervision And Training**

The patrol committee is responsible for training you on;

- How to do jobs correctly.
- How to use any equipment correctly and safely.
- Making sure someone who is experienced supervises you until you are able to operate without supervision

Remember, if you are being trained, always make sure you understand what your trainer is telling you to do. If you are not sure, ask them to give you extra information. For example:

- Can you show me that again?
- Can you tell me more about that?
- Can you go over that again?
- Can you explain that in more detail?

### **Definitions**

Eliminate: to remove the hazard so that it is completely gone.

Minimise: to make the hazard smaller.

### **Patroller Responsibilities**

You are responsible for taking all practicable steps to ensure your safety while on patrol. This includes:

- Using protective clothing and equipment
- Protecting the health and safety of yourself and others through
- Not doing something that may cause harm to another person
- Inaction [not doing anything] that could cause harm to another person
- Identifying hazards
- Reporting all accidents or near misses.

### **Using Personal Protective Equipment**

You will be provided with personal protective clothing and equipment. This equipment will be used to protect you from hazards. Patrol Equipment should include;

- Hi-viz clothing
- Safety equipment
- Torches
- Road cones
- Communications equipment

### **Your Responsibilities Are To:**

Use this equipment or you may be subject to disciplinary action if you do not use the clothing or equipment. Check that the equipment fits well and is suitable for you. If it is not, talk to your patrol committee.

### **Protecting The Health And Safety Of Yourself And Others**

Under the Act, you have a responsibility to keep yourself and others safe through the actions you take. Having this responsibility means:

- Following your patrol's health and safety policies and procedures
- Behaving professionally.

Following CPNZ's health and safety policies and procedures means taking the actions identified in those policies and procedures. Inaction could lead to a person being hurt.

Part of your responsibility as a patroller is to behave professionally at all times. Professional behaviour does not include “horsing around” or “playing the fool”. All these are informal ways of describing behaviour that is silly or inappropriate. They can lead to people being hurt. It is important that you always behave in a safe and professional way to keep yourself and your fellow patrollers safe.

### **Your Right To Be Adequately Supervised And/Or Trained**

As part of the Act, you have the right to be adequately supervised in your work. Your patrol will have a supervisor, team leader or manager who will be available to help you.

You also have the right to have enough training. This means you need to attend any training sessions your patrol provides.

### **Unsafe Work**

Under the Act you have the right to refuse unsafe work. You can refuse if you believe that the work is likely to cause you harm.

### **Hazards**

A hazard is something that is dangerous and can injure you or make you sick. Section 2 of the Act has this definition:

Hazard includes a person’s behaviour where that behaviour has the potential to cause death, injury, or illness to a person (whether or not that behaviour results from physical or mental fatigue, drugs, alcohol, traumatic shock, or another temporary condition that affects a person’s behaviour)

### **Significant Hazard?**

Some hazards can be more serious than others. These are known as significant hazards.

A significant hazard is something that can cause serious harm or have serious consequences.

Serious harm is when someone gets badly injured or develops a serious illness. Noise is a significant hazard in some workplaces, for example, where people have to operate very noisy equipment.

### **Actual or potential hazards**

- Actual—This is a hazard that is already there
- Potential—Something that could happen

### **Permanent or temporary hazards**

- Permanent—The hazard is always there
- Temporary—The hazard is only there for a short time.

Hazards are recorded in a Hazard Register. The information is used to make the workplace safer.

### **Types Of Hazards**

There are four different types of hazards:

1. Physical hazards are hazards that are found in your environment, such as the weather, noise, traffic, machinery.
2. Biological hazards are hazards that involve living organisms and disease, such as:  
Infectious substances,
3. Chemical hazards are substances that can cause harm, such as solvents, cleaning fluids, acids
4. Behavioural hazards are hazards that result from people’s actions or behaviours, such as being too tired or stressed, under the influence of alcohol or drugs.

## Management Of Hazards

There are three steps you need to take to reduce the risk of workplace injury and illness:

Step 1: Identifying hazards

Step 2: Assessing hazards

Step 3: Managing hazards

How hazards are managed in your patrol will be part of the system your patrol uses to keep everyone safe.

### Step 1: Identifying Hazards

Identifying hazards involves two steps;

- Identifying the hazard
- Reporting that hazard

Hazards can be identified by the following methods;

- Physical inspections  
This means walking around the site (or community) and looking for things that could cause harm or an accident. (Physical inspection is useful for static patrollers who are assisting Police as scene guards).
- Analysing tasks  
This involves identifying the hazards involved in jobs and tasks. Identifying hazards this way works well for patrollers who do mobile patrols.
- Hazards can also be identified by you or another patroller, during a health and safety review or audit, during discussions in patrol meetings.

### Step 2: Assessing Hazards

Once a hazard has been identified, you will assess the risk of the hazard. Hazards that have a high risk of causing an accident or harm will need to be dealt with quickly [significant hazard]. Hazards that do not have as high a risk will still need to be dealt with to stop the hazard

becoming more significant later.

In assessing a hazard, you will look at the following points;

- How serious could any injury be?
- How often does the hazard happen?
- How likely is the hazard to cause an accident or harm?

### Step 3: Managing Hazards

Identified hazards are managed using a hierarchy of controls. A hierarchy is a list of things in order of importance. This means;

- Eliminate the hazard, and if this is not possible
- Minimise the hazard

The HSWA Act says these steps must be done in this order. You cannot decide to minimise the hazard before you have tried to first eliminate it.

### Eliminating

Eliminating is removing the hazard so that it no longer exists. Eliminating is the best way of controlling a hazard because it removes the hazard. Ways of eliminating hazards include;

- Using safer processes
- Using better equipment, such as battery operated equipment rather than electrical equipment wet environments.

### Minimise

If a hazard cannot be eliminated or isolated, it must be minimised. Examples of minimising hazards include;

- Using protective clothing
- Using protective equipment

### Other Ways Of Managing Hazards

There are a number of other things you can do to help manage hazards while involved in patrolling activities. These include:

- Always following the safety rules
- Not doing anything that could cause harm or injury to yourself or others
- Not forgetting to do something that could result in harm or injury to yourself or others
- Reminding others [especially new patrollers] to follow the safety rules.

### **Housekeeping**

Housekeeping means keeping your work area tidy and clean. Housekeeping is an important way of managing hazards. Keeping work areas (offices, garages, vehicles) clean and equipment in the correct place helps reduce the likelihood of potential and temporary hazards.

Poor housekeeping can create hazards, such as;

- Rubbish that can become a fire hazard
- Water or oil spilled on the ground that can become a slip hazard
- Hoses left across a path that can become a trip hazard.

### **Health And Safety Systems**

The Community Patrol will have a health and safety system that has a number of connected parts. These parts include;

- Emergency procedures
- Incident and hazard reporting
- Hazard management
- Patroller engagement & participation
- Patrol Health and Safety Officers
- Training requirements

### **Emergency Procedures**

Emergency procedures are instructions that tell you what to do to in an emergency. An emergency may be a vehicle breakdown or being confronted by an unruly person or group. The procedure tells you;

- What actions to take

- The order of those actions

### **Incident And Hazard Reporting**

Patrollers are required to report accidents, incidents and hazards as part of your health and safety responsibilities. Accidents are recorded in an Accident Register. This information is used by your committee and CPNZ to make the workplace safer.

Accidents can also cause you to be hurt while patrolling. An accident is where something happens that causes, or could cause a person to be injured.

An incident is something that happens related to safety. Reporting incidents is very important because they show where an accident could happen that may cause an injury.

Your patrol will work to reduce the risk of having accidents and incidents or being faced with a hazard. The Patrol will have a procedure to report any accidents or incidents.

### **Patroller Engagement And Participation**

The HSWA requires PCBU's to have (volunteer) worker engagement and participation practices, regardless of size, level of risk or the type of work carried out. Under HSWA, Patrols must;

- ensure workers' views on matters that could affect their health and safety are asked for and taken into account (engagement)
- have clear, effective and ongoing ways for workers to raise concerns or suggest improvements on a day-to-day basis (participation)

Patrols will have better health and safety outcomes when all patrollers have a say about health and safety. Patrollers are the eyes and

ears of the patrol and know where the health and safety pressure points are. Patrollers;

- are directly affected by any risks created by the work a patrol does
- are in the best position to know how a job is done and how it affects them
- can provide practical solutions for improving work health and safety

How a patrol decides to engage with patrollers and ensure their participation in health and safety will depend on the views and needs of patrollers, the size of the patrol, the nature of the risks, and how, when and where patrols are carried out.

The focus needs to be on effective practices rather than whether any particular system or processes are in place.

This can happen by using focus groups, email discussions, patrol monthly meetings or annual meetings.

### **Patrol Health And Safety Officers**

Representation is about having people representing patrollers on health and safety matters. To ensure representation within patrols the position of Health and Safety Officer needs to be established and maintained with one or more members of the patrol. The patrol committee operates as a Health and Safety committee to work with the Health and Safety Officers and the patrollers on all health and safety issues.

Worker representation has a number of health and safety benefits, including:

- giving patrollers a clear, well-known way to raise issues and suggest Improvements
- providing a link between patrollers and the committee

- helping where it's not practical for the patrol to engage one-on-one with its entire membership
- providing a voice for patrollers who might not otherwise speak up.

A Health and Safety Officer is a person chosen by other patrollers to speak or act on their behalf about health and safety matters. They can benefit a patrol by working with the patrollers to help to identify and manage risks, by providing a different perspective given they are involved in day-to-day patrol activities, and by being knowledgeable about health and safety laws as well as everyone's rights and responsibilities.

### **Training Requirements**

Your patrol committee is responsible for making sure that you;

- Know how to safely and correctly use any equipment
- Understand and know how to use your workplace's health and safety system.
- Have opportunities to keep your knowledge and skills up-to-date
- Report Incidents and accidents

Patrols have Training Coordinators appointed to assist the committee in achieving the aim of having all patrollers achieve and maintain their appropriate level of knowledge and skill.

Training requirements are listed on the CPNZ website [www.cpnz.org.nz](http://www.cpnz.org.nz). They consist of requirements for new patrollers as well as the ongoing knowledge and skills maintenance requirements. From time to time these standards may be amended to meet the needs of CPNZ, Police or any other organisation we may work with.